United States
Department of
Agriculture

Forest
Service

March 2012

FONSI

Decision Notice

Upper Truckee River Sunset Stables Reach Restoration Project

Lake Tahoe Basin Management Unit
El Dorado County, California

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Decision Notice
and
Finding of No Significant Impact

Upper Truckee River,
Sunset Stables Reach Restoration Project

U.S. Forest Service
Lake Tahoe Basin Management Unit
El Dorado County, California

BACKGROUND

The Upper Truckee River (UTR) is Lake Tahoe's largest tributary. The Upper Truckee River Sunset Stables Reach Restoration Project is located along the UTR near the Lake Tahoe Airport in El Dorado County (Figure 1). The project area covers approximately 297 acres within a section of the UTR that extends from the middle of the airport runway to the Highway 50 crossing near Elks Club Boulevard, and encompasses about 12,000 linear feet of the UTR. The project area is comprised mainly of lands owned and managed by the California Tahoe Conservancy (CTC) (221 acres) and the U.S. Forest Service-Lake Tahoe Basin Management Unit (LTBMU) (65 acres). The UTR watershed has been extensively modified since the 1860s by human activity, and much of the channel is now incised and has increased capacity (i.e. greater width and depth). Although this project area has not been directly modified, indirect anthropogenic effects have caused the incision present in the channel now. As a result, floodplain areas are inundated less frequently, the water table is lower in adjacent meadows, banks are exposed and less stable, and the meadow and aquatic habitat are degraded. Channel bed and bank erosion in the UTR has been identified as a source of nutrients, sediment, and pollutants to Lake Tahoe. Restoration is needed to correct channel erosion, increase overbank flow to re-connect the river and floodplain, raise the groundwater elevation in the adjacent meadow, and reduce sediment supply from eroding banks.

The project is an important element of the Lake Tahoe Total Maximum Daily Load (TMDL) implementation plan. The Final Lake Tahoe TMDL Report identifies stream channel erosion as contributing roughly 3.5% of the basin-wide fine sediment particle load to Lake Tahoe, and the UTR is identified as the source of 60% of this contribution (SWRCB 2010b). Stream restoration actions in the largest contributing streams, including the UTR, are estimated to reduce basin-wide fine sediment particle loads by roughly 2% within the first 15 years, and therefore are supported by the TMDL (SWRCB 2010b). The TMDL also acknowledges that these types of restoration projects have other environmental benefits such as rehabilitation of floodplains, riparian corridors and meadows, fisheries enhancement, and wildlife habitat restoration. In addition, restoration of the UTR through this reach has been identified as a priority project under the Lake Tahoe Environmental Improvement Program (EIP #948 and EIP #908).

The purpose of the Selected Alternative is to restore geomorphic function and floodplain connectivity to the UTR within the Sunset Stables Reach, resulting in improved water quality and improved aquatic and terrestrial wildlife habitat in the project area. The Selected Alternative will create a new channel in the Sunset Stables Reach to replace the existing one. The newly constructed channel will be a geomorphically stable channel that is hydrologically connected to the adjacent floodplain and exhibits desirable aquatic habitat features. The new channel will exhibit width, depth, and sinuosity characteristics more consistent with the flow and sediment transport needs of a naturally-functioning river. The existing channel will be abandoned, partially filled, and revegetated to a natural appearance. Several resources will benefit from the proposed channel and floodplain restoration, including but not limited to water quality, terrestrial and aquatic wildlife species, terrestrial vegetation (riparian and meadow), and aquatic vegetation.

The USFS, CTC and TRPA directed the preparation of a joint Environmental Assessment (EA) pursuant to National Environmental Policy Act (NEPA) regulations, a Negative Declaration (ND) pursuant to the California Environmental Quality Act (CEQA), and TRPA's Compact, Chapter 5 of the TRPA Code of Ordinances for the Upper Truckee River Sunset Stables Reach Restoration Project. The Draft EA/ND, published April 22, 2011 analyzed two alternatives for the project, identified as the Proposed Action/Proposed Project and the No Project/No Action Alternative. After receipt of public comments, preparation of responses to comments, and minor edits to the EA/ND, the Final EA/ND was published in February 2012.

DECISION AND RATIONALE

It is my decision to select the Proposed Action of the Upper Truckee River Sunset Stables Reach Restoration Project, as described in detail in Chapter 2, "Alternatives," of the Final Joint Environmental Assessment (EA) and Negative Declaration (ND) and as summarized in this Decision Notice (see "Alternatives Considered" discussion, below). My decision to authorize construction only applies to NFS lands as analyzed within the EA. The California Tahoe Conservancy will issue a separate Notice of Determination for the proposed actions on state lands.

My decision is based on the analysis and determinations presented in the EA in addition to the supporting documentation contained in the Project Record. The EA fulfills the requirements of the National Environmental Policy Act (NEPA) at the site-specific level. The Proposed Action is consistent with the LTBMU's 1988 Forest Plan (as amended).

The key considerations I used in making my decision include:

The Selected Alternative meets the purpose and need (EA, Section 2.1), project goals and objectives (EA, Section 2.1), and incorporates Project Design Features (See Attachment A), and I believe this project will provide the greatest long term benefit to the community as compared to the other alternatives. The project design features will apply to the Selected Alternative (including those segments located on NFS

land). The design features incorporate context sensitive design elements, monitoring effectiveness, and adaptive management elements to address unanticipated adverse resource effects or effects to sensitive sites.

Throughout public scoping and during the formal comment period, I heard support for this project from the public, key stakeholders, and local partners. I considered several additional factors which led to my selection of the Selected Alternative.

I recognize that the Upper Truckee River Watershed Advisory Group, with representatives from the CTC, TRPA, Lahontan Regional Water Quality Control Board, the CA State Parks, the City of South Lake Tahoe, and the South Tahoe Public Utility District (STPUD), among others, has given its support of the Selected Alternative because it will restore an impaired reach of the river, will improve aquatic and terrestrial wildlife habitat, and will improve water quality.

The Upper Truckee River Sunset Stables Reach Restoration Project is beneficial to the community for scenic and recreation enjoyment and quality of life. The Selected Alternative will provide a spectacular recreation opportunity by extending rafting and kayaking season, and improving visual conditions in the project area.

ALTERNATIVES CONSIDERED

The following is a summary of the two alternatives considered in detail for the Upper Truckee River Sunset Stables Reach Restoration Project, identified here as the Selected Alternative and the No Project/No Action Alternative. For a complete description of alternatives, see the EA/ND, Chapter 2, "Alternatives," Section 2.4. Three other alternatives were considered, but not in detail due to the greater risks, higher costs, and/or lesser ecological benefits provided as compared to the Selected Alternative. A description of these alternatives and the reasons for not considering them in detail can be found in the EA/ND, Section 2.4.1, "Alternatives Considered but not In Detail."

<u>The No Project Alternative (No Action)</u>

Under the No Project Alternative, the NFS lands would be managed under the LTBMU Forest Plan (USFS 1988), as amended (including the Sierra Nevada Forest Plan Amendment [SNFPA] [USFS 2004]). No restoration would be implemented to accomplish the Selected Alternative's goals. Targeted, small-scale erosion control measures and revegetation efforts would be implemented in the project area on an as-needed basis under existing land management programs of the CTC and LTBMU.

<u>The Selected Alternative</u>

The Selected Alternative would restore natural function to the Sunset Stables Reach of the UTR by constructing over two miles of new river channel that is geomorphically stable for the current hydrologic conditions, is hydrologically connected to the adjacent floodplain, and exhibits desirable aquatic habitat features. The proposed restoration activities will result in a channel width, depth, and sinuosity pattern more consistent with the current flow and sediment transport needs of the river. This will be accomplished primarily through new channel construction, and will also involve abandoning, filling, and

revegetating the existing eroding and incised channel. The newly constructed channel will be smaller, with a smaller width and depth, than the existing channel and will be designed to be more resistant to erosion by improving streambank stability and incorporating more variable channel bed substrate. The existing average width of the channel is 65 feet and the newly constructed channel width will be approximately 39 feet; the existing average channel depth is approximately 5.4 feet and the newly constructed average channel depth will be approximately 3.9 feet. Remnant floodplain features, (channels and swales) will be connected to the new channel as appropriate. The streambanks of the new channel will be stabilized with riparian vegetation planting, sod blocks, large wood, and/or rock placement. The new channel will be seasoned until revegetation success is determined adequate to prevent water quality degradation prior to connecting it up to the river flows. Some portions of the Sunset Stables Reach channel will stay in their existing location and act as transition zones and/or grade control structures between Reaches 5 and 6, and between this project reach and upstream and downstream reaches.

The Selected Alternative will involve:

- Constructing approximately 12,000 feet (approx 5,100 ft on USFS land, and approx 6,900 ft on CTC land) of new channel within the Sunset Stables Reach of the UTR (replacing nearly all of Reach 5 and much of Reach 6).
- Planting and temporarily irrigating native riparian vegetation along both banks of the new channel (approximately 24,000 linear feet total; 10,200 ft on USFS and 13,800 ft on CTC lands).
- Creating floodplain features such as willow clumps that enhance suitable habitat for key wildlife and plant species (up to 20 acres distributed across the project area; approximately 6 acres on USFS and 14 acres on CTC lands).
- Removing conifers in and adjacent to the newly constructed channel and along the access road where necessary (approximately five acres affected by conifer removal throughout the project area; 1 acre on USFS and 4 acres on CTC lands).
- Using a combination of excavated soil from the new channel alignment and possibly imported soil to partially fill the abandoned oversized channel, and revegetating disturbed areas with native plant species (majority of the existing, abandoned channel would be filled and revegetated in this way).
- Installing grade control structures at the upstream and downstream ends of each reach, redirecting flow into the new channel, and blocking off the existing channel to prevent recapture.

In order to minimize potential impacts on existing infrastructure, the alignment of the new channel was designed to avoid the adjacent utility pipelines where feasible. However, each of three buried utility lines will cross the new river in the Reach 5 portion of the project area after project implementation. As part of the Reach 5 channel restoration phase, the STPUD water line and effluent export line will need to be lowered where they cross the new river channel. Lowering the STPUD waterline and effluent export line at these crossing locations will provide adequate clearance between the bottom of the channel and

the pipes, as determined by STPUD. The project will be implemented under close coordination with STPUD where construction activities have the potential to affect these lines.

The envisioned sequencing is to first build the infrastructure to support project construction, including staging and materials storage areas, access and haul roads, and temporary river crossings. In years 1 and 2, new channel excavation will occur, including modifying the meadow to reconnect old overflow channels with the new channel as appropriate. Banks and bordering meadow will then be revegetated with vegetation harvested from nearby sources (e.g., sod blocks and willows), and irrigation systems will be installed and operated where necessary to assist in revegetation success. Irrigation and revegetation efforts will continue through Year 3 until revegetation success is determined adequate to prevent water quality degradation and sediment delivery by implementing and regulatory agencies. In Year 4, or after revegetation efforts are determined to be successful, the connecting channel segments will be excavated at tie-in locations for the existing and new channel locations. The new channel will be flushed to remove fines from the channel or percolate fines into the substrate. Turbid water will be pumped from the new channel and either spread on the floodplain or upland dewatering sites, or otherwise treated prior to release to the river. Dewatering activities will be monitored closely to ensure that surface flow and meadow saturation is avoided. The new channel segments will then be tied into the river up and downstream. Lateral grade control structures will be constructed at the tie-ins to prevent the river flow from re-occupying the old channel. Finally at the end of Year 4, the abandoned old channel will be filled with stored spoil material, imported material and/or material used for access and haul roads as they are abandoned and become available. Fill in the old channel will be recontoured to mimic existing meadow elevations as appropriate, and revegetated and irrigated, if necessary. Access and haul roads and river crossings will be removed and storage and staging areas will be recontoured and restored prior to demobilizing the site. The utility line relocation work will most likely be completed in Year 1 or 2 of Reach 5 implementation, but could be completed during any construction year.

The implementation of Reach 5 and Reach 6 will be separate; however the sequencing will be very similar for each reach or phase. The final tie-in stage of construction for the two reaches will be staggered by at least one year to reduce the potential for effects if multiple reaches were connected to the UTR flow in the same year. If all channel construction work in each reach is completed in the first year, implementation of each phase could be completed in three years. On the other hand, if channel construction carries over into the second year and/or the bank vegetation is not adequately established after one year of seasoning, the project phases may take up to five years to be completed. Depending on the start date of Reach 5 and Reach 6 construction, the Selected Alternative could be completed in four to ten years.

PUBLIC INVOLVEMENT

Scoping

Council on Environmental Quality (CEQ) regulations require scoping for all USFS proposed actions (§220.6) (36 CFR 220.4(e)(1)). The TRPA requires scoping only for EIS preparation, but completed scoping for the Upper Truckee River Sunset Stables Reach Restoration Project as an opportunity to receive early input from interested stakeholders. Public involvement began with a Public Information Meeting on July 18, 2006 at Meyers Elementary School. The purpose of the meeting was to provide information and to solicit early concerns about potential impacts from the general public and neighboring property owners. The meeting reviewed the project objectives, the purposes of the CTC's Sunset Stables property acquisition, the anticipated timeline, the existing studies and resources, and the next steps in the project. Attendees were interested in the recreational aspects of the project and in the proposed restoration ideas.

On November 14, 2008 a proposed action and scoping letter for the project were developed and circulated for a 30-day period. The notice was mailed to adjacent property owners and to other individuals and entities who have expressed interest in the UTR, such as members of the Technical Advisory Group, the UTR Watershed Advisory Group, anglers, and interested agencies. In addition, the notice was posted on the LTBMU web site, and attached to sign posts around the perimeter of the site. The notice provided updated information about the Selected Alternative, announced an upcoming public meeting, and invited comments from those interested or affected. The public meeting was held on November 20, 2008 in the South Lake Tahoe City Council chambers. Representatives from several agencies and members of the public attended the meeting. The comment period ran from November 14, 2008 to December 19, 2008. Written comments were received from five organizations and individuals. The comments and responses are available in the Final Scoping Summary Report (Project Record Document E1).

Alternative Development

Throughout the planning process, the LTBMU, California Tahoe Conservancy, and other agencies and stakeholders involved in the project Technical Advisory Group have worked closely to develop alternatives and plans that best meet the public and environmental needs. Agency staff and leaders have been involved throughout to address concerns as they arose. Partnerships and collaboration have enabled this project to move forward efficiently and effectively and the final plan has become more robust as a result of this planning process.

Draft EA Public Comment Period

The legal notice for the 30 day comment period was published on April 22, 2011 in the Tahoe Daily Tribune, and the Notice of Availability (NOA) notifying interested parties of the opportunity to comment was mailed to agencies and interested public (Project Record Document F2). The Draft EA/ND was available for the public to review at the USFS LTBMU office, 35 College Drive, South Lake Tahoe, CA; the CTC office at 1061 Third Street, South Lake Tahoe, CA 96150; the Department of General Services at 707 3rd Street Suite 3-400, West Sacramento, CA 95605; the TRPA, 128 Market Street, Stateline, NV; and the South Lake Tahoe Library, 1000 Rufus Allen Blvd, South Lake Tahoe, CA 96150. In addition, the

document was available on the USFS LTBMU website (under Land & Resources Management, Projects) and the CTC website.

I have read all of the 4 written comment letters that were received on the Draft EA/ND. I am also familiar with comments received during scoping. The comment letters are included in the Project Record (Project Record Documents F3-F6). The LTBMU, CTC and TRPA responses to those comments are found in Attachment C. After receipt of public comments, preparation of responses to comments, and minor edits to the EA/ND, the Final EA was published in February 2012.

FINDING OF NO SIGNIFICANT IMPACT

After reviewing the EA/ND, I have determined that implementation of the Selected Alternative will not, individually or cumulatively, significantly affect the quality of the human environment. The provisions of 40 CFR 1508.27 indicate that project significance must be judged in terms of both context and intensity. Based on a review of these provisions, I have determined that an Environmental Impact Statement (EIS) is not required. I base my findings on the following definitions of *context* and *intensity* as provided in 40 CFR 1508.27.

Context

Context means that the significance of an action must be analyzed in several ways such as society as a whole (human, national), in the affected region, the affected interests, and the locality. The effects of implementing the Selected Alternative are localized, with implications for the immediate vicinity of the project area and the Lake Tahoe Basin. Cumulative effects of past projects, combined with the current proposal and reasonably foreseeable future actions, are described and analyzed in the EA/ND for each resource.

Intensity

Intensity refers to the severity of the anticipated impact. The following ten intensity factors are used to evaluate intensity:

1. *Impacts may be both beneficial and adverse.*

   I have considered both the beneficial and adverse impacts associated with the Selected Alternative (specifically those segments located on NFS land) as presented in the EA/ND and this Decision Notice. Meadow/channel restoration, including conifer removal, boulder weir installation, and stream channel decommissioning and reconstruction associated with the Selected Alternative will provide environmental benefits for the Upper Truckee River watershed (EA Section 3.9) with no significant adverse effects to the human or biological environment. Chapter 3 of the EA/ND discloses the anticipated level of effects to all resources of concern and Section 2.4.3.11 of the EA/ND describes the Project Design Features that were developed to

reduce or avoid negative environmental effects of the project (also attached to this DN/FONSI as Attachment A).

2. *The degree to which the proposed action affects public health or safety.*

There will be no significant effects on public health and safety, and Design Features have been included to address public health and safety (REC 1- REC 4; HAZ 1- HAZ 8). The Selected Alternative involves construction activities and will post signs warning public users of project activities such as vehicles entering and exiting the project area from Highway 50, vegetation cutting, and heavy equipment usage. Access to the project area will be restricted during periods of construction. The use of any mechanized equipment will require a hazardous material spill plan and procedures to minimize any spills adjacent to water.

3. *Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.*

The meadow itself is considered a unique characteristic of the geographic area and there will be no significant effects on the meadow. The project area includes a mix of forest, meadow, riparian-wetland, and aquatic habitat types. At this time, wetlands in the project area have not been formally determined or delineated. The wet montane meadow and riparian scrub would likely be eligible for federal wetland protection, and therefore appropriate construction controls have been incorporated into the Selected Alternative (such as BIO-1) to protect these resources. Overall, there would be no net change in wetland acreage within the project area as a result of the Selected Alternative. There will be short-term disturbance to the meadow during stream restoration activities, but those disturbances will heal and restore within five years to a natural, sub-alpine meadow. The purpose of the Selected Alternative is to restore the form and function of the river, meadow and riparian ecosystem within the project area.

Best Management Practices (BMPs) and Design Features will be used to treat runoff and to minimize erosion and the transport of sediment and other pollutants of concern to Lake Tahoe. Temporary BMPs will be used to keep sediment on-site when an area is disturbed by construction and during the vegetation establishment period. Temporary and permanent BMPs will be implemented, equal or superior to those listed in Appendix F of the EA, and also presented as Attachment B to this Decision Notice. Design Features include GHWQ-8 and HAZ-1 through HAZ-5.

There are 27 prehistoric and historic-era cultural resources documented within and near the project area. The LTBMU has determined that there would not be adverse affects to the cultural resources in the area and both the Washoe Tribe and the California State Historic Preservation Officer concur. Design Features CR-1 through CR-4, which require monitoring of ground

disturbing activities, training of construction personnel, and procedures for the discovery of previously undocumented cultural resources or human remains, will be implemented with the Selected Alternative and will minimize the potential for adverse effects to occur in relation to prehistoric/ethnographic sites.

These potential impacts are also analyzed in further detail in Section 3.5 Cultural Resources, Section 3.6 Geology and Soils, Section 3.8 Hazards and Hazardous Materials, and Section 3.9 Hydrology and Water Quality. By project design, and by my Decision to require the Project Design Features and Best Management Practices identified in Section 2.4.3.11 and Appendix F of the EA/ND (and Attachments A and B, respectively), the Selected Alternative will not significantly impact any of the aforementioned unique characteristics.

4. *The degree to which the effects on the quality of the human environment are likely to be highly controversial.*

As described above, a public scoping period began on November 14, 2008, and ended on December 19, 2008 (Project Record C-2). Public scoping included a public meeting (with approximately 20 attendees) held on November 20, 2008 at the South Lake Tahoe City Council Chambers. A scoping summary report was prepared, which summarizes comments received during the public scoping process and includes responses to those comments (Project Record Document E-1). The report identifies issues associated with the alternatives and was used by the LTBMU, CTC and TRPA to determine areas in the EA/ND where additional assessment, information, or clarification would be necessary. LTBMU did not identify any significant topics during scoping.

The EA/ND presented a full analysis of potential environmental effects of the proposed alternatives, and determined that there will be no adverse environmental effects and that the project will be consistent with applicable planning documents.

Also described above, a public comment period for the Upper Truckee River Sunset Stables Reach Restoration Project Draft EA/ND commenced on April 22, 2011 and concluded on May 23, 2011. A total of 4 written comment letters were received on the Draft EA/ND. All comments are included in the Project Record (Project Record Documents F3-F6). The LTBMU, CTC and TRPA prepared formal responses to those comments, which are provided in Attachment C. In addition, minor text edits were made in the Final EA/ND in response to public comments, which include revisions to Section 2.4.3, Project Description, Section 3.3, Air Quality, and Section 3.12, Transportation and Traffic of the Final EA/ND to mention the potential for fill to be imported from the Bijou Erosion Control Project; Design Feature GHWQ-13 was updated to elaborate on seasoning of bank treatments; and the text was modified in Section 2.4.3 Project Description to reflect how logs will be anchored and specify using wire instead of twine for brush mattresses. The comments on the Draft EA/ND did not raise any issues that substantively changed the

environmental effects discussion nor the conclusions of the EA/ND such that additional environmental review would be warranted.

I considered all comments received in relation to the analysis presented in the EA/ND, the purpose and need for the Selected Alternative, and Forest Plan direction. I find that the project is not highly controversial and issues are adequately addressed in the EA/ND.

5. *The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.*

The LTBMU has considerable experience and success with the types of activities to be implemented (i.e. Cookhouse Meadow and Cold Creek, High Meadows). The effects analysis in the EA/ND shows the effects from the proposed ecosystem restoration are not uncertain, and do not involve unique or unknown risk. Based on my consideration of the analysis presented in the EA/ND, the comments received on the EA/ND, and the Project Record, I have determined that there will not be significant effects on the human environment which are highly uncertain or that would involve unique/unknown risks as a result of implementing the Selected Alternative.

6. *The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.*

My decision does not establish a precedent for future actions. This project is being planned in collaboration with CTC. I have considered all connected actions (i.e., utilities, construction staging) associated with the Selected Alternative and no additional actions, other than those identified in the EA/ND, are required.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The Selected Alternative, when considered with any past, present, or foreseeable future actions, does not result in cumulatively significant impacts. Cumulative effects are disclosed, by resource, throughout Chapter 3 of the EA/ND.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historical resources.*

The action will have no significant adverse effect on districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places (EA, Section 3.5, Project Record Document H17).

9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

Lahontan cutthroat trout (LCT) was listed as an endangered species in 1970 (Federal Register Vol. 35, p.13520). In 1975, under the Endangered Species Act of 1973 as amended (ESA), LCT was reclassified as threatened to facilitate management and to allow for regulated angling (Federal Register Vol. 40, p.29864) (EA Section 3.4; and Biological Assessment for LCT, Project Record Document H14).

Due to migration of LCT, there is potential for the species to occupy habitat in the UTR within the project area in the next 5 years. Design Features BIO-1 through BIO-20 are specific features to protect fisheries and wildlife and protect and restore native plant ecosystems. Therefore, the Selected Alternative will not likely result in an adverse effect to endangered or threatened species or their habitat. The concurrence letter from the US Fish and Wildlife Service is available in the Project Record (Document H15).

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

I have reviewed the Final EA/ND and the Project Record, and have determined that no Federal, State, or local laws, regulations, or requirements for protection of the environment will be violated with implementation of the Selected Alternative.

Findings Required by Other Laws and Regulations

As Forest Supervisor for the Lake Tahoe Basin Management Unit, I am required to manage the forest in accordance with applicable laws and regulations. In reviewing the EA/ND, I have concluded that my decision is consistent with the following keys laws, regulations, and requirements (Section 1.5, "Other Laws, Regulations, or Policies," of the EA):

- National Forest Management Act – This Act requires the development of long-range land and resource management plans (LRMP). The Selected Alternative was designed to be consistent with the LRMP.
- Federal Endangered Species Act (FESA) – In accordance with FESA Section 7(c), the project proponents reviewed the USFWS list of "endangered and threatened species that may be affected by Projects in the Lake Tahoe Basin Management Area," (updated on January 31, 2009). Because of the Lahontan cutthroat trout's presence in the

headwaters of the UTR, current expansion efforts, and its status as a federally listed threatened species, the Selected Alternative required Section 7 informal consultation.

- Section 106 of the National Historic Preservation Act – Section 106 of the National Historic Preservation Act requires federal agencies to take into account the effect of a project on any district, site, building, structure, or object that is included in, or eligible for inclusion in the National Register. On December 22, 2011 the LTBMU received a letter from the CA State Historic Preservation Office (SHPO) that they agree that the project will have no adverse effect on cultural resources contingent upon the LTBMU agreeing to follow several requirements during implementation for the Selected Alternative. The LTBMU has agreed to follow the additional requirements outlined by the CA SHPO (Project Record Document H17).
- Clean Water Act (CWA) – Section 404 of the CWA (33 U.S.C. 1344) regulates activities that result in the discharge of dredged or fill material into waters of the U.S., including wetlands. Under Section 404 of the CWA, a permit from the US Army Corps of Engineers for the project's impacts to waters regulated by the CWA would be required. In addition, all point sources that discharge into waters of the United States must obtain a National Pollutant Discharge Elimination System (NPDES) permit under provisions of Section 402 of the CWA. Projects, such as the Selected Alternative, involving construction activities (e.g., clearing, grading, or excavation) greater than one acre must file a Notice of Intent with the SWRCB indicating their intent to comply with the State General Permit for Stormwater Discharges Associated with Construction Activity.
- Migratory Bird Treaty Act of 1918 as amended (16 U.S.C. 703-712) – Because forestlands provide a substantial portion of breeding habitat, land management activities on the LTBMU and CTC lands can have an impact on local populations of migratory birds. The Selected Alternative would restore natural vegetation and habitat which would be beneficial for the birds.
- Tahoe Regional Planning Agency – The TRPA will take action on the project by the TRPA Executive Director approving or denying the project as presented. The resource sections in Chapter 3, "Affected Environment and Environmental Consequences," of the EA/ND were prepared in accordance with the TRPA Tahoe Regional Planning Compact, Goals and Policies, Code or Ordinances, and Rules of Procedure, and NEPA and CEQ Regulations implementing NEPA contained in 40 CFR Section 1500.

PERMITTING/LAND USE AGREEMENTS

This decision will also include the following permits and agreements:

- Participating Agreement under the Wyden Authority with the CTC for restoration activities conducted on state lands (including Sunset Stables staging area activities, relocation of buried water line, and use of the STPUD easement on state lands),
- Lahontan Water board NPDES Construction General Permit,
- 401 permit from Lahontan Water Board,

- Section 404 General permit No. 16 from the US Army Corps of Engineers,
- TRPA Project Permit,
- City of South Lake Tahoe land use agreement for backfilling the channel where it is encroaching on the South Tahoe Airport runway, and
- Caltrans encroachment permits for access across the Caltrans right of way into the Sunset Stables staging area.

All terms and conditions of the Lahontan Water Board and TRPA permits will be adhered to during project implementation and monitoring.

ADMINISTRATIVE REVIEW OR APPEAL OPPORTUNITY

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. Individuals or organizations that provided comments or otherwise expressed interest in the proposal by the close of the comment period are eligible to appeal this decision pursuant to 36 CFR Part 215 regulations. The notice of appeal must meet the appeal content requirements of 36 CFR 215.14.

The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Randy Moore, Regional Forester
USDA Forest Service
Pacific Southwest Region
1323 Club Drive
Vallejo, CA 94592
Email: appeals-pacificsouthwest-regional-office@fs.fed.us
Phone: (707) 562-8737
Fax: (707) 562-9091

The office business hours for those submitting hand-delivered appeals are: 7:30 a.m. to 4:00 p.m., Monday through Friday, excluding holidays. Electronic appeals must be submitted in a format such as an email message plain text (.txt), rich text format (.rtf), portable document format (.pdf), or Word (.doc) to the email address listed above. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the Notice of Decision in the Tahoe Daily Tribune, the newspaper of record. Attachments received after the 45 day appeal period will not be considered. The publication date in the Tahoe Daily

Tribune is the exclusive means for calculating the time to file an appeal. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

IMPLEMENTATION DATE

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, five (5) business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the last appeal disposition.

The Selected Alternative would be implemented in two phases to accommodate constraints in agency ownership, funding and construction: Reach 5 (LTBMU and CTC lands) and Reach 6 (CTC land). At this time, Reach 5 is anticipated to be implemented first, followed by Reach 6 implementation. Each phase would last approximately three to five years in order to allow sufficient time for the new channel and disturbed areas to become established with vegetation.

As currently planned, the construction sequence for Reaches 5 and 6 would occur over four to ten years, depending on the funding and permitting schedule. Reach 5 implementation could begin as early as May 2012, with installation of the Sunset Stables staging area BMPs, followed by channel restoration work beginning in July of 2013. If this implementation schedule changes, the public would be notified with signage in the project area and a press release.

CONTACT

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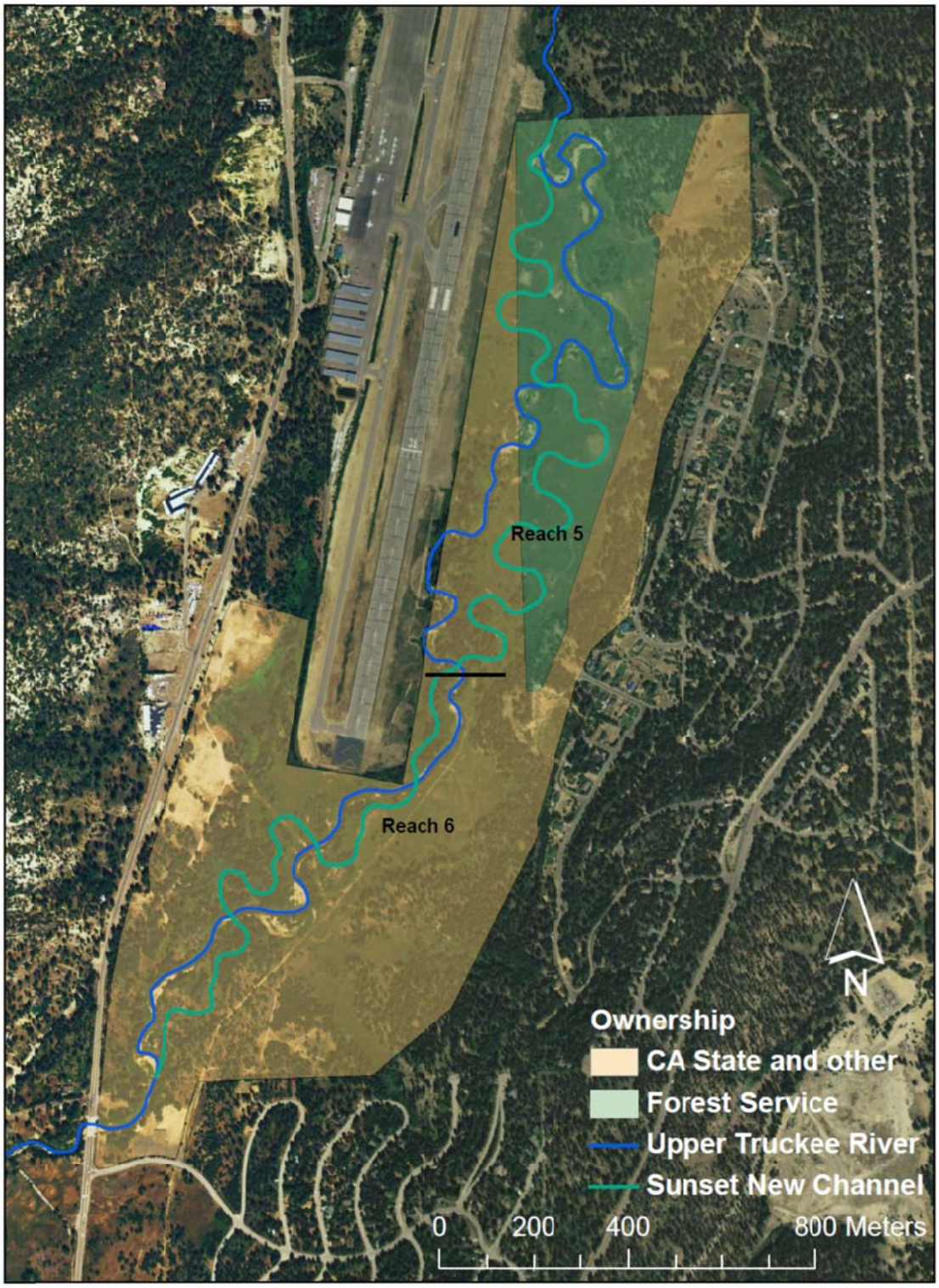
Lake Tahoe Basin Management Unit

3/20/12
Date

Figure 1

Upper Truckee River Sunset Reach Restoration Project Area



Attachment A – Upper Truckee River Sunset Stables Reach Restoration Project Design Features and Construction Controls

This section describes the features that have been incorporated into the Proposed Project's design, construction, and operation in order to protect sensitive resources and to avoid and minimize impacts on those resources. Design features, construction controls and other BMPs have been built in to correct short-term impacts and avoid long-term impacts to air quality, biological resources (i.e. vegetation, wildlife, fisheries), cultural resources, geology, hydrology and water quality, hazards and hazardous materials, noise, recreational resources, traffic and circulation, utilities and greenhouse gases. Site conditions may vary seasonally, and therefore a particular BMP approach may require adjustments depending on how site conditions vary over time. A brief description of the anticipated disturbance to each of the affected resources, and the design features developed to prevent impacts to that resource, is as follows:

Air Quality

The following design features and construction control measures are proposed to reduce effects to air quality from project activities:

AQ-1 Water exposed soil with adequate frequency to avoid dry soil conditions that may be prone to wind erosion on access roads, areas under construction, and the staging area. Avoid over watering so as not to create surface flow down construction and SEZ access roads.

AQ-2 Water all exposed stockpiled materials (soils, mulch) during construction to avoid dry material conditions that may be prone to wind erosion during storage. Cover exposed stockpiled materials between periods of active construction to prevent wind and water erosion.

Biological Resources

Special-status wildlife and botanical species (see Tables 3.4-2 and 3.4-3 of the EA) have been identified either in or near the Project Area, and would be avoided to the extent feasible. The locations of all sensitive biological resources, and the methods to avoid them would be included in the construction drawings.

Vegetation

Disturbance to vegetation would occur because of the construction of the temporary access roads, channel construction and channel tie-ins. Design features include:

BIO-1 Temporary construction fencing will be placed at key locations where there are important riparian and wetland resources that potentially could be accidentally accessed by construction equipment operators.

BIO-2 Where disturbance cannot be avoided, prune or cut riparian vegetation at the ground to protect root structures and soil integrity. Pruning would be done with clean pruning equipment to ensure no introduction of disease or pests into the stems. Shoots, if viable, may be used for replanting.

BIO-3 During construction, any removed native riparian vegetation of good quality may be stockpiled and replanted once the new channel is constructed. Specifications for this work will be included in the construction drawings.

BIO-4 The vegetation will be irrigated and soil amendments added as needed while it is being stockpiled. Soil amendments and irrigation may also be used to help with plant establishment after replanting. A temporary drainage system would be constructed, as necessary, to capture excess water and keep it from discharging into the river. It is anticipated that most of the irrigation water would be taken up by the plants and infiltrate into the ground. Specifications for this work will be included in the construction drawings.

BIO-5 Disturbed areas, such as staging areas and access road footprints, will be revegetated or stabilized as needed once construction is complete. Specifications for this work will be included in the construction drawings.

BIO-6 The stockpile site will be re-graded to the natural contours and revegetated at the completion of the project. Specifications for this work will be included in the construction drawings.

BIO-7 If any sensitive plant species or special interest plant species are identified before or during project implementation, a buffer of up to 100 feet in diameter or distance determined by an LTBMU Botanist or Ecologist will be flagged around the sensitive resource. The specific area of the buffer will be determined on a site specific basis. An amendment to the Biological Evaluation (Appendix I) will be made to include and analyze any effects of the proposed project upon these botanical resources.

Wildlife and Fisheries

To avoid project-related disturbances to breeding activity and the habitat of the special status species (including species analyzed in the Biological Evaluation (BE), California listed species , and TRPA species), limited operating periods (LOPs) would be implemented around nests, dens, roost sites, and other areas of concentrated use of these species. Design features that have been identified in the BE and construction controls for the protection of wildlife would include:

BIO-8 On CTC lands, any management activities that require removal of trees and shrubs should be conducted outside the avian nesting season (April 1 through August 15) unless a qualified biologist determines that no nesting is occurring. A qualified biologist shall be retained to conduct a pre-construction survey for active nest sites of special-status avian species identified in the BE within a 1/8-mile radius prior to the onset of construction activities initiated during the nesting season (i.e. within 15 days). If surveys indicate that any bird nest occurs in the Project footprint, a no-disturbance buffer will be established around the nest site to avoid disturbance or destruction of the nest site, and USFWS and CDFG will be notified. These agencies may decide that a disturbance buffer should be maintained until after the breeding season or until a wildlife biologist determines that the young have fledged. Generally, the buffer zone would be 50 feet for nesting passerine birds and 500 feet for nesting raptors. However, the extent of these buffers for specific nests will be determined through coordination with CDFG and USFWS and will likely depend on the level of noise or construction disturbance, line of sight between the nest and the disturbance, ambient levels of noise and other disturbances, and other topographical or artificial barriers. These factors will be analyzed to make an appropriate decision on buffer

distances. If an active bird nest is discovered after initial surveys have been completed and during construction activities, the nest should immediately be protected with an appropriate no-disturbance buffer and monitored by a qualified biologist to determine, in consultation with CDFG and the USFWS, if the buffer should be increased or decreased. This would, in part, depend on the listing status of the species, the location of construction activities, and the intensity of the construction activities at the time the nest was found.

In addition, on CTC lands, prior to project implementation, surveys for willow flycatchers and other avian species protected by the MBTA would be conducted to determine the locations of any active nest sites. Detection of active nests would be reported to the CDFG and LTBMU and nests would likewise be protected. Also, on CTC lands active nests of species protected by the MBTA would be protected in place with a 50 to 500 foot construction buffer as described in the preceding design feature.

On NFS lands, prior to project implementation, surveys for willow flycatchers would be conducted to determine the locations of any active nest sites. Any detection of willow flycatcher nests would be reported to the LTBMU Forest Wildlife Biologist. These willow flycatcher nests would be protected in accordance with the SNFPA (2004) which prohibits restoration activities within suitable habitat surrounding the active nest sites between June 1 and August 31.

BIO-9 If special-status wildlife species with agency-mandated protected activity centers and LOPs are found breeding in the Project Area, an LTBMU or TRPA wildlife biologist will implement appropriate LOPs around the protected activity center. On CTC lands nests of species covered by the MBTA would be protected in place until the young fledge via a 100-foot construction buffer.

BIO-10 Tree and snag removal within the wildlife movement corridor (forested land south of the airport) would be limited to trees within the footprint of the new channel or access routes or trees that are identified as a hazard to safe operations. Access routes would be positioned around existing trees and snags to avoid tree removal to the extent practical. Logs and brush piles would be left within the corridor area to provide wildlife cover for perches and nesting when it would not constitute a hazard to people or property.

BIO-11 Construction activities would be phased and managed so as not to present a continuous barrier to wildlife movement. Construction time would be minimized in the movement corridor (forested land south of airport) to complete constructing within a matter of days. Construction would only occur during summer daylight hours. Equipment and materials would not be stored in wildlife movement corridors and restoration-related human activity would be minimized within known movement corridors.

BIO-12 All trash created during construction will be properly contained (wildlife-proof containers) and removed at the end of each day. No food items would be left overnight on site due to the potential of attracting wildlife.

BIO-13 Retain or add downed wood in the open meadow areas where feasible for native amphibians and small mammal species. Density should be approximately three logs of >30 cm diameter at midpoint per 0.4 ha**.**

BIO-14 Salvage or retain large trees for wildlife habitat, future large wood recruitment, and to create snags in the future, unless removal is necessary for construction of the channel or access routes.

BIO-15 Salvage/recovery of fish will be conducted during dewatering of existing channel segments by electro-shocking or other suitable means as developed through consultation with the CDFG and LTBMU fisheries staff. Fish will be moved approximately 500 -700 feet upstream or downstream of project activities. Block nets will be installed to ensure fish do not move back into the segments to be dewatered. Block nets will be cleaned one to two times daily to ensure the nets are working correctly.

BIO-16 Western pearl shell Mussels (*Margaritifera falcata*) will be removed from the active river segment prior to diverting channel flow into the newly constructed channel. To the extent feasible, mussels will be relocated to similar habitat areas which have similar depth, substrate, and geomorphic setting (i.e. edge). The extent of pool, center of run, under overhanging bank at the site from which they are removed or to another location deemed suitable because of the presence of other mussels. The extent of the removal will be determined in the field by Forest Service aquatic biologist in consultation with CDFG biologists and will take into consideration the mussel population within and outside of the segments to be dewatered relative to the mussel population in other parts of the Upper Truckee River.

BIO-17 Construction activities would be scheduled to avoid upstream fish migration periods (after late June to mid-July depending on the water year).

BIO-18 During drafting activities, a screen will be placed over the drafting siphon to avoid impacts to juvenile fish.

BIO-19 Water drafting sites should be located in areas that will avoid adverse effects to stream flows and depletion of pool habitat. If instream flows or water drafting sites are not sufficient due to a lack of water, water would be obtained from local municipal water hydrants. Water drafting sites will be reviewed by a hydrologist or fisheries biologist every two weeks during low flow periods and determinations made regarding adequate minimum flows. If flows are not adequate for instream needs, drafting will be discontinued.

BIO-20 In order to minimize the impact on the willow community, clipping should take place in a random fashion, taking more from larger clumps and less from smaller clumps. Clipping in a single willow clump should not be great enough to alter the visual shape or the overall structure of the clump. No branches attached to a bird nest or within one meter of any part of a bird nest should be clipped.

Noxious and Invasive Weeds

Construction documents would include a Noxious Weed Risk Assessment (LTBMU) or other invasive weed management plan (CTC) which includes best management practices to ensure control of invasive species. Design features and construction controls to avoid impacts from noxious and invasive weeds include:

WEED-1 On NFS lands, LTBMU staff would survey the Project Area as needed during project construction and following completion and treat any additional noxious weeds that are found.

WEED-2 On CTC lands, a botanist designated by the CTC (CTC botanist, LTBMU botanist, or another approved botanist) would survey the Proposed Project as needed during project construction and following completion and treat any additional noxious weeds that are found.

WEED-3 All off-road equipment used in the Project Area, and other vehicles that would travel on temporary access roads through the Project Area (i.e. not contained in the staging areas), shall be washed before moving into the Project Area to ensure that the equipment is free of soil, seeds, vegetative material, or other debris that could contain or hold seeds of noxious weeds. "Off-road equipment" includes all tree removal and construction equipment and brushing equipment such as brush hogs, masticators, and chippers; it does not include log trucks, chip vans, service vehicles, water trucks, pickup trucks, and similar vehicles not intended for off-road use. Equipment would be considered clean when visual inspection does not reveal soil, seeds, plant material, or other such debris. When working in known weed infested areas equipment shall then be cleaned at a washing station before moving to other areas that do not contain noxious weeds.

WEED-4 All earth-moving equipment, gravel, fill, or other materials are required to be weed-free. Use onsite sand, gravel, rock, or organic material when possible. Otherwise, obtain weed-free materials from fill sources that have been surveyed and certified weed-free.

WEED-5 Minimize the amount of ground and vegetation disturbance in the construction areas. Reestablish vegetation where feasible on disturbed bare ground at the end of project implementation to minimize weed establishment and infestation, especially in staging areas.

WEED-6 Use weed-free mulches and seed sources. Salvage topsoil from the Project Area for use in onsite revegetation, unless contaminated with noxious weeds. All activities that require seeding or planting must utilize locally collected native seed sources when feasible. Plant and seed material should be collected from or near the Project Area, from within the same watershed, and at a similar elevation when feasible. Persistent non-natives such as *Phleum pratense* (cultivated timothy), *Dactylis glomerata* (orchard grass), or *Lolium* spp. (ryegrass) would not be used. Seed mixes must be approved by a Forest Service, TRPA or CTC botanist.

WEED-7 Weed infestations within the Project Area and along travel routes in and near the Project Area have been identified in storage, staging and construction areas. Before project implementation, these areas will be treated using chemical or hand methods, "flagged and avoided," or a physical barrier will be applied and maintained, depending on the risk presented by the species present. The Sunset Stables site will be used as a staging and stockpile area, and a 2 to 2.5 acre area will be covered with base rock or paving as needed to prevent disturbance of soil and contamination with cheat grass or other noxious weeds present during project implementation.

WEED-8 Weed infestations along access roads would be addressed by constructing an encapsulated road in these locations to avoid tracking seeds from infested sites into other portions of the project area.

Cultural Resources

The following measures would be implemented to avoid impacts to known and unknown archaeological resources in the Project Area.

CR-1 All eligible cultural resource sites and properties with undetermined eligibility within the Area of Potential Effects (APE) will be avoided and protected in place.

CR-2 If unrecorded/new cultural resources (i.e., prehistoric sites, historic sites, and isolated artifacts and features) are discovered during project implementation, then work shall be halted immediately within 50 feet of the discovery, the CTC and/or LTBMU shall be notified, and a professional archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards and Guidelines ([Code of Federal Regulations, 36 CFR Part 61]) in archaeology and/or history shall be retained to determine the significance of the discovery.

CR-3 If potentially unique paleontological resources (fossils) are discovered during Project implementation, then standard BMPs shall be followed, including: work shall be halted immediately within 50 feet of the discovery, the CTC and/or LTBMU shall be notified, and a professional paleontologist shall be retained to determine the significance of the discovery.

CR-4 If human remains are discovered during the Proposed Project implementation, then work shall be halted immediately within 50 feet of the discovery, the CTC and/or LTBMU shall be notified, and the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission (NAHC), and the procedures outlined in the Native American Graves Protection and Repatriation Act and CEQA Section 15064.5(d) and (e) shall be followed.

Geology, Hydrology and Water Quality

A variety of BMPs would be employed to prevent adverse impacts to soil and water resources. The BMPs were determined following guidance as provided in the USFS Region 5 BMP Handbook, "Water Quality Management for Forest System Lands in California: Best Management Practices" (USDA 2000). The BMPs identified in the R5 Handbook provide general guidance for the water quality protection measures that must be considered in formulating a project. Detailed specification for these BMPs would be incorporated into the final design plans and SWPPP, currently under development. These documents would be included in the submittal for an NPDES permit by the Regional Board prior to project implementation. Detailed specifications would also be included in contracts or other controlling documents used to conduct and administer the project.

The Geology, Hydrology and Water Quality (GHWQ) BMPs, design features, and construction controls described below provide additional details regarding the method and techniques for how these BMPs would be implemented during construction of this project. The applicable BMP for which this additional detail applies is referenced in parentheses below:

GHWQ-1 Erosion control measures may include but will not be limited to: silt fences, straw wattles, coir logs, water filled berms, mulching, gravel/sand bags, construction limit fencing, and revegetation (BMP 2-2 and 2-15).

GHWQ-2 Earthwork will be confined to areas of construction activities according to the construction sequencing plan that will be described in the contractor specifications or design details and permit documents (BMP 2-2). The construction sequencing for each reach would allow for winterization and close-out of certain construction areas as work in those areas is completed. Reach 5 and 6 excavation activities and channel tie-ins will not be conducted concurrently.

GHWQ-3 Earthwork within the river channel is proposed to take place in the drier months of July, August, and September. All project activities that involve the need for water diversions or new ground disturbance would be planned to be completed by October 15th each year, unless a grading variance exemption is obtained (BMP 2-3).

GHWQ-4 Temporary haul roads will be constructed for transport of fill and/or stockpiling material where they cross the SEZ wet meadow areas. These roads are anticipated to be constructed of geotextile fabric topped with sand, or an alternative with equal or lesser impacts. Haul roads will be temporary and will be removed prior to each winter season and will be restored when they are no longer needed to their preconstruction condition as feasible, including decompaction and revegetation (BMP 2-1, 2-7 and 2-26).

GHWQ-5 Up to three temporary crossings/bridges will be constructed to transport materials across the river to facilitate construction and avoid impacts to the channel. The crossings/bridges will be designed to allow for fish passage and with temporary BMPs to reduce sediment discharges to the UTR. Crossing/bridge approaches will be stabilized with geotextile material and gravel or an alternative material.

- Temporary bridges or railcar bridges would be installed with BMPs (such as silt fences, coir logs, silt curtains, etc.) to isolate the road surface from the active channel. Bridge abutments would be located on floodplain surfaces outside of the active channel.

- Temporary constructed crossings would consist of culverts placed on the active channel bottom, geotextile fabric, and clean washed gravel. (BMP 2-16 and 2-17). Constructed crossings would also be installed with erosion control BMPs such as silt fences, coir logs, sand bags, etc.

GHWQ-6 Localized pumping will be used to clear the construction area of turbid standing water resulting from the excavation of saturated soils and intercepted groundwater. Pumped water would be used to irrigate planted vegetation or sod borrow areas, sprayed on the meadow surface or pumped to upland dewatering sites, held in Baker Tanks, or otherwise treated to remove suspended sediment to comply with the requirements of the permit prior to discharging to the river (BMP 2-15). Dewatering activities will be monitored closely to ensure that surface flow and meadow saturation is avoided.

GHWQ-7 Construction materials will be stored at designated stockpile areas that have experienced previous ground disturbance. Stockpile areas would be delineated with construction limit fencing. Stockpiled material and material transported by vehicle off site will be covered and/or kept visibly moist to control fugitive dust emissions and wind erosion (BMP 2-13). In addition, each stockpile would be covered during winter periods, and silt fencing or coir logs would be installed at the base of the piles to prevent transport of stockpiled material.

- In addition, portions of the Sunset Stables staging area may be paved (or otherwise covered) to prevent the spread of the invasive plant cheat grass. The paving/cover would be temporary, and would be removed after the site is no longer needed for Reach 5 and 6 implementation. If this site is paved or covered, drainage BMPs would be installed such as gravel infiltration areas during winter periods.

GHWQ-8 Construction vehicles will be serviced in specified upland areas or stabilized areas to prevent accidental spills of fluids, oils, and lubricants from reaching unprotected soils or surface water (BMP 2-12).

GHWQ-9 Construction equipment shall be cleaned to remove any loose dirt or sediment prior to exiting the site. Access roads will be watered regularly throughout active construction to prevent fugitive dust, and stockpile area entrances will be armored to prevent tracking of sediments onto U.S. Highway (BMP 2-23).

GHWQ-10 Unexcavated earthen barriers in the form of a buffer between new channel construction and the existing channel will be left in place wherever the new channel intersects the original channel. In addition, water filled berms or an alternative may also be installed so the new channel can properly "season" (i.e. allow consolidation of constructed features and establishment of vegetation) prior to reintroduction of flow (BMP 2-14).

GHWQ-11 The Proposed Project site will be stabilized at the end of each construction season. BMPs used for stabilization will include coir logs adjacent to access roads and providing ground cover over bare soil areas. Winterization of the new channel construction areas will include installing water filled berms and/or coir logs to isolate the active channel from the newly constructed channel segments so that sediment delivery is avoided in the event of an overbank flood event.

GHWQ-12 All disturbed areas, including staging and storage sites, will be stabilized and revegetated following construction (BMP 2-2).

GHWQ-13 To reduce erosion and failure of stream banks, portions of the new channel banks would be stabilized where necessary using measures such as placement of rocks at the toe of banks, grading to create more stable bank slopes, and placement of wood jams to direct flows away from banks. Riparian vegetation would also be planted to stabilize the banks. Irrigation and revegetation efforts would continue until revegetation success is determined adequate to prevent water quality degradation and sediment delivery by implementing and regulatory agencies. "Seasoning" of the bank treatment may take up to three years, depending on annual growing conditions and revegetation success. The first flushes of the new channel would be monitored to look for any erosion or bank failure issues. These areas would be stabilized, as appropriate.

GHWQ-14 New channel segments will be flushed with water several times before being connected to the river flows. This will allow for loose sediments to be flushed downstream, and collected and pumped to designated dewatering sites, or to be embedded into the new channel substrate in order to minimize the amount of sediment released during channel tie-ins in the final year of implementation for each reach.

Hazards and Hazardous Material

Construction of the Proposed Project would involve the short-term use of hazardous materials, principally diesel fuel, hydraulic fluid and other materials necessary for operation and maintenance of construction equipment. There are no known hazardous materials to have ever been previously treated, stored, disposed, spilled or leaked onto the construction site (EDR 2008, SWRCB 2010a, DTSC 2010, and CalEPA 2010). The Proposed Project would excavate near, and modify, the STPUD utility lines. Although untreated sewage is not a "hazardous material" pursuant to the EPA's Domestic Sewage Exclusion (40 CFR 261.4[a][1]), any accidental sewage release would be a water quality concern.

The Proposed Project incorporates several design features and construction control measures to reduce impacts and risk from hazards and hazardous materials. Work performed for the Proposed Project is required to conform to all federal and state requirements for the protection of worker health and safety and environmental protection during management of construction activities. The following design features, BMPs and construction control measures would be implemented; BMP 7-4 applies to all:

HAZ-1 Hazardous materials required for project implementation, listed above, will be stored at the main staging areas at the former Sunset Stables site, and other suitable sites.

HAZ-2 Work will stop immediately if suspected contamination is encountered, and the Project Engineer shall be notified immediately. Upon confirmation of contamination, the Project Engineer will assess the Project design and obtain the required approvals to modify the design to avoid conflicts with the contaminated material and/or any ongoing or future remediation projects.

HAZ-3 All encountered contamination will be addressed and handled appropriately, as described in the SWPPP. The Land owner will provide records regarding any contamination encountered during the Proposed Project to any appropriate requesting party. Appropriate requesting parties include, but are not limited to, the Lahontan Regional Water Quality Control Board, El Dorado County Department of Environmental Management, any responsible party or potentially responsible party, or the designated environmental consultant to any responsible party or potentially responsible party.

HAZ-4 All soil and groundwater materials removed during construction activities that have been deemed hazardous shall be placed in labeled containers and disposed of appropriately. Excavated soils that have been deemed hazardous will not be used as backfill material. Depending on the type of hazardous material, a water truck or other approved water spraying device will be on site at all times during excavation of hazardous or potentially hazardous materials, or materials would be covered to prevent particles from becoming airborne.

HAZ-5 On NFS lands, spill prevention and clean-up of hazardous materials would be implemented in accordance with the LTBMU Spill Notification and Response Plan (for emergency spills) or with USFS BMPs for non-emergency spills (USDA 2000). On CTC lands, all contractors are responsible for familiarizing their personnel with the information contained in the SWPPP. Contractors will train/instruct onsite construction personnel in spill prevention practices and provide spill containment materials near all staging areas. Further information regarding spills will be available in the Spill Response section of the SWPPP.

HAZ-6 A construction safety plan will be developed and implemented that will include safety measures for activities in Runway Safety Zones and Obstruction Free Areas to include schedule, procedures to ensure Airport Safety, and responsible personnel.

HAZ-7 All construction equipment that normally does not contain a spark arrester will be fitted with an arrester in good working order to minimize construction-related wildfire ignition. Equipment to be fitted with spark arresters will include, but not be limited to, heavy equipment and chainsaws.

HAZ-8 The contractor or USFS shall clear dry vegetation and other potential fire fuels, to the extent feasible, in and near work areas. Ignition sources unrelated to project implementation (e.g. smoking [unless in designated areas], barbecues, stoves, campfires) shall be prohibited.

Noise

The following noise-reducing construction practices would be employed to reduce impacts to sensitive users during daytime hours.

NOI-1 Construction activities that involve the use of heavy equipment or motorized tools (e.g. chainsaws) would be limited to the hours from 7:00 am – 6:30 pm.

NOI-2 Prior to construction, all residences within 300 feet of construction areas would be notified in writing of the proposed construction activities. Construction scheduling and contact information would be clearly displayed on construction fencing.

NOI-3 If complaints are received regarding noise impacts to any nearby sensitive receptors (i.e. residents less than 500 feet from activities) the CTC or LTBMU shall prepare a plan demonstrating appropriate noise-reducing measures. The plan shall be submitted to TRPA for review and approval, and shall be implemented during all construction activities occurring outside of TRPA's exempted hours.

Public Safety and Recreation

The construction sites would be closed to the public during construction activity, from approximately June through October 15 each year of active construction. All trails in the Project Area are user-created, and are not part of any trail system. Access to some user-created trail segments would be lost once the new channel alignment is constructed and re-activated. Design features to reduce impacts to recreation and public safety include:

REC-1 Postings and public notices would be issued in advance of construction and posted at public access points and trails including the main north-south trail and the Elks Club parking area (trailhead and boating access to the river) to inform the public of the construction activities and restricted areas.

REC-2 Construction fencing would be placed around the construction and staging area perimeters to deter users from continued use of trails leading into the construction area during implementation.

REC-3 Where possible, access to trail users during construction would be provided around/outside the construction site.

REC-4 Restore unrestricted river access (boating put-in access from the Elks Club parking area and boating passage within the river channel) once construction and restoration has been completed.

Traffic and Circulation

TR-1 When using the Sunset Stables area for staging and storage, the contractor or USFS shall provide traffic control as needed on the specific days of transport of heavy equipment to prevent congestion and safety hazards at the intersection of U.S. 50 and the Sunset Stables Access Road.

TR-2 During construction, temporary parking would be provided for construction workers or USFS employees at the former Sunset Stables property and/or at the former Elks Club property, and possibly at the northeast end of the Project Area. If parking is provided at the northeast end of the Project Area, a stabilized area would be used for temporary parking and this area would be removed and restored to preconstruction conditions.

TR-3 Airport staff would be notified of the timing of operations.

Utilities

UTIL-1 Prior to commencement of excavation activities, the contractor or USFS shall be required to notify USA Alert to establish the location of all known utility facilities and be in close coordination with the STPUD. For excavation within the area of known underground utility lines, the contractor or USFS shall work directly with the STPUD to avoid disturbance to buried utility lines and prevent possible discharges associated with any breaks in lines.

UTIL-2 The Contractor or USFS will coordinate closely with the STPUD and, in advance of implementing construction, develop an emergency response plan in the event that there are any accidental water or sewer line utility breaks. This emergency response plan would include isolating and containing any discharges.

Greenhouse Gases

BMPs and control measures for air quality impacts would also reduce greenhouse gas (GHG) emissions. Additionally, the following measures are considered best management practices for further reducing GHG emissions from construction projects.

GHG-1 Improve fuel efficiency of construction equipment. Maintain all construction equipment in proper working condition according to manufacturer's specifications. Use the proper size of equipment for the job. Use equipment with new technologies, where available/feasible (repowered engines, electric drive trains).

GHG-2 Idling time shall be minimized to five minutes when conditions allow for diesel-powered equipment.

GHG-3 CARB-approved diesel fuel shall be used for diesel-powered equipment.

GHG-4 Any onsite vegetation shall be preserved or replaced (if removal is necessary for Project activities) as a means of providing carbon sequestration.

Attachment B - BMPs for the Upper Truckee River Sunset Stables Reach Restoration Project

Best Management Practices (BMPs) would be used to treat runoff and to minimize erosion and the transport of sediment and other pollutants of concern to Lake Tahoe.

Generally, earthmoving activities would be limited to May 1 through October 15, unless a grading ordinance exemption is granted by TRPA. Grading activities would be prohibited during winter months, unless approved by TRPA, and exposed graded areas would be protected during winter months using approved methods detailed in a winterization plan.

Note: The USFS recently updated the Water Quality Management Handbook, and in turn updated several of the Regional BMPs listed below. These changes primarily affect the Road Building and Site Construction BMPs (BMP numbers 2-1 through 2-26 below) and do not change the intent of the practices, but only revised the numbering system and the descriptions. The new Water Quality Management Handbook will be used for this project, so the revised Road Building and Site Construction BMPs are listed in a separate table below.

Summarized from USFS Pacific Southwest Region (2000)

Best Management Practice	Description
PSW Region BMP 2-1: General Guidelines for the Location and Design of Roads	Location, design and construction of roads will be agreed upon by the IDT in order to result in minimal resource damage.
PSW Region BMP 2-2: Erosion Control Plan	Effectively plan for erosion control to control or prevent sedimentation. Prior to initiation of construction activities, prepare a general erosion control plan for limiting and mitigating erosion and sedimentation from land disturbing activities.
PSW Region BMP 2-3: Timing of Construction Activities	Temporary road construction and road re-construction activities will be conducted during the dry season, when rain and runoff are unlikely and weather and ground conditions are such that impacts to soils and water quality will be minimal. Construction of drainage facilities and performance of other contract work to control erosion and sedimentation is required in conjunction with earthwork projects. The operator shall limit the amount of area being graded at a site at any one time, and shall minimize the time that an area is left bare.

PSW Region BMP 2-7: Control of Road Drainage	Used alone or in combination, methods such as the construction of properly spaced cross drains, water bars, or rolling dips; installation of energy dissipaters, aprons, downspouts, gabions, or flumes; armoring of ditches and drain inlets and outlets; and removing or adding berms can be used to control unacceptable effects of drainage.
PSW region BMP 2-9: Timely Erosion Control Measures on Incomplete Roads and Stream Crossing Projects	Apply protective measures to all areas of disturbed, erosion-prone, unprotected ground that is not to be further disturbed in the present year. Affected areas can include roads, road fills, landings, stream crossings, and bridge excavations. Preventative measures include removal of temporary culverts, culvert plugs, diversion dams, or elevated stream crossings; installation of temporary culverts, side drains, cross drains, diversion ditches, sediment basins, berms, or other facilities needed to control erosion; removal of debris, obstructions and spoil material from channels and floodplains; and planting vegetation, mulching, and/or covering exposed surfaces with jute mats or other protective material.
PSW Region BMP 2-11: Control of Sidecast Material During Construction and Maintenance	Prior to the start of construction, waste areas for sidecast materials must be located where excess material can be deposited and stabilized. Loose, unconsolidated sidecast material must not be permitted to enter SEZs. Selected disposal areas and mitigation will be developed and documented during the environmental analysis.
PSW Region BMP 2-12: Servicing and Refueling Equipment	Waste material must be disposed of properly and service and refueling sites must be located away from wet areas and surface water. If the volume of fuel exceeds 660 gallons in a single container, or if total storage at a site exceeds 1,320 gallons, project Spill Prevention, Containment, and Counter Measures (SPCC) plans are required. Operators are required to remove service residues, waste oil, and other materials from National Forest land and be prepared to take responsive actions in case of a hazardous substance spill, according to the Forest SPCC plan.
PSW Region BMP 2-13: Control of Construction and Maintenance Activities Adjacent to SMZs	Construction and maintenance actions within and adjacent to SEZs shall be controlled so that the SEZ is still able to function as an effective filter for sediment generated by erosion, shade, riparian habitat and channel stabilization is maintained, and floodplain surface remains in a resistant, undisturbed condition to slow water velocities and limit erosion by flood flows. Construction and maintenance fills, sidecast, and end-hauled materials are kept out of SEZs except at designated sites to minimize effects on the aquatic environment.

PSW Region BMP 2-14: Controlling In-channel Excavation	Crossing locations shall be designated by the engineering representative (ER) for the project. Excavation during installation of instream structures must follow all of the following minimum water quality protection requirements: 1) unless otherwise approved, no excavation will be made outside of cribs, cofferdams, or sheet piling; 2) the natural streambed adjacent to the structure will not be disturbed without prior approval of the ER; 3) if any excavations are made at the site of the structure before cribs or cofferdams are sunk in place, they will be restored to the original surface and the streambed must be protected with suitable stable material; 4) material deposited in the stream from foundation or other excavation will not be discharged directly into live streams, but will be put into settling areas as shown on engineered drawings; 5) if the channel is disturbed during construction, it must be restored to its original configuration while minimizing additional disturbance; and 6) disturbance of stream banks are kept to a minimum. Disturbed banks are stabilized.
PSW Region BMP 2-15: Diversion of Flows Around Construction Sites	Streamflow must be diverted around construction sites such as bridges, culverts, and dams. The streamflow will be diverted for all live streams according to the instructions of the ER. The diverted flows are returned to their natural stream course as soon as possible after construction or at least prior to the rainy season. All disturbed areas are stabilized prior to the rainy season, or as needed.
PSW Region BMP 2-16: Stream Crossings on Temporary Roads	Stream crossing structures (e.g. culverts, bridges) are required on all temporary roads where it is necessary to cross designated channels. Such crossings are designed to provide for unobstructed flows and the passage of fish, and to minimize damages to stream channels and water quality. The number of crossings will be kept to the minimum needed for access and will be as perpendicular to stream courses as possible. Streambank excavation will be kept to the minimum needed for use of the crossings. Temporary crossing facilities will be removed and the site stabilized prior to the rainy season each year or when the facility is no longer needed, whichever is earliest.
PSW Region BMP 2-17: Bridge and Culvert Installation	Spoil material from excavation during construction of bridges, culverts, and other in-channel structures should neither obstruct the stream course or natural floodplain nor impair the efficiency of the installed structure. Excavated material shall be kept out of stream channels, stacked or stockpiled material on floodplains shall be removed prior to the rainy season, and flowing water should be diverted around work sites to minimize erosion and sedimentation. Normally this work would occur

	during low flow periods and would not be allowed during spawning periods or other periods critical to aquatic resources. Downstream sediment reduction techniques will be necessary to mitigate impacts.
PSW Region BMP 2-21: Water Source Development Consistent with Water Quality Protection	Water source development to supply water for road construction and maintenance and dust control shall avoid use of earth fill and dam construction. Cofferdams and water holes will be built out of sandbags filled with clean sand or gravel. Downstream water flow will not be reduced to a level that will be detrimental to established uses.
PSW Region BMP 2-22: Maintenance of Roads	Provide the basic maintenance required to protect the road and to ensure that damage to adjacent land and resources is prevented. At a minimum, maintenance must protect drainage facilities and runoff patterns.
PSW Region BMP 2-23: Road Surface Treatment to Prevent Loss of Materials	When necessary, contractors and Forest Service project leaders will undertake road surface treatment measures such as watering, sealing or aggregate surfacing to minimize erosion of road surface materials and reduce the likelihood of sediment production from those areas.
PSW Region BMP 2-26: Obliteration or Decommissioning of Roads	Temporary roads will be obliterated or decommissioned following their intended use. Obliteration/decommissioning may include re-contouring or outsloping to return the road prism to near natural hydrologic function, blocking the road to vehicle access, removing crossings and restoring natural drainage, and stabilizing road surfaces with ripping and/or revegetation.
PSW Region BMP 5-3: Tractor Operation Limitation in Wetlands and Meadows	Mechanical equipment will be excluded from wetlands and meadows except for the purpose of restoring wetland and meadow function. The target areas will be protected from mechanical operations except when they are identified for treatment by trained and qualified personnel on the IDT. Specific protection measures will be established for each area that could incur adverse water quality impacts.
PSW Region BMP 5-4: Revegetation of Surface Disturbed Areas	On unstable soil surfaces resulting from project activities, revegetation with native seed and/or application of mulch may be required to protect water quality and minimize soil erosion. The onsite factors evaluated will include soil productivity, topography, EHR, and soil water holding capacity.
PSW Region BMP 5-5:	The project IDT will determine the methods of debris disposal and/or placement of debris after treatment. Methods of disposal include:

Disposal of Organic Debris	chipping, mastication, lop and scatter, and mechanical harvesting/collection.
PSW Region BMP 5-6: Soil Moisture Limitations for Mechanical Equipment Operations	To prevent compaction, gullying and rutting, mechanical equipment operations will be limited or excluded during wet soil conditions.
PSW Region BMP 7-1: Watershed Restoration	Watershed restoration is a corrective measure to repair degraded watershed conditions and improve water quality and soil stability, improve ground cover density, improve infiltration, prevent excessive overland runoff and conserve the soil resource, stabilize streambanks and stream channels, improve soil productivity, reduce flood occurance and flood damage, enhance economic, social and/or aesthetic values of the watershed, and improve overall watershed function. During development of restoration projects, consider predicted changes in water quality and any direct or indirect effects to beneficial uses of water, downstream values, site productivity, and threats to life and property.
PSW Region BMP 7-2: Conduct Floodplain Hazard Analysis and Evaluation	As part of the environmental documentation process, a floodplain hazard analysis shall be conducted to avoid, where possible, the long-and short-term adverse impacts to water quality associated with the occupancy and modification of floodplains. Consider environmental quality, ecological effects, individual safety and health, flood frequencies, watershed conditions, climatic and environmental factors associated with past flood events, flood flow quantities and specific flood boundaries.
PSW Region BMP 7-4: Forest and Hazardous Substance Spill Prevention Control and Counter-measure (SPCC) Plan	To prevent contamination of waters from accidental spills, a Spill Prevention Containment and Counter Measures (SPCC) Plan must be prepared if the total oil products on site in above-ground storage exceed 1320 gallons, or if a single container exceeds 660 gallons.

Summary of revised BMPs for Road Building and Site Construction from December 2011 Water Quality Management Handbook that apply to this project

Best Management Practice	Description
BMP 2.2: General Guidelines for Location and Design of Roads Replaces former BMP 2-1 and 2-7	Location, design and construction of roads will be agreed upon by the IDT in order to result in minimal resource damage. This includes design and location of drainage features and road surfacing.
BMP 2.3: Road Construction and Reconstruction Replaces former BMP 2-3, 2-9, 2-10, 2-11, and 2-13	Temporary road construction and road re-construction activities will be conducted during the dry season, when rain and runoff are unlikely and weather and ground conditions are such that impacts to soils and water quality will be minimal. This also includes construction of drainage structures, erosion control measures on incomplete roads prior to precipitation events, and providing groundcover or mulch on disturbed areas. The operator shall limit the amount of disturbed area at a site at any one time, and shall minimize the time that an area is left bare.
BMP 2.4: Road Maintenance and Operations Replaces former BMP 2-7, 2-22, 2-23, and 2-24	Assess road maintenance needs periodically as it relates to water quality effects. Provide the basic maintenance required to protect the road and to ensure that damage to adjacent land and resources is prevented. At a minimum, maintenance must protect drainage structures and runoff patterns. This also includes road surface treatments and drainage structure improvements as needed based on road use.
BMP 2.5: Water Source Development and Utilization Replaces former BMP 2-21	Water source development to supply water for road construction and maintenance and dust control shall not reduce downstream water flow to a level that will be detrimental to established uses. Avoid excavation of streambed or bank materials for approaches, drafting pads, and drafting intakes. Screen pump intakes to protect aquatic organisms.
BMP2.7: Road Decommissioning Replaces former BMP 2-26	Temporary roads will be decommissioned following their intended use. Decommissioning may include re-contouring or outsloping to return the road prism to near natural hydrologic function, blocking the road to vehicle access, removing crossings and restoring natural drainage, and stabilizing road surfaces with ripping and/or revegetation.

BMP 2.8: Stream Crossings Replaces former BMP 2-13, 2-14, 2-15, 2-16, 2-17, and 2-20	Crossing locations shall be identified by the IDT to limit the number of crossings to minimize disturbance to the waterbody. During crossing installation, minimize streambank and riparian area excavation, ensure imported fill materials are free of toxins and invasive species, divert streamflow around work site, dewater work areas, and stabilize streambanks and other disturbed surfaces following crossing installation or maintenance. The diverted flows are returned to their natural stream course as soon as possible after construction or prior to seasonal closures. Restore the original surface of the streambed upon completing the crossing construction or maintenance. Provide soil cover on exposed surfaces and revegetate disturbed areas. Remove temporary crossing and restore waterbody profile and substrate when the need for the crossing no longer exists.
BMP 2.10: Parking and Staging Areas New BMP, no former BMP equivalent	Construct and maintain an appropriate level of drainage and runoff treatment for parking and staging areas to protect water, aquatic and riparian resources. Infiltrate as much runoff as possible using permeable surfaces and infiltration ditches or basins and limit the size of temporary parking or staging areas. Rehabilitate temporary parking or staging areas immediately following use, including preventing continued access to these areas.
BMP 2.11: Equipment Refueling and Servicing Replaces former BMP 2-12	Service and refueling sites shall be located away from wet areas and surface water. If the volume of stored fuel at a site exceeds 1,320 gallons, project Spill Prevention, Containment, and Counter Measures (SPCC) plans are required. Operators are required to remove service residues, waste oil, and other materials from National Forest land following completion of the project, and be prepared to take responsive actions in case of a hazardous substance spill, according to the Forest SPCC plan.
BMP 2.13: Erosion Control Plan Replaces former BMP 2-2 and 2-9	Effectively plan for erosion control to control or prevent sedimentation. Prior to initiation of construction activities, prepare a general erosion control plan for limiting and mitigating erosion and sedimentation from land disturbing activities. For this project, a Stormwater Pollution Prevention Plan (SWPPP) will be used in place of an Erosion Control Plan per Regional Water Quality Control Board permit requirements.

Attachment C – Response to Comments on the Draft EA/ND for the Upper Truckee River Sunset Stables Restoration Project

Comment Letter 1: City of South Lake Tahoe-Sarah A. Hussong-Johnson, P.E.

From: Sarah Hussong-Johnson [mailto:shussong-johnson@cityofslt.us]
Sent: Monday, May 23, 2011 3:22 PM
To: Wilkinson, Brian@DGS
Subject: Comment on Upper Truckee River Sunset Stables Reach Restoration Project ND/EA/TRPA EA

1-1 The City of South Lake Tahoe would like to make the Upper Truckee River Sunset Stables Reach Restoration Project (Sunset Stables Project) proponents aware of an opportunity for import soil, which will be available from the City's Bijou Area Erosion Control Project. The City will be exporting approximately 9,600 cubic yards of soil from an undeveloped US Forest Service parcel approximately 7 miles from the Sunset Stables Project site. The Bijou export soil could provide the Sunset Stables Project with a convenient, local fill source for backfill.

Various sections of the Sunset Stables Project environmental document describe the process for filling the old river channel: Section 2.4.3.8 of The Proposed Project description, Section 3.3 Air Quality, and Section 3.12.3.1 of Transportation and Traffic (pgs. 203 and 204) Traffic Volumes. The local source of fill, available from the City's project, could reduce potential impacts associated with Air Quality and Transportation and Traffic, due to the reduced haul distance for import.

Thanks for your attention to this matter.

Regards,

Sarah A. Hussong Johnson, P.E.
Associate Civil Engineer

City of South Lake Tahoe
P: 530-542-6033
F: 530-541-3051
shussong-johnson@cityofslt.us
http://www.cityofslt.us

City offices will be closed for mandatory furloughs on the 1st and 3rd Fridays of each month

Response to comment 1-1

Text was added to the document that mentions the potential for fill to be imported from the Bijou project. Text was added to the following sections: Project Description, Air Quality and Traffic.

Comment Letter 2: City of South Lake Tahoe - Jennifer Taylor

From: Jennifer Taylor [mailto:jtaylor@cityofslt.us]
Sent: Monday, May 23, 2011 6:38 PM
To: Environmental@DGS
Cc: Stan Hill; Nira Feeley; Hilary Hodges
Subject: Comment on CEQA ND for UTR Sunset Stables Reach Restoration Project

To: Brian Wilkinson, California Dept. of General Services

The City of South Lake Tahoe (City) is in receipt of the subject negative declaration. The City recently constructed a stream restoration project directly downstream of Forest Service property within the Sunset Stables reach. The work began in 2008 and is scheduled for completion in 2011. Work in 2008 consisted of approximately 4000 LF of newly excavated meandering channel, construction of bank stabilization/habitat structures upstream and downstream of the new channel, and stockpiling of excavated material. Work in 2011 is anticipated to include diversion of the Upper Truckee River around the site, construction of the rock tie-ins in three locations, backfilling of the old channel and introduction of flows to the new channel.

Note that with the City work, three seasons were scheduled for the vegetation to establish. In addition, all dewatering effluent is expected to be stored in a dewatering basin and treated with flocculation prior to discharge at discharge standards.

The City offers the following comment for consideration regarding the Design Features and Construction Controls proposed in Section 2.4.3.11:

2-1 1. Depending on the amount of overbanking occurring during the first few seasons following construction of the project, one to two growing seasons may be inadequate to allow proper stabilization of the tops of the banks of the newly excavated re-vegetated channel in the Sunset Reach. Following construction in 2008, the City seasoned their project for three years (2009, 2010 and 2011).

2-2 2. It appears from construction details that the toes of slopes are to be boulders or salvaged logs at grade control. Depending on the buoyancy of the logs, they may be displaced with high flows. The City encourages the project proponent to ensure the specification details how the logs are to be properly keyed in to withstand such velocities at the toes of banks.

2-3 3. Regarding Detail 4 on Sheet D-6, the twine or rope specified is not expected to have sufficient tension to properly allow the willow mattress to have enough contact to root in the bank. In addition, twine/rope will likely fail causing willows to become dislodged and not root properly. Wire is typically recommended for this type of installation.

2-4 4. In general, the City would appreciate the project proponents providing clarification on how exactly dewatering effluent will be monitored. Will this effluent be continuously monitored and treated as appropriate prior to release?

2.-5 5. During dewatering or re-watering/flushing applications, how will the Sunset Reach ensure that fines or other matter will not compromise the City's newly constructed channel? More specific information would help the City to understand the dewatering effort, as what is described (baker tans, sediment bags, filtration system) is to general to understand how these flows will be accommodated and treated prior to release downstream.

Thank you for the opportunity to review the subject document. If you would like to discuss any of the above comments, please feel free to follow up with the City.

Sincerely,

Jennifer Taylor
Assistant Engineer

City of South Lake Tahoe
Development Services
1052 Tata Lane
South Lake Tahoe, California 96150
TEL (530) 542-6036
FAX (530) 541-3051
Note: City offices are closed the 1st and 3rd Fridays of the month through September 2011.

Response to comment 2-1

Text was modified to elaborate on seasoning of bank treatments (GHWQ-13).

Response to comment 2-2

Text was modified in the Project Description (2.4.3.4) to reflect how logs will be anchored.

Response to comment 2-3

Text was modified in the Project Description (2.4.3.4) to specify using wire rather than twine to secure the brush mattresses.

Response to comment 2-4

These details will not be available in the EA/ND due to the early stage of detailed project development however this information will be available to review and comment in future design plan iterations and the project SWPPP. The CSLT, as members of the TAC for this project and adjacent land owners, will have an opportunity to review the dewatering and flushing details during the permitting process. All project related discharge will be required to meet the permit requirements and will be monitored accordingly as part of the project SWPPP.

Response to comment 2-5

See Response to comment 2-4 above.

Comment Letter 3: Randy Mundt – Owner/Operator of the Tahoe Flea Market

Comments on the possible enviornmental and community impacts of the Upper Truckee River Sunset Stables Reach Restoration Project.

As owner / operator for the past 35 years of the Tahoe Flea Market located on the former Elk's Lodge property within the project boundary, I have concerns about both the enviornmental impact of the project as well as the social and economic impact on our community. As a former USFS employee partly involved in the area of enviornental education, I understand and support this project and have no intention to undermine it. What I question is the portion of the plan involving the property I am currently renting from the CTC. It is my hope that there is a way to complete the project in an economical and enviornmentally safe way without unnecessarily sacrificing the Flea Market in the process.

1. Flood hazard.

3-1 As I understand the plan, the current flea market area will be used as a de-watering zone for soil excavated from the new river course for a period of four or more years. Situated in a hundred year floodplain and bordering a bend in the river, the property as you know presents a significant flood hazard. In 1997 I witnessed the property flooding, in April I believe, almost up to the floor level of the Elk's Lodge, a depth of approximately two feet. When the flood receded, it deposited a berm of silt stretching across the grounds opposite the river bend. I removed it in many wheelbarrow loads in order to level the area before the market could begin. It seems prudent to me not to unnecessarily risk a future flood capturing the piles of excavated soil and discharging solid waste material into the water system.

2. Reasonable Alternative.

3-2 After reviewing the Lahontan Lake Tahoe Basin Plan, Chapter 5, page 5.2 - 6, Prohibition 10 exemption criteria for risking discharge within the 100 year floodplain of the Truckee River, I discussed with Ray Lacey of the CTC the relative merits of choosing the Sunset Stables grounds over the former Elk's Lodge as a dewatering zone. It seemed to me to qualify as a "reasonable alternative" which may possibly negate the exemption to Prohibition 10 for this project. It has a higher elevation, a larger surface area, is closer to the excavation site, thereby reducung hauling distance and trucker expense, is previously disturbed land, and it is more concealed from public view. Regarding the latter point, I have noted concerns from neighborhood flea market customers that the proposed Elks site would become "an eyesore". We discussed the downside as being the need for a railcar bridge across the river, an existing plan option. I also asked about utilizing the existing paved road across the river bordering the Sunset Stables property.The last I heard was that CTC was looking into a cost comparison between the alternatives. I am interested in seeing those results if completed. It was my hope that the railcar bridge cost would be sufficiently offset by the decreased hauling expense and the approximately $6000 per season rent CTC would collect from the flea market over the duration of the project.

3. Staging Area.

3-3 If the former Elks Lodge property is to be used as a staging area for the project, it is my hope that this could be done in conjunction with the weekend flea market. In the past, the flea market has been able to co-exist when the property was the staging area for the Angora Fire cleanup of 128 properties, the rebuilding of the Hwy 50 bridge over the Upper Truckee River, the demolition and removal of the Elks Lodge building, many Jeeper's Jamborees and more. The Angora Fire property cleanup is the most similar in nature and scope. Heavy equipment was offloaded there during the first week, then driven to jobsites where the machinery remained parked for the duration of the project. The

3-3 cont. equipment delivery trailers, being in constant use, were immediately driven off. The hauling trucks belonging to private contractors remained in their possession and were not parked on the property on weekends. A portion of the parking lot on the side nearest the highway was rent-a-fenced off, and contained a business trailer and extraneous equipment and materials. Ample parking remained for the market.

4. Value of the Flea Market to the community.

3-4 Along with a few representatives from the community and the flea market, including City Councilman Bruce Grego, I presented a case to save the flea market at the CTC Board Meeting on Sept. 16, 2010. Rather than rehash that case, I am attaching the outline I issued then to the board members. At that time I also issued a petition signed by over 1500 people over a period of three days. The essence of the case is that after 35 years the flea market has become a valued part of our community and that after having existed on precarious year to year leases and continually looking for an alternative location, I am convinced the present location is the only viable one. I feel the market is essentially a recreational activity enjoyed by local families and seniors as well as visitors, fulfills the stated purpose of "recreational access to the land", and as such is the highest and best use for that patch of land. If the time has come for the market to depart, so be it, but I want to be sure it is for a reason that makes good sense.

Randy Mundt

Randy Mundt
Tahoe Flea Market
armunt@charter.net
761 Gardner St.
So. Lake Tahoe CA 96150

Response to comment 3-1

Flood Hazard

The UTR Sunset Stables Project IS/ND/EA identified two possible sites for staging/soil stockpiling. They are the former Elks Club property and the site of the former Sunset Stables. These sites were considered for staging/soil stock piling purposes and it was never the intention to use either of the sites for de-watering.

As described in the environmental document, both the Elks Club and the Sunset Stables sites were considered for staging/soil stockpiling, however after substantial amount of discussion regarding the relative merits and constraints of the two sites, the Conservancy has determined the Sunset Stables property is more appropriate for staging/soil stockpiling. Consequently, no staging will occur and no soil stockpiled materials will be placed at the Elks Club site which is within the 100 year flood plain of the Upper Truckee River.

Response to comment 3-2

Reasonable Alternative

The use of the Sunset Stables site for soil stockpiling was fully considered, given equal consideration, and the potential impacts considered in the project environmental document. Because of it's location outside of the 100 year floodplain it does have a reduced potential impact for discharge of stored soil to the Upper Truckee River and does not require the K-rail structure proposed in order to store soil on the Elks Club site. However, in order to access the site from the new channel construction area on the east side of the Upper Truckee River, an additional river crossing, and additional encapsulated road would have to be constructed.

These add substantial additional costs to the project in the amount of roughly $350,000. The use of the Sunset Stables for soil stockpile results in a greater cost of roughly $250,000 when compared to the Elks Club site.

With regard to the relative visibility of the two alternative sites, the Sunset Stables is actually more visible from US Highway 50 than is the Elks Club site.

Based on the analysis of the design consultant there are really no savings in haul costs by using the Sunset Stables as compared to the Elks Club site. As a result there is no reduction in the cost increases that result from using the Sunset Stables site.

When all issues are considered however, the Sunset Stables site is on balance the most appropriate site for soil stockpiling.

Response to comment 3-3

The project has decided to use only Sunset Stables for soils and material storage and equipment staging so the Elks Club property would continue to be available for use by the Flea Market during the time the project activities are being conducted.

Response to comment 3-4

This comment is more related to the operation of the flea market and not directly related to the river restoration project.

Response to comment 3-I

Comment noted.

Response to comment 3-II

Comment noted.

Response to comment 3-IIIa

AS IT RELATES TO THE TAHOE FLEA MARKET

1. Comments 1 through 4: As noted above, the most appropriate site for stockpiling of soil material is at the Sunset Stables. The former Elks Club property will not be used for soil stockpiling and will also not be used for equipment staging.
2. There was no assumption made about the continued operation of the flea market on the Elks Club site.
3. There were multiple public comment opportunities early in the development process for this project. Beginning with a public meeting held at the Meyers Community School in July 2006 public comment has been sought on the Sunset Stables Reach Restoration Project. A public scoping meeting was also held at the South Lake Tahoe City Council Chambers at the South Lake Tahoe Airport on Thursday November 20th, 2008 by the California Tahoe Conservancy and the USDA Forest Service Lake Tahoe Basin Management Unit. Notice of these meetings was published in the local papers, advertised on the local radio, and mailed to neighbors adjacent to the project area.

   At the November 2008 meeting, a presentation on the proposed restoration of the Sunset Stables Reach of the Upper Truckee River, including a description of the process for selecting the preferred project alternative, a description of the preferred alternative and information on the proposed staging and stockpile area at Elks Club and Sunset Stables was made. Comments were taken at the meeting, and afterward by mail and email.

   In addition, the release of the public draft of the Sunset Stables IS/ND/EA provides a forum for public comment on the project. There will also be an opportunity to provide

comment on the document when the Conservancy Board meets to consider certifying the IS/ND/EA.

4. The determination as to whether the flea market continues on the site is not tied to the project implementation of the UTR Sunset Reach Restoration Project

Response to comment 3-IIIb

A. QUESTIONS REGARDING THE RIVER PROJECT

1. The trucks used for hauling material offsite will not be parked at the staging area, however all heavy equipment used for excavation, hauling material onsite, and channel construction will be parked at the staging area during non-work periods on weekends and holidays.
2. No. The excavating equipment will be moved back to the staging area at the end of each work week.
3. The decision has been made to stage equipment and store vehicles only at Sunset Stables. There will be no staging of equipment at the Elks Club area.
4. The Sunset Stables property was determined to have sufficient suitable area to store all stockpiled soil material from the newly excavated channel and so was proposed as one of the potential staging/stockpile for the Sunset Stables Reach Project.
5. The Elks Club site is located in the 100 year floodplain and is a key reason for deciding not to use the area for materials storage and equipment staging. All staging and storage will occur at the Sunset Stables site.
6. See response to question #2 above.
7. It is not completely clear what this comment is implying regarding "costs be sufficiently mitigated by shortening the hauling distance". The shortest and most cost effective route to a staging area is achieved by using the Elks Club site and accessing from within the Project area. The cost increases that result from utilizing the Sunset Stables site by constructing a river crossing are roughly $250,000 greater when compared to the Elks Club site, including the cost of the K-Rail flood protection structure.
   However, due to other considerations it was determined that the most appropriate stockpile site is the Sunset Stables location.

Comment Letter 4: Ty Robben

Ty Robben <tyrobben@yahoo.com>

04/26/2011 10:23 AM

Please respond to
Ty Robben <tyrobben@yahoo.com>

To "tloupe@fs.fed.us" <tloupe@fs.fed.us>
cc
Subject Forest Service seeks comment on river restoration

I read the Forest Service seeks comment on river restoration in today's newspaper.
4-1 Please confirm that rafting,
canoeing and kayaking on the upper Truckee river will be allowed during the springtime
during construction and after construction.

thanks,

Ty Robben

Response to comment 4-1

The project will not adversely affect the rafting, canoeing or kayaking through this reach of the river. The construction season will not begin until low flow conditions are met during the summer months each year (most likely late July). This would typically occur after the high spring flows have passed and the rafting season is winding down or is over. Also, the existing channel will only be altered in the final year of construction (again likely after late July), and will be undisturbed in the other construction years. Finally, after the project is complete, the channel width will be narrower, allowing for deeper flows for a longer period of time in the spring and summer than occurs under existing conditions. This will likely improve and possibly prolong the rafting, kayaking and canoeing season. This information is detailed in the Recreation Resources section of the EA/ND.