

COASTAL CONSERVANCY

Staff Recommendation  
September 5, 2024

**LITTLE GRASS VALLEY CREEK FISH PASSAGE IMPROVEMENT**

Project No. 20-045-02  
Project Manager: Michael Bowen

**RECOMMENDED ACTION:** Consideration and possible authorization to amend the Conservancy’s previously authorized grant to the Northwest California Resource Conservation and Development Council to change the project from the McKinney Creek Fish Passage Project, which involved removal of a fish passage barrier on McKinney Creek near Hamburg, Siskiyou County, to the Little Grass Valley Creek Fish Passage Project, which will remove a fish passage barrier on Little Grass Valley Creek near Lewiston, Trinity County.

**LOCATION:** Little Grass Valley Creek, near Lewiston, Trinity County

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*EXHIBITS*

Exhibit 1: [Project Location Map](#)

Exhibit 2: [January 21, 2021 Staff Recommendation](#)

Exhibit 3: [Project Letters](#)

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**RESOLUTION AND FINDINGS**

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes amendment of the Conservancy’s previously authorized grant to the Northwest California Resource Conservation and Development Council to change the project from the McKinney Creek Fish Passage Project, which involved removal of a fish passage barrier on McKinney Creek near Hamburg, Siskiyou County, to the Little Grass Valley Creek Fish Passage Project, which will remove a fish passage barrier on Little Grass Valley Creek near Lewiston, Trinity County.

Prior to commencement of the Little Grass Valley Creek Fish Passage Project (“project”), the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. 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.
5. Evidence that the grantee has entered into agreements sufficient to enable the grantee to implement, operate, and maintain the project.

Prior to commencing the project, the grantee shall enter into and record an agreement pursuant to Public Resources Code 31116(d) sufficient to protect the public interest in the improvements.

Findings:

Based on the accompanying staff recommendation 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 integrated coastal and marine resources protection.
2. The project is consistent with the current Conservancy Project Selection Criteria.

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## STAFF RECOMMENDATION

**Project Summary:** Staff recommends the Conservancy authorize amendment of the Conservancy grant to the Northwest California Resource Conservation and Development Council (“the Council”) to change the project from the McKinney Creek Fish Passage Project near Hamburg, Siskiyou County, to the Little Grass Valley Creek Fish Passage Project, near Lewiston, Trinity County (Exhibit 1). For reasons described below, the Council is no longer able to proceed with implementation of the McKinney Creek Fish Passage Project, originally authorized by the Conservancy on January 21, 2021 (Exhibit 2) and awarded under Grant Agreement No. 20-072.

The Little Grass Valley Fish Passage Project (“project”) consists of removing one existing undersized and partially failed culvert currently blocking fish passage, and replacing it with a superior alternative, likely a 12’x9’ elliptical Corrugated Metal Pipe (CMP) that will allow the natural channel width and associated geomorphic processes to be maintained through the structure, while also preserving the existing road. The new CMP will reopen approximately five miles of fish passage into the Little Grass Valley Creek watershed.

The culvert to be removed is located at the International Order of Oddfellows (IOOF) Camp Road crossing of Little Grass Valley Creek in Trinity County. The 8’ diameter corrugated metal pipe culvert partially failed in the spring of 2024. The failure resulted in the delivery of approximately 2,250 tons of sediment into the stream. An additional ~10,000 tons of sediment are at risk of delivery into the Trinity River, the largest tributary to the Klamath River, if the site is not treated before this winter. IOOF Camp Road is a private road that serves over 40 homes.

Prior to the recent partial failure, the undersized culvert had a 6' jump at the outlet, creating a complete migration barrier to all anadromous fisheries. Restoration at the project site will restore access to at least 5 miles of potentially suitable anadromous salmonid habitat upstream of the crossing. The current condition of the crossing, combined with the sediment risk, requires emergency actions including completing a design, permitting and constructing the project before winter flows (November-December 2024). The immediate need to address potential sediment requires a replacement structure that is adequately sized for flows while allowing fish passage.

On January 21, 2021, the Conservancy authorized a grant of \$199,525 to the Council to complete the McKinney Creek Fish Passage Project in Siskiyou County near Hamburg. The McKinney Creek project involved replacement of two undersized culverts on McKinney Creek with a 34-foot precast bridge. McKinney Creek is a tributary to the Klamath River. Concurrently, the U.S. Fish and Wildlife Service (USFWS) awarded matching funds to the Council for the McKinney Creek project. Project implementation was delayed by a variety of factors, most importantly the catastrophic and deadly McKinney Fire of 2022. The Conservancy paid Council invoices totaling \$3,295.29 for project design and management. Recently, the Yurok Restoration Corporation expressed its intention to conduct the McKinney Creek project in conjunction with its broader habitat enhancement efforts in the McKinney Creek watershed, utilizing other funds and rendering the Council's involvement unnecessary.

The Little Grass Valley Fish Passage Project has important similarities with the McKinney Creek Fish Passage Project. First, the project is also located on an important fish bearing stream in the Klamath-Trinity watershed. Second, technical details of the two projects are nearly identical involving replacement of failed and undersized culverts with new infrastructure to allow fish passage and avert other hazards such as sediment inputs. Finally, the grantee remains the same and is qualified to implement the Little Grass Valley project.

Both projects are located in the Klamath-Trinity watershed. Habitat restoration in one basin benefits the other. Millions have been invested in restoring the Grass Valley Creek subwatershed of the Trinity due to its importance to Pacific salmon populations within the entire Klamath-Trinity watershed.

The Little Grass Valley Creek project would be completed in Fall 2024, thereby avoiding reversion of funds encumbered for McKinney Creek. USFWS has already redirected their McKinney Creek funds to this project. The Little Grass Valley Creek project is also categorically exempt under CEQA for small scale habitat restoration projects (Section 15333) and can be conducted under emergency permitting. Tribal consultation letters were sent for the Little Grass Valley Project.

**Site Description:** Little Grass Valley Creek is a tributary to the Trinity River, the Klamath River's largest and most important tributary. It is located near Lewiston. The project is ~1,000' upstream of the confluence of Little Grass Valley and Grass Valley Creeks. The upper reaches of the Grass Valley Creek watershed have been the focus of sediment control efforts since the 1980's including construction of a sediment control dam on Grass Valley Creek (upstream of the project) and acquisition of 17,000 acres by the BLM in the 1990's to retire it from intensive forest management.

The project site is owned by the Redding International Order of Odd Fellows Lodge 271.

**Grant Applicant Qualifications:** See Exhibit 2

**CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:**

The project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

**Selection Criteria**

**1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.**

See the "Consistency with Conservancy's Strategic Plan" section below.

**2. Project is a good investment of state resources.**

Like the McKinney Creek project, the project presents an important opportunity to restore habitat while also protecting water quality and upgrading deteriorated infrastructure serving a rural and disadvantaged community. This multi-benefit project is therefore a good investment of funds already authorized to achieve these objectives. The project site is owned by and restoration work is supported by the County, IOOF and adjacent property owners who intend to maintain the road in the future (Exhibit 3).

**3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.**

Per request of the Yurok Restoration Corporation, the Council agreed to transfer the McKinney Creek project to the Yurok Restoration Corporation, who are currently engaged in a basin-wide restoration effort in that watershed following the catastrophic McKinney Fire, described above, and who indicated their intention to complete the project themselves, possibly in an entirely different fashion than envisioned by the Council.

**4. Project benefits will be sustainable or resilient over the project lifespan.**

The project is anticipated to provide resilience and benefits for at least 50 years, and certainly beyond the term of the grant agreement.

**5. Project delivers multiple benefits and significant positive impact.**

As described above, the project protects water quality and improves fish passage while enabling continued access to 40 homes for residents.

**6. Project planned with meaningful community engagement and broad community support.**

Inasmuch as the local community will be significantly and adversely impacted by the culvert and potential road failure and will thereby be unable to access their own homes, the community has been highly engaged and is strongly supportive of the project.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	<b>\$196,056</b>
<b>U.S. Fish and Wildlife Service</b>	<b>\$150,000</b>
<b>Project Total</b>	<b>\$346,056</b>

See Exhibit 2 for a discussion of the fund source and consistency of the project with the allowable uses of these funds. As a project that would protect and restore aquatic and wetland ecosystems and assist in the recovery of endangered or threatened fish species, the project is consistent with the allowable uses of these funds under the same reasoning as the McKinney Creek project.

**CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

See Exhibit 2.

**CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#):**

Consistent with **Goal 3.2, Restore or Enhance Habitats**, the proposed project will implement one project to enhance a wildlife corridor by removing a barrier to fish passage in an important salmon bearing stream.

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

Under Public Resources Code section 31220(c), projects funded under Chapter 5.5 of Division 21, the Conservancy's enabling legislation, must be consistent with the Integrated Watershed Management Program established pursuant to PRC Section 30947 and local watershed management plans, "if available and relevant to the project." The proposed project is consistent with the relevant plan and program described below.

**Integrated Watershed Management Program.** The North Coast Integrated Regional Water Management Plan, Phase III (NCIRWMP, prepared by North Coast Resource Partnership, August 2014) was developed pursuant to PRC § 30947. The NCIRWMP identifies six primary integrated water management goals and twelve associated objectives for the North Coast region, relevant at both the local and regional scale, of which the following apply to the proposed project: (Goal 3) Ecosystem Conservation and Enhancement and (Goal 5) Climate Adaptation and Energy Independence. As discussed immediately below, the proposed project is consistent with applicable objectives of the NCIRWMP, and thus with the Integrated Watershed Management Program.

Goal 3, Objective 5 – "Ecosystem Conservation and Enhancement. Conserve, enhance and restore watershed and aquatic ecosystems, including functions, habitats and elements that support biological diversity". The proposed project will ensure fish passage to and water quality and watershed health within Little Grass Valley Creek.

Goal 3, Objective 6 – “Ecosystem Conservation and Enhancement. Enhance salmonid populations by conserving, enhancing, and restoring required habitats and watershed processes”. The proposed project will reduce bank erosion and road failure and improve fish passage into and stream function within the Little Grass Valley Creek watershed.

Finally, the project will enhance the existing beneficial uses, such as coldwater fisheries, spawning and migration identified in the “Final Staff Report for the Klamath River TMDL Addressing Temperature, Dissolved Oxygen, Nutrient, and Microcystin Impairments in California”, the “Proposed Site-Specific Dissolved Oxygen Objectives for the Klamath River in California”, and the “Klamath River and Lost River Implementation Plans.”

**CEQA COMPLIANCE:**

Small habitat restoration projects are categorically exempt from the California Environmental Quality Act, under 14 California Code of Regulations, Section 15333. This project, like the McKinney Creek project, qualifies for this exemption in that the project is less than five acres in size and meets the criteria for this exemption. Consistent with Section 15333(a), Conservancy staff has consulted with staff from the California Department of Fish and Wildlife and has determined that there would be no significant adverse impact on endangered, rare or threatened species or their habitat. Consistent with Section 15333(b), there are no hazardous materials at or around the project site that may be disturbed or removed. The project will not result in impacts that are significant when viewed in connection with the effects of past, current or probable future projects, consistent with Section 15333(c). And consistent with Section 15333(d), this type of project is specifically mentioned in subsection (6), which cites culvert replacement as an example of projects intended to be exempt under this section. Consistent with this subsection, the proposed project will be conducted in accordance with published guidelines of the Department of Fish and Game and NOAA Fisheries regarding improving habitat and/or reducing sedimentation.

Staff will file a notice of exemption upon approval of the project.