

COASTAL CONSERVANCY

Staff Recommendation
April 18, 2013

**AUSTIN CREEK WATERSHED RESTORATION:
GILLIAM CREEK AND THOMPSON CREEK**

Project No. 08-091-03
Project Manager: Lisa Ames

RECOMMENDED ACTION: Authorization to modify and augment by \$39,000 the previously-approved \$262,190 grant to the Sotoyome Resource Conservation District to enable in-stream habitat improvements for migrating and rearing steelhead and Coho salmon in Gilliam Creek and Thompson Creek, two tributaries in the watershed of Austin Creek, a tributary to the Russian River in Southern Sonoma County.

LOCATION: Gilliam Creek and Thompson Creek in the watershed of Austin Creek, a tributary to the Russian River, approximately 5 miles from the Pacific Ocean within an unincorporated area of Sonoma County (see Exhibit 1, "Project Location and Site Map")

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

- Exhibit 1: [Project Location and Site Maps](#)
 - Exhibit 2: [Conservancy 9-25-08 resolution and staff recommendation](#)
 - Exhibit 3: [DFG 2012 Fisheries Restoration Grant Program Mitigated Negative Declaration Without Unrelated Documents.](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes the Executive Officer to modify and augment by \$39,000 the previously-approved \$262,190 grant to the Sotoyome Resource Conservation District ("SRCD") for completion of a restoration plan and for construction of in-stream habitat improvements in Lower Austin Creek to enable the SCRCD to change the location of in-stream habitat improvements to Gilliam Creek and Thompson Creek in the Austin Creek Watershed. Prior to disbursement of funds for the modified project, SRCD shall submit for the review and written approval of the Executive Officer of the Conservancy the following items:

1. A modified work program, including schedule, budget and detailed site plans for the project as modified and a modified plan for post-implementation monitoring to evaluate the success of the project.
2. The names and qualifications of any contractors to be employed on the project.
3. Any changes to the signing plan for the project that are necessary to address the modifications to the project.”

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 modified project remains consistent with the findings made under the Conservancy’s September 25, 2008 authorization. (See Exhibit 2).
2. The proposed modified project is consistent with the additional Project Selection Criteria adopted by the Conservancy since September 25, 2008.
3. The Conservancy has independently reviewed and considered the California Department of Fish and Game Mitigated Negative Declaration for the 2012 Fisheries Restoration Grant Program, attached to the accompanying staff recommendation as Exhibit 3, and finds that the portion of the modified project that will take place in Thompson Creek, as mitigated, avoids, reduces or mitigates the possible significant environmental effects and that there is no substantial evidence that this component of the modified project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

PROJECT SUMMARY:

On September 25, 2008, the Conservancy authorized a \$262,190 grant to the Sotoyome Resource Conservation District (“SRCD”) to complete preparation of the *Austin Creek Watershed Restoration Program* and to implement in-stream habitat improvements in Lower Austin Creek for migrating and rearing steelhead and Coho salmon (the “original project”). Staff recommends that the Conservancy authorize the Executive Officer to modify the grant to enable the SRCD to modify the original project to change the location of in-stream habitat improvements from Lower Austin Creek to two tributaries of Austin Creek: Gilliam Creek and Thompson Creek (“the modified project”). In addition, staff is recommending the Conservancy authorize an augmentation of the grant amount by \$39,000 for purposes of the in-stream habitat improvements. The installation of in-stream structures (wooden logs) in Gilliam Creek and Thompson Creek will accomplish the same restoration goals as for the previously planned Lower Austin Creek work: increase pool habitat, trap spawning gravels and provide protective shelter for fish.

The SCRCD has completed preparation of the *Austin Creek Watershed Restoration Program*. The original project also included in-stream habitat improvements in Lower Austin Creek consisting of installation of logs, boulders and root wad, removal of gravel, removal of Giant Reed, and planting of native willow pole along the banks of the creek. The SCRCD was unable to complete the in-stream habitat improvements and the native plant restoration because the private

landowner of the underlying property, a gravel mining company, was denied a permit renewal for its gravel mining operation, which was linked to the restoration work. The SCRCD would like to modify the project to change the location of the placement of the logs to various sites in Gilliam Creek and Thompson Creek, two tributaries to Lower Austin Creek. The two tributaries do not need the native plant restoration, gravel excavation, and placement of boulders and root wads. The sites of the proposed work in the two creeks are on land owned by the Department of Parks and Recreation (“DPR”), and DPR has agreed to allow long-term maintenance and monitoring by the Department of Fish and Wildlife. As a result of SCRCD’s inability to complete the in-stream habitat improvements in Lower Austin Creek, there is \$29,000 of funds remaining from the \$262,190 grant for the original project. To complete the in-stream habitat improvements in the two new creeks, SCRCD has requested an additional \$39,000 from the Conservancy.

The National Marine Fisheries Service (NMFS) *Central California Coast Coho Recovery Plan (2010)* designated the Austin Creek watershed as core priority area for coho recovery. Core priority areas are areas that NMFS has designated as feasible for Central California Coast coho populations and for focus of restoration and threat abatement actions. As was the previously authorized lower Austin Creek restoration site, the proposed project sites in the Gilliam and Thompson Creek tributaries are in coho recovery Core Areas, where installing or enhancing large wood is a recovery action that increases stream complexity and improves pool frequency.

PROJECT FINANCING

New Funding:

Coastal Conservancy	\$39,000
Department of Fish and Wildlife	\$29,829

Previous Funding:

Coastal Conservancy (Exhibit 2)	\$262,189
Sonoma County Water Agency	28,000
Department of Fish and Game	65,823
Trout Unlimited	20,000
Sotoyome RCD	10,050

Total Modified Project Cost

\$454,891

The Conservancy’s funding for the original project was approved on September 25, 2008 (Exhibit 2). \$29,000 of these funds has not yet been expended and will be used for the modified project. Additional new funding in the amount of \$39,000 will also be used for the modified project, for a total of \$454,891 for the modified project and, of that amount, \$97,000 for the implementation of in-stream habitat improvements at Thompson Creek and Gilliam Creek.

The source of Conservancy funds for the original project was the fiscal year 06/07 appropriation from the Water Security, Clean Drinking Water, Coastal and Beach Protection Act of 2002 (“Proposition 50,” Water Code Section 79500 et seq.). The anticipated source of Conservancy funds for the project as modified and the grant augmentation remains Proposition 50. These

funds are appropriated to the Conservancy to restore and protect coastal watersheds through projects undertaken pursuant to the Conservancy's enabling legislation (Division 21 of the Public Resources Code) that protect and restore land and water resources, (Water Code Section 79570(a)). The modifications to the original project will restore land and water resources through construction of in-stream fish migration improvements that will help restore habitat and ecological functioning of two creeks within the Austin Creek watershed for the benefit of salmonids. The Austin Creek watershed is a coastal watershed that drains into the Russian River, which drains into the ocean. The modified project is consistent with the Conservancy's enabling legislation as described below. Finally, as required by Proposition 50, the modified project is consistent with local and regional watershed plans, as discussed below (Water Code Section 79507).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION & STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

The proposed modified project remains consistent with the Conservancy's enabling legislation as described in the September 25, 2008 staff report recommending authorization of funding of the original project. The modifications to the project simply change the location of certain in-stream habitat improvements (placement of logs) to two creeks that drain into Austin Creek, which was the site of the in-stream improvements in the original project. This change in location to two other creeks in the same watershed does not affect the finding of consistency of the project with Division 21.

The modified project also remains consistent with the goals and objectives in the Conservancy's 2007 Strategic Plan (see Exhibit 2).

Additionally, the modifications to the project will carry out the goals and objectives of the 2013 Strategic Plan adopted by the State Coastal Conservancy Board on December 6, 2012 in the following ways:

Consistent with Goal 4, Objective 4C, the proposed project will implement actions that result in preserving and restoring fish and wildlife corridors between core habitat areas along the coast and from coastal to inland habitat areas.

Consistent with Goal 5, Objective 5E, the actions of the proposed modified project will improve fish habitat including by providing in stream habitat and favorable water temperatures.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

The modified project remains consistent with the Conservancy's Project Selection Criteria and Guidelines as of September 20, 2007 (see Exhibit 2).

The Conservancy adopted additional project selection criteria on June 4, 2009 and November 10, 2011. The new criteria address vulnerability of projects to sea level rise and other climate change impacts and minimization of greenhouse gas emissions from projects. The Austin Creek watershed is located 5 miles from the coast and will not be impacted by sea level rise or related

climate change impacts. Placement of the logs will be done with manual labor, involve no machinery, and therefore greenhouse gas emissions will be minimized.

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

The proposed modified project remains consistent with applicable watershed management plans and water quality control plans as described in the Conservancy's staff recommendation dated September 25, 2008 (see Exhibit 2).

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed modified project remains consistent with applicable Local Coastal Program policies as described in the Conservancy's staff recommendation dated September 25, 2008 (see Exhibit 2).

COMPLIANCE WITH CEQA:

The original project was exempt from the California Environmental Quality Act (CEQA). Modifying the project to change the location of in-stream improvements to Gilliam Creek and Thompson Creek requires consideration of CEQA.

Thompson Creek

The proposed work in Thompson Creek is addressed in the Mitigated Negative Declaration prepared by the Department of Fish and Wildlife for its 2012 Fisheries Grant Restoration Program ("MND"). The Thompson Creek work is identified in the MND as the "Thompson Creek Instream Habitat Restoration Project." DFW adopted the MND on January 13, 2012 and approved a grant for the Thompson Creek Instream Habitat Restoration Project in June, 2012.

In the MND attached as Exhibit 3, DFW finds that the overall 2012 Fisheries Grant Restoration Program has the potential for short-term adverse impacts on soil, vegetation, wildlife, water quality, and aquatic life, but mitigation measures incorporated into the program will insure that the program does not have significant effects on the environment. Exhibit 3 includes two appendices of the MND pertinent to the Thompson Creek project: the Statement of Work for the Thompson Creek Instream Habitat Restoration Project and Mitigation Measures, Monitoring and Reporting Program (MMRP) for the 2012 Fisheries Restoration Grant Program.

The MND does not address the impacts of the Thompson Creek project individually but rather sets forth potential impacts from the entire grant program and the mitigation measures that will be used on an as-applicable basis for projects within the program to ensure that the grant program as a whole will not have substantial adverse effects on the environment. The mitigation measures applicable to the Thompson Creek project are in the categories of biological resources, geology and soils, cultural resources, hazards to the environment and the public, and hydrology and water quality. These are described below.

Biological Resources

To avoid significant adverse impacts on rare plants and animals and fish habitat, the mitigation measures described below will be followed.

Archaeology and rare plant surveys will be completed prior to any ground disturbing activities. A review of the DFW's current Natural Diversity Data Base (NDDDB) provided a list of species which may be expected to occur in the project area including California red-legged frog, freshwater shrimp, steelhead trout and Coho salmon. Where appropriate, a DFW-approved biologist will survey each site for these species before allowing work to proceed and prior to issuance of a Streambed Alteration Agreement. A qualified biologist will monitor activities at the work site, and all work in the stream will be stopped immediately if it is determined by DFW that the work has the potential to adversely impact these species or their habitats. Work shall not recommence until DFW is satisfied that there will be no impact on the species or after the species can be moved in accordance with DFW (or in the case of the California red-legged frog, USFWS) protocols.

SRCD will restrict work conducted in and around streams to the period of June 15 through November 1 or the first significant rainfall, whichever comes first; this is to take advantage of low stream flow and avoid the spawning and egg/alevin incubation period of salmon and steelhead. In areas with CA red-legged frog habitat, work will be limited between July 1 and October 15, and in areas with freshwater shrimp habitat, work must be completed between July 1 and November 1.

Staging/storage areas for equipment, materials, fuels, lubricants, and solvents will be located outside of the stream's high water channel and associated riparian area where hazardous materials cannot enter the stream channel. SRCD shall ensure that contamination of habitat does not occur during such operations. Prior to the onset of work, DFW shall ensure that SRCD has prepared a plan to allow a prompt and effective response to any accidental spills. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. Because this work will not involve machines, hazardous materials spills are unlikely.

Geology and Soils

In order to avoid temporary increases in surface erosion resulting from use of roads to access work sites, the following mitigation measures will be implemented:

The in-stream work sites will be reviewed by engineers prior to commencement of work. Access to the restoration activity sites will be identified before implementation of the action item and shall not create bank erosion or cause the removal of riparian trees. Staging areas at the activity site will be set up on dry stream banks where there is a minimum, and less than significant, impact to vegetation. Disturbed or bare mineral soils resulting from work activities, which are subject to surface erosion, will be seeded and straw mulched. The Thompson Creek restoration project may excavate by hand trenches or keyways in stream banks to anchor logs or boulder structures. If such trenches are created, willow cuttings will be placed into the keyway trenches around the logs or boulders and then the trench backfilled with cobble and native soil. This

procedure anchors the structure into the stream bank, accelerates the establishment of willows around the structure, and prevents the stream from scouring around the newly placed structure.

Based on the MND, Conservancy staff has concluded that the proposed in-stream habitat improvements in Thompson Creek, as mitigated, will not have the potential to have a significant impact on the environment, and recommends that the Conservancy, as a responsible agency under CEQA, also makes this finding.

Gilliam Creek

Implementation of the proposed in-stream habitat improvements in Gilliam Creek is categorically exempt from review under CEQA, pursuant to 14 California Code of Regulations Section 15333 as the project will not exceed five acres in size and will assure the maintenance, restoration, enhancement or protection of habitat for fish, plants or wildlife. Further, the project is consistent with Sections 15333(a) as there would be no significant adverse impact on endangered, rare or threatened species or their habitat pursuant to Section 15065; Section 15333(b) as there are no hazardous materials at or around the project site that may be disturbed or removed; and Section 15333(c) as the project will not result in impacts that are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

Staff will file a notice of determination upon Conservancy approval of the project.