

# Memorandum

Date: February 18, 2014

To: Matt St. John, Executive Officer  
North Coast Regional Water Quality Control Board  
California Environmental Protection Agency  
5550 Skylane Boulevard, Suite A  
Santa Rosa, California 95403-1072

From: Curtis K. Anderson, Chief  
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Subject: Response to Coalition Letter regarding the Trinity River Channel Rehabilitation Sites: Bucktail (River Mile (105.3-106.35) and Lower Junction City (River Mile 78.8-79.8.) Draft Environmental Assessment/Initial Study

This letter is in response to the January 13, 2014, letter (coalition letter) you received from several organizations and individuals regarding the Draft Environmental Assessment titled Trinity River Channel Rehabilitation Sites: Bucktail (River Mile 105.3-106.35) and Lower Junction City (River Mile 78.8-79.8) Draft Environmental Assessment/Initial Study; DOI--BLM CA--N060-2014-014-EA and TR-EA0114.

The statements made in the coalition letter appear to be based on opinions of the Draft Phase I Report by the Trinity River Restoration Program's (TRRP) Science Advisory Board (SAB), which reviews the TRRP Phase I activities, rather than scientific data.

The report is still in draft stages and was not intended for public distribution. It was provided to the technical partners of the TRRP to review for technical inaccuracies. Inaccuracies have been discovered by several agencies. The coalition letter used information from the report inaccurately and out of context, which portrays a biased view of the success of TRRP restoration activities.

Below are several verbatim statements from the coalition letter, which are immediately followed by our responses:

## **Statement 1**

*The Draft Phase 1 Report by the TRRP's SAB has found that "increases in juvenile rearing habitat were not statistically significant" from channel rehabilitation projects and that the TRRP's "formal scientific hypothesis testing is frequently lacking" the rosy findings and justifications for these projects in the Draft EA/Initial Study are not support by substantial evidence and are in sharp contrast to the findings of the SAB's Draft Phase I Review report.*

**Response**

The Draft Phase I Report contains estimates in gains of juvenile habitat at base flows, using only three years' worth of data. Several agencies have provided comments to the SAB related to substantial analytical and interpretive errors that should be reevaluated or eliminated from the final report. Measured habitat gains of 30 to 330 percent at channel rehabilitation sites have been quantified and are quite significant.

**Statement 2**

*Our collective observation is that impacts of the mainstem projects have been greater than anticipated, but without the promised benefits. Project impacts include increased river turbidity, reduced public access, reduced adult salmonids holding habitat, filling of pools, impairment of river navigation, spreading of noxious weeds, noise, truck traffic and damage to agricultural water supplies. Mitigation measures have not been adequate to reduce the numerous significant impacts to less than significant.*

**Response**

Most of the allegations in the previous statement have not been verified by scientific data, and some have even been proven to be inaccurate by various TRRP scientific studies, such as the "Assessment of Pool Depth Changes in the Trinity River between Lewiston Dam and the North Fork Trinity River" technical report (Gaeuman and Krause 2013). This pool depth study indicates that depths of most pools and deep runs increased between 2009 and 2011. Of the 139 locations considered in the study, slightly more than half increased in depth over the study period. Significant depth decreases were observed in relatively few locations. The Master Environmental Impact Report (EIR) of 2009 included mitigation measures for the various TRRP activities which the TRRP is following.

**Statement 3**

*No more than three side channels were considered in the 2000 Trinity River Mainstem Fishery Restoration EIS and Trinity ROD but many more than that have been built. Engineered logjams were not considered or evaluated in the Master EIR or the 2000 EIS. The channel rehabilitation approach being used is not what was approved in the Trinity ROD. The projects are larger in size and complexity, with a much larger footprint and greater impact than the ROD and 2000 EIS previously envisioned.*

**Response**

An Adaptive Environmental Assessment and Management (AEAM) process was described in detail in Appendix C of the 2000 Environmental Impact Study (EIS). The TRRP is functioning under an AEAM process. Post construction rearing habitat assessments at the Hocker Flat and Canyon Creek sites indicated minimal immediate increase in rearing habitat. Those sites followed the design strategies describe in the founding documents EIS and Record of Decision (ROD) with the thought that high flow events would drive geomorphic change, which would create rearing habitat.

Subsequent site designs evolved, which lead to more juvenile rearing habitat gains immediately after construction. The new design philosophies have been based on current best available river restoration science, including the use of large wood structures and off-channel rearing habitats to accelerate alluvial processes and increase rearing habitat. The Phase I Report praises the evolution in the design process TRRP has taken.

#### **Statement 4**

*The Bucktail Bridge located in the middle of the proposed Bucktail Project is at risk of failure and in need of replacement due to Trinity ROD flows. Replacement of the Bucktail Bridge is unfunded. The analysis fails to consider construction sequencing and the hydrologic interaction of the two projects. Logic tells us that the bridge should be replaced before any rehabilitation project is constructed at that location. A new bridge may completely change the river's dynamics at that location. Shouldn't a new Bucktail Bridge come first so that a safe and functional bridge for people would be built before designing additional rehabilitation projects?*

#### **Response**

The bridge is not in the center of the rehabilitation project; it is located at the downstream end of the project area. Rehabilitation activities adjacent to the bridge are part of the bridge replacement project. The new bridge will change the rivers dynamics at this location. The designs are based on the hydraulics, assuming the new bridge is in place. The hydraulic analysis for the Bucktail rehabilitation designs assume that the bridge has been replaced. For the bridge replacement project, U.S. Bureau of Reclamation performed a hydraulic analysis for the existing ground condition and for the post-bridge construction condition. The site designers used the post-bridge construction condition and topography supplied by USBR in their existing and proposed ground hydraulic models. If the rehabilitation project is constructed before bridge replacement, it will not function exactly as intended until after the bridge is actually replaced. The project should function well at low flows, but as flows increase, the river constriction at the existing bridge causes a backwater to propagate upstream through the project area. The TRRP has been working closely with Trinity County to get the bridge replaced and has funded the design efforts for the new bridge.

#### **Statement 5**

*The TRRP is failing to create significant new juvenile salmonid rearing habitat and meet adult fishery restoration goals. Despite predictions of a banner year for fall Chinook salmon, the Trinity River had some of the lowest recorded numbers of natural spawners, as well as some of the poorest adult returns in the entire Klamath-Trinity basin. According to the SAB report, "In most cases the increases in juvenile rearing habitat were not statistically significant in term of absolute changes in habitat area."*

### **Response**

The Draft Phase I Report contains estimates in gains of juvenile habitat at base flows that were based on only three years worth of data. Several agencies have provided comments to the SAB related to substantial analytical and interpretive errors that should be reevaluated or eliminated from the final report. Measured habitat gains of 30 to 330 percent at channel rehabilitation sites have been quantified and are quite significant in our opinion.

The forecasted adult fall Chinook abundance for 2013 will probably not be realized; however, this preseason forecast is for the entire Klamath Basin and is not Trinity River specific. Historical forecasts have been off by approximately 100 percent give or take. This year's preliminary estimate of naturally produced adult fall Chinook escapement is approximately 18,000 fish, which is slightly above average for the period of record (14,000 fish).

### **Statement 6**

*Watershed restoration and tributary restoration have not been considered as alternatives to mainstem rehabilitation projects and must be considered in a new or supplemental EIS/EIR. Watershed and tributary restoration projects would fulfill the overall goal of restoring Trinity River fishery populations to levels that existed prior to construction of the Trinity River Division (TRD) of the Central Valley Project (CVP) by creating and improving existing juvenile salmonids rearing habitat. Despite repeated recommendations from the public and the Trinity Adaptive Management Working Group (TAMWG), the watershed restoration component of the Trinity ROD has been arbitrarily limited in scope and grossly underfunded. The TRRP's lack of emphasis on fully implementing the watershed component of the Trinity ROD significantly undermines the 2004 decision of the Ninth Circuit Court of Appeals when it overturned a lower court decision to halt the ROD, and allowed the Trinity ROD to proceed.*

### **Response**

The 2000 EIS and ROD did not list watershed restoration as an alternative to mainstem restoration. It is not reasonable to expect tributary populations to meet the natural production recovery goals of both mainstem and tributaries dependent on fisheries.

Chinook salmon are primarily mainstem spawners and are the highest priority species for the TRRP; thus, mainstem habitat work should benefit them the most in the long run. We agree that tributary would also benefit Chinook salmon, particularly in the South Fork Trinity River; however, the tributary work would most likely be more beneficial to coho salmon and steelhead because these species tend to spawn in smaller tributaries, and their offspring rear in these same tributaries. All species rely on the mainstem at some point during their lifecycles.

DWR prefers the watershed portion of the program develop in scope and support as much as possible. Additionally, the mainstem work seems to have had more benefit overall than what is reflected in the coalition letter. That said, we believe we need to work within the confines of the Trinity River Restoration Program to conduct as much work as possible within the watersheds.

In summary, DWR recommends the NCRWQCB issue a "finding of no significant impact" for the EA for Bucktail and Lower Junction City rehabilitation projects and to implement these projects as soon as possible. We believe the TRRP is currently planning to wait on the construction of the Bucktail site until funding can be secured for the Bucktail Bridge replacement project. Delaying the construction of mainstem rehabilitation projects is not in the best interest of the natural resources along the Trinity River.

If you have any questions, please contact me at (530) 529-7348 or Teresa Connor, Water Management Branch Chief, at (530) 529-7360.



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