

COASTAL CONSERVANCY

Staff Recommendation
September 23, 2021

DAVY BROWN FISH PASSAGE PROJECT

Project No. 21-052-01
Project Manager: Rachel Couch

RECOMMENDED ACTION: Authorization to disburse up to \$755,820 to Earth Island Institute to remove two fish barriers, replace them with bridges, and restore habitat on Davy Brown Creek, located in the Santa Maria River watershed, and adoption of findings under the California Environmental Quality Act.

LOCATION: Davy Brown Creek, in the Los Padres National Forest, southeast of Santa Maria, Santa Barbara County

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Site Photos](#)
- Exhibit 3: [Mitigated Negative Declaration and Mitigation, Monitoring and Reporting Plan, including Appendices A-E \(relating to Davy Brown Project Statement of Work and Map\)](#)
- Exhibit 4: [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 a grant of an amount not to exceed seven hundred fifty-five thousand eight hundred twenty dollars (\$755,820) to Earth Island Institute (“the grantee”) to remove two fish barriers, replace them with bridges, and restore habitat on Davy Brown Creek in Santa Barbara County.

Prior to commencement of the 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.
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2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgement of Conservancy funding and Proposition 1 as the source of that 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.

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 resource protection.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Earth Island Institute is a nonprofit organization organized under section 501(c)(3) of the U.S. Internal Revenue Code.
4. The Conservancy has independently reviewed and considered the Mitigated Negative Declaration for the 2019 Fisheries Habitat Restoration Project in Del Norte, Humboldt, Mendocino, Monterey, Santa Barbara, Santa Cruz, and Sonoma Counties adopted by the California Department of Fish and Wildlife on November 18, 2019, pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibit 3. The Conservancy finds that the proposed project as designed and mitigated avoids, reduces, or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the project may have a significant effect on the environment, as defined in Title 14 of the California Code Regulations Section 15382.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy authorize a \$755,820 grant to Earth Island Institute ("Earth Island") to remove two fish barriers and restore stream habitat on Davy Brown Creek, a tributary to Manzanita Creek, which drains to the Sisquoc River, which is a tributary to the Santa Maria River in north-central Santa Barbara County. The project will improve fish passage by demolishing two low-flow road crossings and replacing them with free span vehicular bridges designed to carry a 100-year flood resulting in a direct benefit to steelhead and other aquatic organisms in the Sisquoc River watershed. Once completed, the removal of the two fish passage barriers will improve steelhead access to an additional 3.13 miles of stream habitat.

In 2007, the Zaca Fire burned much of the Sisquoc River watershed, resulting in degraded habitat and subsequent erosion and sediment deposition into water bodies, which is harmful to aquatic organisms including steelhead. Fine sediment deposition has reduced aquatic invertebrate abundance (aquatic organism food supply), reduced spawning habitat, and reduced the number of pool habitats for southern steelhead. The Zaca Fire also indirectly reduced dissolved oxygen levels in many stream reaches due to high fluxes of burned organic material which increased algal production and increased stream temperatures from the loss of riparian canopies that once provided stream shading. These impacts have reduced habitat quality in the watershed for Southern California steelhead (SCS), a federally listed endangered species.

The project is in a watershed that supports the endangered southern steelhead and has been designated by the National Marine Fisheries Service (NMFS) as a Core 1 area, meaning its steelhead population warrants the highest priority for recovery actions. Manzana Creek and its tributaries including Davy Brown Creek, were relatively unaffected by the Zaca fire. This area has year-round creek flow and has provided valuable refuge habitat for steelhead and other aquatic species from areas negatively impacted by the fire. Removal of the barriers along Davy Brown Creek would allow fish downstream and upstream of barriers to access deep cool water refuge during times of duress caused by varying environmental factors. The stream reaches above the barriers have been designated by NMFS as Critical Habitat for steelhead. The project would restore access to these stream reaches and contribute to enhancing aquatic habitat and sustaining the steelhead population. Despite widespread and varied habitat degradation to the coastal and middle mainstem of the system due to urbanization and extractive land uses, native rainbow trout populations still inhabit the relatively high-quality habitats in the upper watershed, and small numbers of steelhead attempt to enter and spawn when flow conditions are suitable.

The project will fund the demolition of the two barriers on Davy Brown Creek and replacement of those structures with pre-fabricated free span steel bridges. The bridges are required as the creek is bisected by Sunset Valley Road and is used by the public to access the Los Padres National Forest trails and wilderness areas. The lower crossing is located between a large dirt parking lot and the Manzana Creek Trailhead which is frequently used by hikers and horseback riders. Pedestrians and equestrians are required to use the wetted concrete crossing or walk through the channel to access the trailhead. The concrete crossing has a smooth surface that can be slippery, creating a hazard for horses and hikers. Removing the low-flow crossing will also improve safety for vehicles crossing the creek. The project will also restore 60 feet of channel with installation of appropriate streambed material and revegetation of the disturbed area. Earth Island will utilize a general contractor with experience in stream restoration and bridge building. As a separate project, Earth Island and Forest Service staff will perform five years of post-construction restoration site monitoring and maintenance.

Earth Island and its South Coast Habitat Restoration program (SCHR) have already completed the designs and permitting for the project, coordinating closely with staff from the Forest Service and California Department of Fish and Wildlife (CDFW) in the process, which is also providing project funds. Meetings were held with local conservation groups to gain support for the project, including CalTrout, Los Padres Forest Association, whose members use the forest

lands for recreation, and the Cachuma Resource Conservation District, which serves agricultural landowners living along the lower watershed.

Site Description:

The Santa Maria River is formed by the confluence of two large east-west oriented watersheds, the Cuyama and the Sisquoc Rivers, which together drain most of the interior mountain ranges and traverse a broad coastal plain before discharging to the Pacific Ocean near Guadalupe in northern Santa Barbara County. The drainages in the upper watershed exhibit flashy flow patterns during and after storm events and peak winter and summer base flows can vary by several orders of magnitude. The tributaries in the upper watershed have perennial flow along significant reaches supported by groundwater and flow through fractured rock along geologic fault lines. This largely uninhabited area includes several federally designated wilderness areas within the Los Padres National Forest, the closest being the San Rafael Wilderness Area accessed from Nira Campground. The Sisquoc is a federally designated Wild and Scenic River. Land uses in the middle and lower watershed consist primarily of agriculture and livestock grazing. Habitat quality in the upper reaches above habitat barriers is good to excellent according to both CDFW and NMFS. The upland areas of the upper watershed are chaparral dominated, making fire an important factor in slope erosion and sediment inputs to the watershed.

The proposed project is located in a remote mountainous interior portion of the upper watershed along Sunset Valley Road (Forest Route 8N09) in the Los Padres National Forest near Figueroa Mountain in Santa Barbara County. Davy Brown Creek is a tributary to Manzanita Creek, which is the largest tributary to the Sisquoc River, which in turn is a tributary to the Santa Maria River. The mainstem Sisquoc contains no barriers to steelhead trout migration from the ocean to the project barriers, a distance of 56.1 stream miles from the ocean.

The project area consists of two sites:

Upper Sunset Valley Crossing: This site is located 1.7 miles upstream of the Nira Campground and consists of an 18-foot-wide concrete stream crossing which dips through a road cut in the right bank. The crossing has created a hydraulic drop of approximately two feet and is likely a complete barrier to upstream movement for juvenile steelhead and an impediment for adults at low flows. The riparian canopy near the crossing is composed of alder, sycamore, live oak, maple, and willow species.

Lower Sunset Valley Crossing: This site is located approximately 120 feet upstream of the confluence of Davy Brown and Manzanita Creek, 0.5 miles south of Nira Campground, and adjacent to a parking lot at the Manzanita Creek trailhead. The crossing is an 18-foot-wide concrete apron which is approximately 130 feet in length. The crossing has created a hydraulic drop of approximately two feet. The crossing fails to meet fish passage criteria for all evaluated life stages of steelhead and rainbow trout. The crossing is likely a complete barrier to juveniles due to a combination of excess velocity, insufficient water depth, and water surface drops at the downstream edge of the crossing. The dominant riparian vegetation near the crossing consists of sycamore, willow, and mule flat species.

Grant Applicant Qualifications:

Earth Island and SCHR will undertake the project in cooperation with the other agencies. SCHR will manage the project and coordinate with the contractor, subcontractors, engineers and resource agency staff throughout the construction and maintenance and monitoring periods. Earth Island is a nonprofit organization established under section 501(c)(3) of the Internal Revenue Code and has operated successful environmental programs internationally for 35 years. Earth Island and SCHR have managed a number of stream restoration planning and implementation projects in Santa Barbara and Ventura Counties, including numerous sites in the Carpinteria watershed that were funded by Conservancy grants. SCHR has removed or modified a total of 25 barriers to steelhead migration in the two counties and is involved in planning for removal of over a dozen other fish migration barriers in the region.

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

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section below.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section below.
3. **Promotion and implementation of state plans and policies:** By removing two barriers to fish migration, the project will further several statewide plans and policies including:
 - *California Water Action Plan*, (California Natural Resources Agency, 2014). Goal #4, "Protect and Restore Important Ecosystems" identifies the elimination of barriers to fish migration as a priority action. The goal references coordinated efforts with CDFW to complete road infrastructure improvements to provide anadromous fish species access to historic upstream spawning and estuary rearing habitat on smaller watershed around the state.
 - *Southern California Steelhead Recovery Plan* (NMFS, 2011). This National Marine Fisheries Service document identifies priority actions to improve the potential for recovery for Southern California steelhead, including identification and removal of barriers to migration. The project addresses action item Sis-SCS-3.1 -- Develop and implement plan to remove or modify fish passage barriers within the Sisquoc watershed.
 - *Steelhead Restoration and Management Plan for California* (CDFW, February 1996, with updates to Steelhead Tasks in 2013). This CDFW document provides strategies to restore native and naturally produced (wild) stocks of steelhead, including restoring access to historic habitat that is presently blocked.

4. **Support of the public:** The proposed project is supported by State Senator Monique Limon, Assemblymember Steve Bennett, Fifth District County Supervisor Steve Lavagnino, CDFW, NMFS, Cachuma Resource Conservation District, University of California, Santa Barbara Researchers, as well as by local community-based organizations including the CalTrout and Los Padres Forest Association (see Exhibit 4).
5. **Location:** See the “Project Summary”.
1. **Need:** The number of spawning southern California steelhead trout—a federally-listed endangered species—in Santa Barbara’s larger watersheds has declined to a small fraction of historic levels and continues to fall. CDFW and NMFS are currently unable to allocate additional funds to complete this project. At this time, the project cannot be implemented without Conservancy participation.
6. **Greater-than-local interest:** The Sisquoc Watershed is identified as a high priority for recovery in the NOAA Southern California Steelhead Recovery Plan (NMSF 2011). Removal of these barriers will implement one of the critical recovery actions identified in the NMFS plan.
7. **Sea level rise vulnerability:** Given that the project sites are located at elevations of 1775 feet (Lower Sunset Valley Road) and 2014 feet (Upper Sunset Valley Road) above sea-level, sea-level rise projections for 2050 and 2100 will not affect the project.
8. **Urgency:** The project is urgently needed because Southern California steelhead are on the verge of extinction in Southern California.
9. **Readiness:** Earth Island is ready to begin the project immediately.
10. **Cooperation:** The project represents a significant level of cooperation among Earth Island, SCHR, California Conservation Corps, CDFW, NMFS, and local conservation organizations which will provide lessons learned for future projects undertaken in national forests.
11. **Vulnerability from climate change impacts other than sea level rise:** Projections of future climate change predict uncertain changes in precipitation in California, but they suggest wetter winter and drier summer conditions. The proposed project will be designed to withstand 100-year flood flows. This is important as winter rains are expected to increase in overall intensity, but not in duration. Increased summer temperatures could increase the chances that the sections of the creek will go dry. This increases the need to remove barriers from the watershed to allow fish to move upstream to perennial waters as the lower reaches may flow less days out of the year.

More frequent fires are also projected. The combination of floods and fire will result in more extensive movement of sediment and debris through the creek and the project engineers will factor this into the designs. By removing the roads from the stream, and by placing the bridges above the 100-year flood elevation, the stream will have fewer impediments to the flow of water, sediment and debris, and the creeks will therefore function more naturally during floods than the in current conditions. Proposed bridges are the same design as those

designed and built in the Carpinteria Watershed that withstood the January 2018 post-fire debris flows.

PROJECT FINANCING

Coastal Conservancy	\$755,820
National Fish and Wildlife Foundation	\$1,805,051
California Department of Fish and Wildlife	\$939,694
Project Total	\$3,500,565

Unless specifically labelled “Required Match” the other sources of funding listed above are provided as estimates. The Coastal Conservancy does not typically require matching funds, nor does it require documentation of expenditures from other funders. Typical grant conditions require grantees to provide any funds needed to complete the project.

The anticipated source of Conservancy funds is an appropriation to the Conservancy from the Water Quality, Supply, and Infrastructure Improvement Act of 2014 (Proposition 1, Water Code § 79700 et seq.). Funds appropriated to the Conservancy derive from Chapter 6 (commencing with § 79730) and may be used “for multi-benefit water quality, water supply, and watershed protection and restoration projects for the watersheds of the state” (Section 79731). Section 79732 identifies specific purposes of Chapter 6. The proposed project will achieve several of these purposes, including the following: remove barriers to fish passage (Section 79732(a)(6)); protect and restore coastal watersheds, including, but not limited to, bays, marine estuaries, and nearshore ecosystems (Section 79732(a)(4)); and assist in the recovery of endangered, threatened, or migratory species by improving watershed health, instream flows, fish passage, coastal or inland wetland restoration, or other means, such as natural community conservation plan and habitat conservation plan implementation (Section 79732(a)(12)).

The proposed project will facilitate removal of fish passage barriers for endangered steelhead and restoration of aquatic and riparian habitat. As required by Proposition 1, the proposed project provides multiple benefits by removing fish passage barriers and restoring habitat. In accordance with Section 79707(b), which requires agencies to prioritize “projects that leverage private, federal, or local funding or produce the greatest public benefit”, this project leverages private funding. National Fish and Wildlife Foundation will provide approximately \$1,805,051 for the project. The project was reviewed and subsequently recommended for funding through a competitive grant process under the Conservancy’s Proposition 1 Grant Program Guidelines adopted in June 2015 (Prop 1 Guidelines) (See § 79706(a)). The proposed project meets each of the evaluation criteria in the Prop 1 Guidelines as described in further detail in this “Project Financing” section, the “Project Summary” section and in the “Consistency with Conservancy’s Project Selection Criteria & Guidelines” section of this staff recommendation.

In-kind services will be provided by the California Conservation Corps at an estimated value of \$80,000, based on previous projects.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would 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. Section 31220(a) authorizes the Conservancy to undertake and award grants for projects that meet one or more criteria of Section 31220(b). Consistent with 31220(b), the proposed project will achieve the following objectives: 1) protect or restore fish and wildlife habitat within coastal and marine waters and coastal watersheds (31220(b)(2)) by reducing two impediments to fish passage; and 2) reduce unnatural erosion and sedimentation of coastal watersheds through stream bank stabilization (31220(b)(4)). Consistent with Section 31220(a), Conservancy staff has consulted with the State Water Quality Control Board in developing this project. As Section 31220(c) requires, the proposed project is consistent with local and state watershed plans, see "Consistency with Local Watershed Management Plan/State Water Quality Control Plan" below. Section 31220(c) also requires that the project include a monitoring and evaluation component. Extensive monitoring and evaluation are integrated into the design of the project.

CONSISTENCY WITH CONSERVANCY'S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 6, Objective E**, the proposed project will implement a project to improve fish habitat by removing two fish passage barriers.

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

Because the project will facilitate the restoration of fish and wildlife habitat in coastal watersheds and wetlands, the project is consistent with the Water Quality Control Plan for the Central Coastal Basin (adopted by the Regional Water Quality Control Board Central Coast Region in 1994 and reviewed every three years) in that it will further the following beneficial use objectives: wildlife habitat; rare, threatened or endangered species; and migration of aquatic organisms.

CEQA COMPLIANCE:

In order to implement projects to improve fish spawning and rearing habitats through its statewide Fisheries Restoration Grant Program (FRGP), CDFW developed a Programmatic Mitigated Negative Declaration for all of its 2019 FRGP funded projects (Exhibit 3). The proposed project is one of the 2019 FRGP funded projects. The Mitigated Negative Declaration for the 2019 Fisheries Habitat Restoration Project in Del Norte, Humboldt, Mendocino, Monterey, Santa Barbara, Santa Cruz, and Sonoma Counties, adopted on November 18, 2019, (MND) identified potentially significant impacts to biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology/water quality, noise, and tribal cultural resources of the environment related to project construction. CDFW found no potentially significant impacts to Aesthetics, Agricultural

Resources, Air Quality, Energy, Greenhouse Gas Emissions, Land Use and Planning, Mineral Resources, Population and Housing, Public Services, Recreation, Transportation, Utilities and Service Systems, and Wildfire. The MND identifies both general mitigation measures applicable to all FRGP projects (Appendix B of Exhibit 3) and project specific mitigation measures to ensure that potential impacts of all the covered projects are reduced to a less than significant level (Appendix A of Exhibit B). The mitigation measures for the potentially significant effects are summarized below.

Biological Resources

Mitigation measures for biological impacts include restrictions on timing of construction activities to avoid sensitive periods for fish spawning and migrating and bird nesting; guidelines for dewatering waterways; site best management practices (BMPs) to avoid contamination of habitat areas; minimization and containment of staging areas; BMPs for construction activities within the stream channel area; BMPs for avoiding and minimizing impacts to wildlife on the site, including pre-construction surveys; BMPs to avoid the transport of aquatic invasive species; BMPs related to the protection of anadromous salmonids; and BMPs to protect special-status species. The MND found that the Davy Brown project is within the range of the arroyo toad, California red-legged frog, foothill yellow-legged frog, Least Bell's Vireo, northern spotted owl, southwest willow flycatcher, (Exhibit 3, Appendix A). None of the project activities proposed will significantly degrade existing habitat for these species; however, BMPs are included to ensure there are no significant impacts during construction.

Cultural Resources

Ground disturbance at the project site has the potential to affect cultural resources. Procedures for a programmatic evaluation of archeological resources is provided in Exhibit 3, Appendix E. Potential for inadvertent impacts will be avoided through completion of pre-project surveys by a qualified expert. If resources are identified, before work can proceed protective measures such as fencing, monitoring, or redesign of proposed work will be implemented; any previously unknown historic or archaeological remains that are discovered at the site will be reported to the appropriate agencies; and the project will comply with all approved procedures for avoidance and work stoppage in the case of inadvertent discovery of cultural resources or human remains.

Geology & Soils

The project impacts to geology and soils could result from road improvements activities and moving fill from stream crossings. Mitigation measures will be required to avoid temporary increases in surface erosion resulting from culvert replacement activities and other instream construction work, including review of designs by approved NOAA or CDFW engineers prior to commencement of work; requiring that the project pass all life stages of salmonids historically present in the area once completed; leaving finished slopes adjacent to stream crossing with woody debris to speed recovery of native vegetation; winterization of site; ensuring effective work site erosion control measures are in place at all times during construction; and upon completion of project, stabilizing and de-compacting soils.

Hazards and Hazardous Materials

Standard BMPs will be implemented to avoid contamination of the site with hazardous materials, including: no equipment maintenance will be performed within or near the stream channel where pollutants (such as petroleum products) from the equipment may enter the channel via rainfall or runoff; minimize the number of passes through the creek with heavy equipment to reduce turbidity; appropriate spill containment devices (e.g., oil absorbent pads, tarpaulins) will be used when refueling equipment; and any and all equipment will be removed from the streambed and flood plain areas at the end of each workday. In addition, mitigation requires that all engines be fitted with spark arrestors to prevent fire and maintain proper fire containment equipment onsite; avoid parking vehicles where fire could be ignited by heat from exhaust systems.

Hydrology and Water Quality

The MND found that the project has the potential to violate water quality standards or substantially degrade surface or groundwater quality. Potential impacts to hydrology and water quality will be avoided through use of best management practices to minimize turbidity and siltation into the stream, and to prevent poured concrete from entering the wetted channel until dry.

Noise

The MND found the potential for an increase in ambient noise levels in the vicinity of the project. Personnel shall wear hearing protection while operating or working near noisy equipment (producing noise levels ≥ 85 dB, including chain saws, excavators, and back hoes). No other specific mitigation measures are required for noise.

Transportation

The only potential transportation impact of the project is the potential to block emergency vehicle access during replacement of the low-flow crossing. To mitigate for this, a route for emergency vehicles through or around the project site must be provided.

Tribal Cultural Resources

The MND found that ground-disturbance could affect tribal cultural resources, despite efforts to identify and avoid these in advance. Potential for inadvertent impacts will be avoided through implementation of the mitigation measures identified in the cultural resources section. This work may be augmented with the aid of a Native American cultural resources specialist that is culturally affiliated with the project area.

Project-Specific Mitigation Measures

Set forth below are the mitigation measures that apply to this project.

- Earth Island will not proceed with on the ground implementation until all necessary permits and consultations are secured. Work in flowing streams is restricted per the Army Corp of Engineers Regional General Permit. Actual project start and end dates, within this timeframe, are at the discretion of CDFW.

- Any modification to the design that occurs during construction must be approved by the project design engineers and designated CDFW engineers. Once the proposed modifications are agreed upon, the CDFW project manager will issue written approval prior to the change being implemented.
- No equipment maintenance will be performed within or near the stream channel where pollutants (such as petroleum products) from the equipment may enter the channel via rainfall or runoff. Appropriate spill containment devices (e.g., oil absorbent pads, tarpaulins) will be used when refueling equipment. All equipment will be removed from the streambed and flood plain areas at the end of each workday.
- All equipment and gear will be brushed with a stiff brush prior to leaving each stretch of stream to avoid the transport of aquatic invasive species (AIS). When transporting traps out of the area, each numbered trap will be bagged in its own bag to avoid cross contamination during transport in and out of the work area. All crew members will decontaminate equipment and shoes for AIS according to the standards detailed in the California Department of Fish & Wildlife *Aquatic Invasive Species Decontamination Protocol*.
- During project activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.
- Earth Island shall notify the DFW Project Manager a minimum of 10 working days before project sites are dewatered and the stream flow diverted. The notification shall provide a reasonable time for Department personnel to supervise the implementation of the water diversion plan and oversee the safe removal and relocation of salmonids and other aquatic species from the project area. If the project requires dewatering of the site, and the relocation of salmonids, Earth Island will implement the following measures to minimize harm and mortality to listed salmonids:
 - Fish relocation and dewatering activities shall only occur between June 15 and November 1 of each year.
 - Additional measures to minimize injury and mortality of salmonids during fish relocation and dewatering activities shall be implemented as described in Part IX, pages 52 and 53 of the *California Salmonid Stream Habitat Restoration Manual*.
 - Earth Island shall minimize the amount of wetted stream channel dewatered at each individual project site to the fullest extent possible.
 - All electrofishing shall be performed by a qualified fisheries biologist and conducted according to the NMFS Guidelines for Electrofishing Waters Containing Salmonids Listed under the Endangered Species Act, June 2000.
 - USFWS approved fisheries biologists will provide fish relocation data via the Earth Island to the CDFW Grant Manager on a form provided by CDFW.
- Planting of tree seedlings will take place after December 1 or when sufficient rainfall has occurred to insure the best chance of survival of the seedlings

Staff has independently evaluated the Mitigated Negative Declaration for the 2019 Fisheries Habitat Restoration Project in Del Norte, Humboldt, Mendocino, Monterey, Santa Barbara, Santa Cruz, and Sonoma Counties and the Mitigation Monitoring and Reporting Program adopted by the California Department of Fish and Wildlife on November 18, 2019 and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project as mitigated avoids, reduces, or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined in the California Code of Regulations, Title 14, Section 15382.

Upon approval of the project, Conservancy staff will file a Notice of Determination.