

COASTAL CONSERVANCY

Staff Recommendation
May 16, 2019

NO-NAME ROAD BARRIER REMOVAL (CARMEL RIVER WATERSHED)

Project No. 17-006-02
Project Manager: Tom Gandesbery

RECOMMENDED ACTION: Authorization to disburse up to \$419,100 to Trout Unlimited for demolition of a concrete ford and construction of a bridge on No-Name Creek to improve fish passage and restore habitat on San Clemente Creek, a tributary to the Carmel River, Monterey County.

LOCATION: Monterey County (Exhibit 1)

PROGRAM CATEGORY: Integrated Marine and Coastal Resources Protection

EXHIBITS

Exhibit 1: [Location Maps and Photos](#)

Exhibit 2: [Project Design](#)

Exhibit 3: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Section 31220 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed four hundred nineteen thousand and one hundred dollars (\$419,100) to Trout Unlimited to demolish a concrete ford and construct a replacement bridge on No-Name Road on San Clemente Creek, a tributary to the Carmel River for purposes of improving fish passage and restoring habitat. This authorization is subject to the condition that, prior to the disbursement of funds and commencing the project, TU shall submit for the review and approval of the Conservancy’s Executive Officer the following:

1. A detailed work program, budget and schedule.
2. The names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.

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5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.
6. A recorded agreement between the grantee, the Conservancy and the landowner of the project site pursuant to Public Resources Code 31116(c), sufficient to protect the public interest in the project improvements.

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 5.5 of Division 21 of the Public Resources Code, regarding resource enhancement.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. TU is a nonprofit organization qualified under section 501(c)(3) of the U.S. Internal Revenue Code, with purposes consistent with Division 21 of the Public Resources Code.”

PROJECT SUMMARY:

Staff recommends providing a grant for up to \$419,084 to Trout Unlimited (TU) to demolish a concrete ford and construct a replacement bridge on No-Name Road on San Clemente Creek, a tributary to the Carmel River, located on the Rancho San Clemente property, a privately-owned recreational property. (See Exhibit 1). The project will be funded by the Carmel River Settlement Account of the Conservancy’s Coastal Trust Fund, which is limited to use on projects that improve conditions for steelhead trout within the Carmel River watershed (see “Project Financing” section).

The South-Central California Coast (SCCC) district population segment of steelhead are listed as threatened under the federal Endangered Species Act. In 2005, the National Marine Fisheries Service (NMFS) designated the Carmel River as critical habitat for SCCC steelhead, and NMFS has consistently ranked the river as one of the most viable watersheds for recovery of SCCC steelhead. The *South-Central California Steelhead Recovery Plan* (NMFS, 2013) identifies removal or modification of fish passage barriers as a critical recovery action in the Carmel River Watershed. In 2014, the Monterey Peninsula Water Management District (MPWMD) completed its *Assessment Of Steelhead Passage Barriers In Portions Of Four Tributaries To The Carmel River* (Assessment) which identifies locations of significant barriers to migration of juvenile and adult steelhead trout and ranks them in priority by location in the watershed, the amount of spawning habitat upstream and severity of blockage (full or partial).

The Assessment ranked the No-Name Road crossing as the fourth-highest priority for removal. The highest-ranked barrier is the Trout Lake spillway and fish-ladder, which is immediately downstream from the No-Name Road project. The Conservancy previously funded the design for a replacement structure for the fish-ladder; however, because the spillway with the fish-ladder is only a partial barrier, and the replacement structure will take longer to implement based on its complexity, the grantee and the California Department of Fish and Wildlife (CDFW) have recommended that the No-Name Road project take precedence (Exhibit 3). The ford is approximately 30 feet long and 10 feet wide. A culvert underneath the ford is smashed and filled

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with debris. Large boulders have been placed downstream of the ford, most likely to control the stream grade. At low flow, 100% of the stream passes underneath the left bank side of the ford, but no fish can pass due to the failing concrete and large amount of woody debris. At higher flows, water overtops the ford, but the downstream boulders continue to impair fish passage. As a result of these conditions, high flow winter events allow some adult fish passage; however, the ford becomes a complete barrier in low flow conditions for both adults and juvenile fish.

The proposed project will provide access for spawning steelhead to an additional three miles of spawning and rearing habitat in upper San Clemente Creek; which, because of the perennial nature of this stream, will add resiliency to the Carmel River steelhead population. TU will remove the existing ford and replace it with a single span bridge. The bridge will be 35 feet long, prefabricated steel or timber, and on the same general alignment as the existing crossing. The bridge would be elevated about two feet above the 100-year flood elevation, and would allow for conveyance of floodwaters and debris below the structure. The top of the bridge deck would be approximately 6.5 feet above the existing concrete ford crossing. The bridge will be installed on cast-in-place concrete spread footings. The channel will be reconstructed in accordance with NMFS and CDFW technical guidance. The project will reconstruct approximately 120-feet of channel that will match the natural (historic) grade of the creek, and includes revegetating the banks with native riparian species (see Exhibit 2).

The project will be undertaken in the late summer or early fall when flows are the lowest. The concrete ford will be broken up and the concrete, collapsed culvert and other construction materials will be disposed of offsite. The large boulders creating the grade control will be redistributed to facilitate fish passage. Once the bridge is installed, rock slope protection will be placed around the bridge footings to protect it from scour.

Site Description: The Carmel River, which empties into the Monterey Bay National Marine Sanctuary, has a large watershed of over 255 square miles, and was once one of the premier steelhead trout fishing rivers in California. The river supplies much of the drinking water for the Monterey Peninsula, and has been adversely impacted by the water withdrawals as the population of the Monterey Peninsula has increased.

Much of the Carmel River watershed is undeveloped land, including a significant portion in Los Padres National Forest. The tributaries and upper reaches of the main stem in these undeveloped areas support high-quality spawning and rearing habitat for steelhead. However, passage to this habitat has been impeded by two large dams, one of which has been removed, plus many road crossings and other structures that have been built on the tributaries.

San Clemente Creek joins the Carmel River approximately 19 miles from the ocean, just upstream of where the former San Clemente Dam was located. The drainage is approximately 15 square miles. For nearly a century, the San Clemente Creek steelhead population has been challenged by major and minor migration barriers on both the mainstem Carmel River and San Clemente Creek itself. However, there have been recent efforts to remove these barriers and restore fish passage in San Clemente Creek. In 2015, the San Clemente Dam and its dysfunctional fish ladder were removed. In 2016, the Old Carmel River Dam located approximately 0.5 miles downstream was also removed. An additional barrier, downstream of the Old Carmel River Dam, known as the Sleepy Hollow Ford, was also removed and replaced with a free-span bridge. With improved adult migration conditions (dam removal), steelhead

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currently have access to 3 miles of San Clemente Creek. The No-Name Road concrete ford is the only remaining full barrier to fish migration on the creek.

The No-Name Road concrete ford crossing of San Clemente Creek is located three miles upstream from the confluence with the main-stem Carmel River, on the Ranch San Clemente Property. The ford currently provides vehicle and pedestrian access to numerous residential/recreational cabins; the goal is to replace it with a functional bridge that allows for fish passage and habitat restoration.

Project History: This project is part of a concerted effort by federal, state and local government to restore migration and spawning of steelhead in the Carmel River watershed. As discussed above, the 2013 Recovery Plan identified the need to remove passage barriers, and the 2014 report by Monterey Peninsula Water Management District identified and prioritized barriers found along the river’s tributaries. Following the successful removal of San Clemente Dam in 2015, TU began working on the removal of obstructions of fish migration on the Carmel River’s tributaries, including San Clemente Creek. In 2017, the Conservancy authorized a grant of \$350,000 to TU for three separate projects: to plan and design removal of this ford crossing; develop a design for a potential fish ladder replacement structure further downstream on the same property; and one other project to be determined. TU has completed the design for the demolition of the ford and construction of a replacement bridge, and is in the process of applying for permits to implement this project with funding from the Carmel River Settlement Account. The landowner of the project site is also providing a significant in-kind contribution to the project.

PROJECT FINANCING

Coastal Conservancy	\$419,100
Landowner	\$229,223
Project Total	\$648,323

The anticipated source of funds for the project is the Carmel River Settlement Account (“Account”) within the Conservancy’s Coastal Trust Fund. The Account consists of funds paid by California American Water Company (CAW) pursuant to a settlement agreement with the National Marine Fisheries Service concerning alleged Endangered Species Act violations. The settlement requires CAW to pay \$16.7 million over a twelve-year period. The settlement funds can only be used to improve habitat conditions for, and production of South-Central California Coast (SCCC) steelhead, or otherwise aid in the recovery of SCCC steelhead in the Carmel River watershed. In addition, these funds can only be expended for mitigation of impacts from well-pumping and water withdrawals by CAW. One effect of CAW’s water withdrawals is the loss of access to rearing habitat in the lower Carmel River, because it dries up in the summer. The proposed project will facilitate improved access to other spawning and rearing habitat in one of the river’s most important tributaries and will thereby help mitigate the impacts of CAW’s withdrawals on SCCC steelhead. Therefore, the proposed project is consistent with the funding source.

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The agreement for the disbursement of the settlement funds also directs that the Conservancy attempt to “maximize the value of the funds by seeking cash or in-kind matching contributions from fund recipients or non-State, third party project partners whenever possible.” Under the proposed project, the property owner will provide goods and services equaling 35% of the total project cost.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project will be undertaken pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code (PRC), in particular, Chapter 5.5, PRC Section 31220, regarding integrated coastal and marine resources protection.

PRC Section 31220(a) authorizes the Conservancy to undertake a project or award a grant for coastal watershed and living marine resources protection and restoration projects that meet one or more of the criteria of Section 31220(b). The proposed project will help achieve the objectives of the following subsections: (b)(2) protect and restore fish and wildlife habitat within a coastal watershed; and (b)(7) reduce the impact of population pressures on the coastal resources. The proposed project will help achieve these objectives by removing a barrier to fish passage within San Clemente Creek and providing unimpeded access to three miles of spawning and rearing habitat.

Consistent with §31220(a), staff consulted with the State Water Resources Control Board and the Central Coast Regional Water Quality Control Board during the development of the project to ensure consistency with PRC Section 30915 concerning protection and restoration of water quality of coastal waters.

As Section 31220(c) directs, the proposed project is consistent with the Water Quality Control Plan (Basin Plan) prepared by the regional water quality control board, as discussed in detail below under “Consistency with Local Watershed Management Plan/State Water Quality Control Plan,” and will include the preparation of a monitoring plan as part of the draft permit and design development.

CONSISTENCY WITH CONSERVANCY’S 2018 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 6, Objective E** of the Conservancy’s 2018-2022 Strategic Plan, the proposed project will restore fish habitat by improving fish passage.

CONSISTENCY WITH CONSERVANCY’S PROJECT SELECTION CRITERIA & GUIDELINES:

The proposed project is consistent with the Conservancy’s Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

Required Criteria

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1. **Promotion of the Conservancy’s statutory programs and purposes:** See the “Consistency with Conservancy’s Enabling Legislation” section above.
2. **Consistency with purposes of the funding source:** See the “Project Financing” section above.
3. **Promotion and implementation of state plans and policies:** The proposed project is consistent with the following plans and policies:
 - The project implements the *California Water Action Plan* (California Natural Resources Agency, California Environmental Protection Agency, and California Department of Food and Agriculture, 2014), which includes goal number 4: protect and restore important ecosystems by improving rearing habitat for SCCC steelhead.
 - The project is consistent with CDFW’s 2015 *California Wildlife Action Plan*, which sets forth goals for the Central Coast region that include protecting sensitive species and important wildlife habitat and restoring anadromous fish populations.
 - The project implements a recovery action identified for the Carmel River bio-geographic group in NMFS’ 2013 SCCC Recovery Plan. Specifically, CAR-SCCCS-3.1 requires the implementation of a “plan to remove or modify fish passage barriers within the watershed.” The project will also further the overarching Recovery Objective to “...restore suitable habitat conditions and characteristics to support all life history stages of viable [steelhead] populations.”
4. **Support of the public:** The proposed project is supported by National Marine Fisheries Service, the Carmel River Watershed Conservancy and Carmel River Task Force, the Santa Lucia Conservancy, the Carmel River Steelhead Association, and the Steinbeck Country Chapter of Trout Unlimited; and it addresses priority actions defined by the Carmel River Task Force.
5. **Location:** The proposed project is located on San Clemente Creek, due west of the former San Clemente Dam, on the Carmel River (Exhibit 2). The area is within a coastal-draining watershed.
6. **Need:** Trout Unlimited does not have the financial capacity to undertake this project on its own. Without the Conservancy’s support, the project will not occur.
7. **Greater-than-local interest:** SCCC steelhead is a federally threatened species and the Carmel River population has been identified as one of the highest priorities for recovery. The proposed project will enhance spawning and rearing habitat for SCCC steelhead.
8. **Sea level rise vulnerability:** The proposed project is located well inland at an elevation greater than 500 feet above sea level.

Additional Criteria

9. **Urgency:** SCCC steelhead populations are at historically low numbers in the Carmel River and several years of drought have exacerbated the adverse conditions caused by over-pumping of the river’s water. Immediate steps are needed to help steelhead survive until

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CAW's over-pumping of the river stops, which is estimated to be at least three to four years from now.

10. **Readiness:** TU is ready to start work on the project immediately; it anticipates that the construction will be completed by the fall of 2019.
11. **Realization of prior Conservancy goals:** This project complements several other projects the Conservancy has funded to improve habitat in the Carmel River including restoration of the south arm of the lagoon, removal of the San Clemente Dam, floodplain restoration east of Highway 1 and removal of barriers on lower Potrero Creek.
12. **Cooperation:** TU is working with the owner of the Rancho San Clemente where the project is located.

CONSISTENCY WITH LOCAL WATERSHED MANAGEMENT PLAN/ STATE WATER QUALITY CONTROL PLAN:

Under PRC Section 31220(c), projects undertaken pursuant to PRC Section 31220(b) must be consistent with the following, if available and relevant to the project: Integrated Watershed Resource Management Programs (IWRMP); local watershed management plans; and water quality control plans, adopted by the state and regional water boards.

The proposed project is consistent with the *Monterey Peninsula, Carmel Bay, and South Monterey Bay Intergrated Regional Water Management Plan*, dated November 2007 (*Monterey IRWMP*), the scope of which includes the Carmel River. In particular, the proposed project is consistent with the following objectives within the Environment Protection and Enhancement Goal ES-5: "protect and enhance sensitive species and their habitats in the regional watersheds," and "minimize adverse effects on biological and cultural resources . . . when implementing strategies and projects". *Monterey IRWMP* at page 4-4. The proposed project is also consistent with the regional priority of promoting the steelhead run (*Monterey IRWMP* at page 6-2) and with the June 2014 Update of the *Monterey IRWMP*, Objective EV-1 "Protect and enhance sensitive species and their habitats in the regional watersheds; promote the steelhead run." (*Id.* page 8-4).

The *Water Quality Control Plan for the Central Coastal Basin*, March 2016 (*Water Quality Plan*), adopted by the Regional Water Quality Control Board, designates several beneficial use objectives for the Carmel River, including cold fresh water habitat and habitat for rare, threatened or endangered species. The proposed project will help to ensure survival of SCCC steelhead, a threatened species that require cold fresh water habitat, and is thus consistent with the *Water Quality Plan's* identified beneficial uses.

COMPLIANCE WITH CEQA:

Staff has reviewed the project, and determined that the project is categorically exempt from the California Environmental Quality Act under 14 Cal. Code of Regulations Section 15333. Section 15333 exempts small habitat restoration projects that are less than five acres in size. The proposed project takes place on less than five acres, and will restore SCCC steelhead habitat by increasing fish passage and access to spawning and rearing sites in San Clemente Creek. Habitat will be further enhanced with reconstruction of natural features within the creek. Additionally,

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the project meets the following criteria pursuant to Section 15333: a) avoidance and mitigation measures will be taken so that no significant adverse impact on endangered, rare or threatened species or their habitat will occur; b) no hazardous materials exist on the site; and c) the project will not result in significant impacts when viewed in connection with effects of past, other current, or probable future projects. To avoid potential impacts to steelhead and other aquatic species, the project design calls for dewatering the project site, and conducting the project in the late summer or early fall when flows are the lowest. Prior to dewatering, qualified biologists would relocate steelhead and other aquatic species outside of the project area. Erosion control measures would also be taken to ensure water quality is not impacted by the project.

Upon approval, staff will file a Notice of Exemption for the project.