Salinas River Stream Maintenance Program 2022 Work Season

Annual Report

То

United States Army Corps of Engineers

Army Nationwide Permit (NWP) 27 - Aquatic Habitat Restoration, File Number SPN-1996-223090



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March 2023

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Executive Summary

This report summarizes the annual maintenance activities of the Salinas River Stream Maintenance Program (SMP) for the 2022 maintenance season. The SMP incorporates a cooperative planning and design process among technical experts, agencies, municipalities, landowners, and growers to establish a flood risk reduction and habitat enhancement approach for the majority of the Salinas River and three tributaries. This is achieved through vegetation maintenance, sediment management, and non-native vegetation removal primarily in designated secondary or high flow channels outside of the low flow channel. This Annual Report provides regulatory agencies and interested parties with an overview of the work completed during the maintenance season and the program's compliance with the U. S. Army Corps of Engineers' permit conditions. It also allows the RCDMC and MCWRA to summarize and analyze the project success and impacts for future planning activities.

Stream maintenance activities were approved for both the early and regular work seasons. Work began on October 1, 2022 and finished by November 30, 2022. Maintenance activities were performed in 6 of the 7 RMUs with treatment occurring in 25 Maintenance Areas and 1 Selective Treatment Area. A total of 142.9 of native and non-native vegetation removal occurred within the Maintenance Areas including 16.40 acres of initial treatment and 126.44 acres of retreatment. Sediment was removed from San Lorenzo Creek in King City, a tributary to the Salinas River. Channel grading occurred on MA 1.26 with no sediment removal. As mitigation for program impacts, arundo was removed via herbicide application and/or mowing on 79.25 acres outside secondary channels in RMUs 3, 4, 5, and 6. Bar ripping was not conducted as part of this year's maintenance activities. No new tree planting projects are required for 2022 impacts, however, continued tree planting survivorship monitoring under previous projects occurred.

Biological surveys for species of concern were conducted prior to work within specified time windows, and protective measures were followed during all project activities. All personnel involved in on-site work were trained in permit conditions, project protocols, and species identification by qualified staff. Confirmed special status wildlife found in or near work sites included 301 active dusky-footed woodrat nests and two potential bat roosts. No state- or federally- threatened or endangered animals or plants were observed. 'No-disturbance' buffers were placed around known and potential habitats like burrows and woodrat houses and buffers were observed during work activities.

1 Introduction

1.1 Program Background

The Salinas River has experienced flooding events in recent years that have damaged agricultural crops along the river corridor. A flood maintenance program is desired by public and private entities to prevent damage from flood events. The Salinas River Stream Maintenance Program (SMP) began in 2014 with Phase 1, a multi-benefit demonstration project involving a cooperative planning and design process among public agencies, stakeholders, landowners and growers. The objective for the SMP is to reduce flood risk to land adjacent to the Salinas River while maintaining or enhancing natural habitat and ecological and hydrological processes. This is achieved through vegetation maintenance, sediment management, and non-native vegetation removal primarily in designated secondary or high flow channels outside of the low flow channel.

Phase 1 of the program occurred in two River Management Units (RMUs) along the Salinas River at river miles 22.7 to 29.2 and river miles 32.7 to 37.7. These are referred to as RMUs 4 and 5 (Gonzales and Chualar areas respectively). Phase 2 of the SMP was developed following the same process as Phase 1 and included five additional RMUs within the SMP Program Area (river miles 2 to 94). The new RMUs are concentrated near Salinas, Soledad, Greenfield, King City and San Ardo. The 2016 work season was the first to include both Phase 1 and Phase 2, using a uniform approach over the entire Program area. The SMP will continue to be implemented under one set of permits.

1.2 Purpose of the Annual Report

The Annual Report provides regulatory agencies, interested parties, and RCDMC an overview of work completed during the previous maintenance season as well as a summary of the program's compliance with the permit conditions. It also allows the RCDMC to summarize and analyze the project results for future planning activities. The Annual Report is due to the U.S. Army Corps of Engineers (USACE) by March 31st of each year. A similar report will be prepared for the Regional Water Quality Control Board (RWQCB) by May 31st of each year.

1.3 Authorizations

The Salinas River Stream Maintenance Program was approved by the Monterey County Water Resources Agency Board of Supervisors on July 29, 2014. The authorizations listed below were received to implement both phases of the Program for a period of up to ten years.

1.3.1 U.S. Army Corps of Engineers

The Department of the Army Regional General Permit (RGP) 20 for the Salinas River Stream Maintenance Program, Corps File No. 22309S, was executed on September 28, 2016 by the USACE. The RGP is authorized under Section 404 of the Clean Water Act (33 U.S.C. Section 1344) through November 15, 2021. The 2022 work season was delayed 30-days to process the required public comment period for 404 reissuance. In order to ensure work activities were completed before November 1, the program operated under a National Wide Permit 27. The National Marine Fisheries Service (NMFS) and the U.S. Fish and Wildlife Service (USFWS) concurred with the USACE determination that the project was not likely to adversely affect the federally endangered San Joaquin kit fox (*Vulpes macrotis mutica*) and the federally threatened California tiger salamander (*Ambystoma californiense*), Monterey spineflower (*Chorizanthe pungens var. pungens*) and its critical habitat, the yellow-billed cuckoo (*Coccyzus americanus*), and the South-Central Coast (S-CCC) steelhead (*Oncorhynchus mykiss*). The USFWS issued a Biological Opinion on August 22, 2016 for the federally endangered least Bell's vireo (*Vireo bellii pusillus*) and tidewater goby (*Eucyclogobius newberryi*) and its critical habitat and the federally threatened California red-legged frog (*Rana draytonii*).

1.3.2 State of California Regional Water Quality Control Board

The Clean Water Act Section 401 Water Quality Certification for Discharge of Dredged and/or Fill Materials, Certification No. 32716WQ02, was approved on August 31, 2016 and is set to expire on November 30, 2025. The Central Coast Water Board staff will assess the implementation and effectiveness of the SMP after five years, and consider modifications to this Certification for the second five years of the permit term.

Since the start of the work season was delayed by 30 days, a fifteen-day work extension was approved in writing by RWQCB staff.

1.3.3 California Department of Fish & Wildlife

Phase 1 of the SMP was authorized by Operation of Law under Notification of Lake or Streambed Alteration No. 1600-2014-0127-R4, Salinas River Multi-Benefit Demonstration Project, Salinas River – Monterey County, dated October 2, 2014. This was held by an limited liability corporation made up of participating landowners. This authorization expired on November 15, 2018 and has been replaced by a Routine Maintenance Agreement. All impacts and necessary mitigation related to this authorization are tracked separately for the purpose of reporting to the California Department of Fish & Wildlife.

Phase 2 of the SMP was authorized under a Routine Maintenance Agreement (RMA) 1600-2016-0016-R4, approved October 14, 2016 and held by the Resource Conservation District of Monterey County (RCDMC). The RMA was amended and restated on June 16, 2017 and subsequently amended on April 10, 2018. The RMA covers all impacts under the program from the original date of approval through December 31, 2026.

Since the start of the work season was delayed by 30 days, a fifteen-day work extension was approved in writing by CDFW staff.

1.4 Annual Work Plan Approvals

Each year, the specific maintenance activities need to be approved prior to commencement of work, by each of the authorizing agencies. Two plans detailing work proposed for the early and regular work seasons were submitted to the USACE and the RWQCB on June 30, 2022. The National Marine Fisheries Service and U.S. Fish and Wildlife Service were sent a courtesy copy of the Work Plan although their authorization is facilitated through the USACE. In addition, California Department of Fish & Wildlife (CDFW) has a Verification Request Form process in place which is facilitated by the RCDMC.

1.4.1 U.S. Army Corps of Engineers

The early work season plan proposed to conduct herbicide treatment of non-native vegetation in RMUs 3 and 4 in areas that had already been treated in previous seasons and outside of wetland areas. USACE jurisdiction is limited in RMU's 1-6 to the activities involving grading or other fill discharge below the OHWM and in wetlands. Therefore, the early work plan was submitted to the USACE for informational purposes only and authorization for these activities was not required. The proposed regular season activities were authorized by the USACE on September 29, 2022 via a NWP 27.

1.4.2 State of California Regional Water Quality Control Board

The RWQCB approved the early work plan on May 27, 2022 and gave partial approval for the regular season work plan on July 14, 2022. A 401 certification amendment to include a new Maintenance Area (MA 1.11b) was processed on October 24, 2022. All proposed activities were authorized.

1.4.3 California Department of Fish & Wildlife

Verification Request Forms (VRFs) were approved by CDFW and maintenance activities were completed under 41 of the total 44 approved VRFs.

2 Pre-Maintenance Activities

Specific Maintenance Areas were defined using modeling and mapping tools during the Program and permit development process. Those Maintenance Areas were further refined prior to implementation of maintenance activities based on current field conditions. Successful implementation of the SMP required a diverse project team which included trained equipment operators, landowners, farm operators, biologists, ecologists, Arundo specialists, hydrologists, engineers, field staff, IT specialists, public relations staff, and legal staff. This team demonstrated a high level of coordination.

2.1 Training

Since 2020 Monterey County COVID-19 regulations there are no in-person trainings for Work Season project personnel (Biomonitors, Responsible Parties, equipment operators, farm managers). The RCDMC distributes a program training video. The purpose of this video is to train project participants in identification, range, and avoidance and minimization for state and federally protected wildlife with the potential to occur on site during project operations. Other topics include both project rules and conditions as stated in the CDFW, RWQCB, and USFWS project permits.

The training video provides a safe and effective way to train project personnel offsite since in-person training workshops are not feasible. Responsible parties, and especially project personnel, were required to watch the training video and sign a training acknowledgement sheet verifying that they had reviewed all program requirements and guidelines before project activities occurred.

See below for the training acknowledgement sheet, the sheet contains a statement that the SMP participants understood and agreed to comply with all permit regulations and guidelines covered in the video.

744 La Guardia Street, Building A, Safaras, CA	93005		(831) 97	\$-7775
	Salinas River Stream Maintenano	e Program		
	Documentation of Worker Tri	aining		
I hereby certify that I have watched the 'Salinas regulations and guidelines covered in the video.	I will contact the biomonitor, RCOMC s	forker Training" video. Les Itatí, or MCIVRA staff inn	gree to comply with all port nediately if I have any guest	nit lions
about permitted activities or if I observe a violation	on o' permit conditions.			
Worker/Operator Name (printed)	Signature	RMU ID	Date	
Logian Hendricks	Sour ANA		10-29-22	
Pauline Jimenes	W_Q_		10/24/22	
Cameron capps	1000)		10-24-22	
Gon Smith	65		10 24 22	
Decar optime -	and the second		10-21/22	
Responsible Party Sirgiature				
I hereby certify that my worker(s)/operator(s) hov	n unliched the "Solines River Stream I	Inintenance Program Wo	rker Training" uktoo. As the	
Responsible Party. I agree to ensure that my wor will contact the biomonitor, RCDNC staff, or MCN	ker(s)/operator(s) are control-ing with a	bne anoteluper firmed li	multerines covered in the up	den 1
permit conditions.	111100		10/24/22	
brok Hysted	7 611-10		10/24/22	

Figure 1. Example documentation of training video review and acknowledgement for Fall Work Season species identification and permit conditions.

2.2 Site Preparation

Participants with the assistance of the RCDMC, flagged their proposed maintenance areas after the required training and prior to receipt of work authorizations. This flagging is color-coded based on the type of activity in the area. For example, existing access ways are flagged in yellow ribbon so that heavy-equipment operators use the same site access each time and biologists and inspectors can survey and access the area. The flagging also marks the boundary for each activity and includes red flagging for avoidance areas.

2.3 Biological Surveys

The California Department of Fish & Wildlife and the U.S. Fish & Wildlife Service identifies the following species of concern for which surveys may be needed before conducting work under the Stream Maintenance Program: American badger (*Taxidea taxus*), arroyo toad (*Anaxyrus californius*), California legless lizard (*Aniella pulchra*), California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californienses*), coast horned lizard (*Phrynosoma blainvillii*), coast range newt (*Taricha* torosa), foothill yellow-legged frog (*Rana boylii*), Monterey dusky-footed woodrat (*Neotoma fuscipes luciana*), San Joaquin kit fox (*Vulpes macrotis mutica*), steelhead trout (*Oncorhynchus mykiss*), tidewater goby (*Eucyclogobius newberry*), two-stripped garter snake (*Thamnophis hammondii*), western pond turtles (*Emys marorata*), western spadefoot toad (*Spea hammodii*), Salinas pocket mouse (*Perognathis inonatus psammophilus*), burrowing owl (*Athene cunicularia*), yellow-billed cuckoo (*Coccyzus americanus*), least Bell's vireo (*Vireo bellii pusillus*), Monterey spineflower (*Chorizanthe pungens* var. *pungens*), all nesting birds, and roosting bats.

Surveys were conducted for special status species in areas of suitable habitat per Work Plan approval. No nesting birds were detected before or after September 1. Surveys for yellow-billed cuckoo and least Bell's vireo were avoided by delaying the project until October in areas of concern. Focused California red-legged frog surveys were conducted in several areas of suitable habitat within 48 hours of the start of work.

At all work sites, two types of pre-activity surveys were completed within 30 days of the start of work: habitat assessment surveys and pre-maintenance surveys. Both surveys occurred within permitspecified buffer distances of work areas after the Responsible Party had flagged the work site boundaries. Habitat assessment surveys were conducted by service approved biologists from Burleson Consulting, and included conducting transect surveys for special status species and their habitats. Premaintenance surveys were conducted by RCD biological monitors and included classifying vegetation types in Secondary Channels, identifying and flagging wetlands and large native trees for avoidance, and also looking for sensitive wildlife and their habitats. Additionally, RCD biological monitors performed morning walk-throughs of the work areas each day work occurred, and in most cases were present during all work activities.

All surveys for San Joaquin kit fox, California red-legged frogs, and California tiger salamanders were completed by USFWS-approved biologists.

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The locations of all special status individuals or habitats identified during any of the above-mentioned surveys were mapped in Collector for ArcGIS and flagged with red or pink flagging tape in the field with the appropriate buffer size.

2.3.1 Biological Survey Results

Woodrat houses were the most common evidence of special status species presence found in or near work sites: 301 active houses were found, most of which were confirmed active. All woodrat nests were avoided with at least a 10-foot buffer. Two potential active bat roosts in dead trees were identified (bat presence not confirmed). There were no bird nesting or fledgling recorded for the spring work season June 1st-August 30th. Since fall project activity only occurred September 1st – November 3rd, there were also no records for bird nesting or fledging present in the work area. Table 1 shows results for special status species or habitats found for all work areas during the 2022 Work Season by VRF agreement number. The data shown in Table 2 will be submitted to the California Natural Diversity Database as a Microsoft Excel spreadsheet using the CNDDB template for submittal requirements.

	American Badger	Active Woodrat Nest in or near	
Channel ID	(active)	Work Area	Potential Bat Roost
1.02	0	10	0
1.03	0	3	0
1.06	0	10	0
1.07	0	3	0
1.08	0	36	1
1.11b	0	38	0
1.26	0	1	0
1.27	0	5	0
3.16b	0	0	0
3.16a & Mitigation	0	0	0
3.17	0	0	0
3.18	0	1	0
3.19	0	1	0
4.23, 4.25, 4.26 & Mitigation	0	0	0
4.24 & Mitigation	0	0	0
5.02 & Mitigation	0	115	0
5.03 & Mitigation	0	23	0
6.07 & Mitigation	0	8	1
6.08	0	6	0
6.09	0	6	0
6.10	0	34	0
6.11 & Mitigation	0	0	0
6.12	0	1	0
Total Found or Indicating Activity	0	301	2

Table 1: Summary of species survey results

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
1.02	26-Sep-2022	Active	Woodrat	36.020061	-120.551668
1.02	26-Sep-2022	Active	Woodrat	36.020952	-120.551833
1.02	26-Sep-2022	Active	Woodrat	36.020998	-120.551838
1.02	26-Sep-2022	Active	Woodrat	36.021254	-120.551861
1.02	26-Sep-2022	Active	Woodrat	36.015846	-120.551596
1.02	26-Sep-2022	Active	Woodrat	36.015692	-120.551547
1.02	26-Sep-2022	Active	Woodrat	36.015575	-120.551558
1.02	26-Sep-2022	Active	Woodrat	36.015439	-120.551339
1.02	26-Sep-2022	Active	Woodrat	36.015400	-120.551266
1.02	26-Sep-2022	Active	Woodrat	36.015364	-120.551487
1.03	20-Oct-2022	Active	Woodrat	36.021352	-120.552450
1.03	20-Oct-2022	Active	Woodrat	36.021485	-120.552598
1.03	20-Oct-2022	Active	Woodrat	36.021358	-120.552572
1.06	26-Sep-2022	Active	Woodrat	36.024807	-120.553005
1.06	26-Sep-2022	Active	Woodrat	36.025057	-120.553017
1.06	26-Sep-2022	Active	Woodrat	36.025067	-120.552954
1.06	26-Sep-2022	Active	Woodrat	36.025180	-120.552885
1.06	26-Sep-2022	Active	Woodrat	36.025897	-120.552562
1.06	26-Sep-2022	Active	Woodrat	36.030591	-120.552397
1.06	26-Sep-2022	Active	Woodrat	36.030535	-120.552377
1.06	26-Sep-2022	Active	Woodrat	36.030526	-120.552373
1.06	26-Sep-2022	Active	Woodrat	36.030556	-120.552407
1.06	26-Sep-2022	Active	Woodrat	36.030536	-120.552356
1.07	17-Oct-2022	Active	Woodrat	36.031002	-120.552580
1.07	17-Oct-2022	Active	Woodrat	36.030958	-120.552619
1.07	17-Oct-2022	Active	Woodrat	36.030799	-120.552789
1.08	27-Sep-2022	Active	Woodrat	36.032009	-120.553028
1.08	27-Sep-2022	Active	Woodrat	36.032028	-120.552973
1.08	27-Sep-2022	Active	Woodrat	36.032111	-120.552992
1.08	27-Sep-2022	Active	Woodrat	36.032164	-120.553013
1.08	27-Sep-2022	Active	Woodrat	36.032219	-120.553034
1.08	27-Sep-2022	Active	Woodrat	36.032352	-120.553109

Table 2: Special status species and habitats identified during the 2021 SMP Work Season

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
1.08	27-Sep-2022	Active	Woodrat	36.032209	-120.553092
1.08	27-Sep-2022	Active	Woodrat	36.032287	-120.553147
1.08	27-Sep-2022	Active	Woodrat	36.032350	-120.553153
1.08	27-Sep-2022	Active	Woodrat	36.032452	-120.553166
1.08	27-Sep-2022	Active	Woodrat	36.032586	-120.553424
1.08	27-Sep-2022	Active	Woodrat	36.032623	-120.553473
1.08	27-Sep-2022	Active	Woodrat	36.032817	-120.553498
1.08	27-Sep-2022	Active	Woodrat	36.032657	-120.553450
1.08	27-Sep-2022	Active	Woodrat	36.032859	-120.553527
1.08	27-Sep-2022	Active	Woodrat	36.032765	-120.553518
1.08	27-Sep-2022	Active	Woodrat	36.033027	-120.553779
1.08	27-Sep-2022	Active	Woodrat	36.033370	-120.554046
1.08	27-Sep-2022	Active	Woodrat	36.033559	-120.554042
1.08	27-Sep-2022	Active	Woodrat	36.034017	-120.554386
1.08	27-Sep-2022	Active	Woodrat	36.033609	-120.554197
1.08	27-Sep-2022	Active	Woodrat	36.033534	-120.554154
1.08	27-Sep-2022	Active	Woodrat	36.033620	-120.554078
1.08	11-Oct-2022	Active	Woodrat	36.032186	-120.552991
1.08	11-Oct-2022	Active	Woodrat	36.032411	-120.553223
1.08	11-Oct-2022	Active	Woodrat	36.032454	-120.553215
1.08	11-Oct-2022	Active	Woodrat	36.032531	-120.553309
1.08	11-Oct-2022	Active	Bat roost	36.032623	-120.553337
1.08	11-Oct-2019	Active	Woodrat	36.032845	-120.553583
1.08	11-Oct-2022	Active	Woodrat	36.032633	-120.553372
1.08	17-Oct-2022	Active	Woodrat	36.033658	-120.554133
1.08	17-Oct-2022	Active	Woodrat	36.033695	-120.554223
1.08	17-Oct-2022	Active	Woodrat	36.033926	-120.554346
1.08	20-Oct-2022	Active	Woodrat	36.032163	-120.552976
1.08	20-Oct-2022	Active	Woodrat	36.032885	-120.553599
1.08	20-Oct-2022	Active	Woodrat	36.032928	-120.553611
1.11b	18-Oct-2022	Active	Woodrat	36.042130	-120.570624
1.11b	18-Oct-2022	Active	Woodrat	36.042124	-120.570595
1.11b	18-Oct-2022	Active	Woodrat	36.042111	-120.570639
1.11b	18-Oct-2022	Active	Woodrat	36.042086	-120.570650

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
1.11b	18-Oct-2022	Active	Woodrat	36.042047	-120.570541
1.11b	18-Oct-2022	Active	Woodrat	36.041749	-120.570447
1.11b	18-Oct-2022	Active	Woodrat	36.041775	-120.570446
1.11b	18-Oct-2022	Active	Woodrat	36.041664	-120.570396
1.11b	18-Oct-2022	Active	Woodrat	36.041652	-120.570357
1.11b	18-Oct-2022	Active	Woodrat	36.041564	-120.570103
1.11b	18-Oct-2022	Active	Woodrat	36.041566	-120.570248
1.11b	18-Oct-2022	Active	Woodrat	36.041663	-120.570299
1.11b	18-Oct-2022	Active	Woodrat	36.042890	-120.571466
1.11b	18-Oct-2022	Active	Woodrat	36.362823	-120.571684
1.11b	18-Oct-2022	Active	Woodrat	36.042893	-120.571695
1.11b	18-Oct-2022	Active	Woodrat	36.042752	-120.571324
1.11b	18-Oct-2022	Active	Woodrat	36.042621	-120.571189
1.11b	19-Oct-2022	Active	Woodrat	36.041984	-120.570708
1.11b	19-Oct-2022	Active	Woodrat	36.041989	-120.570719
1.11b	19-Oct-2022	Active	Woodrat	36.042003	-120.570650
1.11b	19-Oct-2022	Active	Woodrat	36.042019	-120.570686
1.11b	19-Oct-2022	Active	Woodrat	36.042026	-120.570659
1.11b	19-Oct-2022	Active	Woodrat	36.042054	-120.570673
1.11b	19-Oct-2022	Active	Woodrat	36.042037	-120.570643
1.11b	19-Oct-2022	Active	Woodrat	36.042040	-120.570774
1.11b	19-Oct-2022	Active	Woodrat	36.042084	-120.570818
1.11b	19-Oct-2022	Active	Woodrat	36.042132	-120.570852
1.11b	19-Oct-2022	Active	Woodrat	36.042005	-120.570698
1.11b	19-Oct-2022	Active	Woodrat	36.042157	-120.570838
1.11b	19-Oct-2022	Active	Woodrat	36.042009	-120.570752
1.11b	19-Oct-2022	Active	Woodrat	36.042112	-120.570721
1.11b	19-Oct-2022	Active	Woodrat	36.042245	-120.570803
1.11b	19-Oct-2022	Active	Woodrat	36.042181	-120.570823
1.11b	14-Nov-2022	Active	Woodrat	36.042950	-120.571801
1.11b	14-Nov-2022	Active	Woodrat	36.042939	-120.571693
1.11b	14-Nov-2022	Active	Woodrat	36.042903	-120.571685
1.11b	14-Nov-2022	Active	Woodrat	36.042868	-120.571632
1.11b	14-Nov-2022	Active	Woodrat	36.042811	-120.571659

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
1.26	27-Oct-2022	Active	Woodrat	36.115336	-121.080794
1.27	26-Oct-2022	Active	Woodrat	36.120810	-121.084471
1.27	26-Oct-2022	Active	Woodrat	36.120864	-121.084470
1.27	26-Oct-2022	Active	Woodrat	36.120883	-121.084343
1.27	26-Oct-2022	Active	Woodrat	36.120879	-121.084290
1.27	26-Oct-2022	Active	Woodrat	36.120314	-121.083395
4.24	7-Jul-2022	Active	Woodrat	36.283220	-121.265843
4.25	7-Jul-2022	Active	Woodrat	36.282252	-121.270946
4.26	7-Jul-2022	Active	Woodrat	36.281889	-121.265832
4.26	7-Jul-2022	Active	Woodrat	36.281286	-121.265465
4.26	7-Jul-2022	Active	Woodrat	36.281192	-121.265640
4.26	7-Jul-2022	Active	Woodrat	36.281266	-121.265610
5.02	24-Oct-2022	Active	Woodrat	36.342400	-121.341666
5.02	24-Oct-2022	Active	Woodrat	36.342419	-121.341590
5.02	24-Oct-2022	Active	Woodrat	36.342401	-121.341580
5.02	24-Oct-2022	Active	Woodrat	36.342423	-121.341557
5.02	24-Oct-2022	Active	Woodrat	36.342459	-121.341595
5.02	24-Oct-2022	Active	Woodrat	36.342394	-121.341505
5.02	24-Oct-2022	Active	Woodrat	36.342459	-121.341595
5.02	24-Oct-2022	Active	Woodrat	36.342427	-121.342101
5.02	24-Oct-2022	Active	Woodrat	36.342429	-121.342015
5.02	24-Oct-2022	Active	Woodrat	36.342477	-121.341959
5.02	24-Oct-2022	Active	Woodrat	36.342489	-121.341854
5.02	24-Oct-2022	Active	Woodrat	36.342455	-121.341738
5.02	24-Oct-2022	Active	Woodrat	36.342503	-121.341562
5.02	24-Oct-2022	Active	Woodrat	36.342525	-121.341584
5.02	24-Oct-2022	Active	Woodrat	36.342532	-121.341493
5.02	24-Oct-2022	Active	Woodrat	36.342534	-121.341403
5.02	24-Oct-2022	Active	Woodrat	36.342585	-121.341308
5.02	25-Oct-2022	Active	Woodrat	36.342694	-121.340844
5.02	16-Nov-2022	Active	Woodrat	36.140231	-121.095758
5.02	17-Nov-2022	Active	Woodrat	36.042849	-120.571674
5.02	17-Nov-2022	Active	Woodrat	36.042967	-120.571744
5.02	19-Sep-2022	Active	Woodrat	36.342692	-121.342575

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
5.02	19-Sep-2022	Active	Woodrat	36.342753	-121.342676
5.02	19-Sep-2022	Active	Woodrat	36.342908	-121.343023
5.02	19-Sep-2022	Active	Woodrat	36.342667	-121.342381
5.02	19-Sep-2022	Active	Woodrat	36.342691	-121.342406
5.02	19-Sep-2022	Active	Woodrat	36.342649	-121.342190
5.02	19-Sep-2022	Active	Woodrat	36.342611	-121.342188
5.02	19-Sep-2022	Active	Woodrat	36.342584	-121.342700
5.02	19-Sep-2022	Active	Woodrat	36.342430	-121.342322
5.02	19-Sep-2022	Active	Woodrat	36.342699	-121.342644
5.02	19-Sep-2022	Active	Woodrat	36.342690	-121.342885
5.02	19-Sep-2022	Active	Woodrat	36.343033	-121.343451
5.02	19-Sep-2022	Active	Woodrat	36.342872	-121.343462
5.02	19-Sep-2022	Active	Woodrat	36.343287	-121.343956
5.02	19-Sep-2022	Active	Woodrat	36.343344	-121.344022
5.02	20-Sep-2022	Active	Woodrat	36.343006	-121.343745
5.02	20-Sep-2022	Active	Woodrat	36.343065	-121.343870
5.02	20-Sep-2022	Active	Woodrat	36.343090	-121.343900
5.02	20-Sep-2022	Active	Woodrat	36.343119	-121.344140
5.02	20-Sep-2022	Active	Woodrat	36.343509	-121.344457
5.02	20-Sep-2022	Active	Woodrat	36.343688	-121.344631
5.02	20-Sep-2022	Active	Woodrat	36.343731	-121.344712
5.02	20-Sep-2022	Active	Woodrat	36.344280	-121.344530
5.02	20-Sep-2022	Active	Woodrat	36.344212	-121.344512
5.02	21-Sep-2022	Active	Woodrat	36.342515	-121.341812
5.02	21-Sep-2022	Active	Woodrat	36.342531	-121.341761
5.02	21-Sep-2022	Active	Woodrat	36.342534	-121.341726
5.02	21-Sep-2022	Active	Woodrat	36.342548	-121.341590
5.02	21-Sep-2022	Active	Woodrat	36.342766	-121.340433
5.02	22-Sep-2022	Active	Woodrat	36.342887	-121.342309
5.02	22-Sep-2022	Active	Woodrat	36.342851	-121.342230
5.02	22-Sep-2022	Active	Woodrat	36.342837	-121.342274
5.02	22-Sep-2022	Active	Woodrat	36.342843	-121.341991
5.02	22-Sep-2022	Active	Woodrat	36.343011	-121.341943
5.02	22-Sep-2022	Active	Woodrat	36.342960	-121.341865

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
5.02	22-Sep-2022	Active	Woodrat	36.343010	-121.340646
5.02	22-Sep-2022	Active	Woodrat	36.343034	-121.340491
5.02	22-Sep-2022	Active	Woodrat	36.343087	-121.340342
5.02	22-Sep-2022	Active	Woodrat	36.343240	-121.340158
5.02	22-Sep-2022	Active	Woodrat	36.343087	-121.340306
5.02	22-Sep-2022	Active	Woodrat	36.343367	-121.335752
5.02	22-Sep-2022	Active	Woodrat	36.343347	-121.340009
5.02	22-Sep-2022	Active	Woodrat	36.343349	-121.335945
5.02	22-Sep-2022	Active	Woodrat	36.343355	-121.335922
5.02	4-Oct-2022	Active	Woodrat	36.342983	-121.341388
5.02	4-Oct-2022	Active	Woodrat	36.343023	-121.341251
5.02	4-Oct-2022	Active	Woodrat	36.343105	-121.341242
5.02	4-Oct-2022	Active	Woodrat	36.343311	-121.340928
5.02	4-Oct-2022	Active	Woodrat	36.343318	-121.340796
5.02	4-Oct-2022	Active	Woodrat	36.343455	-121.340604
5.02	4-Oct-2022	Active	Woodrat	36.343662	-121.335703
5.02	4-Oct-2022	Active	Woodrat	36.343695	-121.335264
5.02	4-Oct-2022	Active	Woodrat	36.343551	-121.335198
5.02	4-Oct-2022	Active	Woodrat	36.343568	-121.335175
5.02	4-Oct-2022	Active	Woodrat	36.343548	-121.335265
5.02	4-Oct-2022	Active	Woodrat	36.343473	-121.335462
5.02	4-Oct-2022	Active	Woodrat	36.343419	-121.335598
5.02	4-Oct-2022	Active	Woodrat	36.343603	-121.335474
5.02	4-Oct-2022	Active	Woodrat	36.343482	-121.335622
5.02	4-Oct-2022	Active	Woodrat	36.343467	-121.335608
5.02	4-Oct-2022	Active	Woodrat	36.343444	-121.335644
5.02	4-Oct-2022	Active	Woodrat	36.343486	-121.335784
5.02	4-Oct-2022	Active	Woodrat	36.343641	-121.335472
5.02	5-Oct-2022	Active	Woodrat	36.343531	-121.335788
5.02	5-Oct-2022	Active	Woodrat	36.343382	-121.335846
5.02	6-Oct-2022	Active	Woodrat	36.342681	-121.343255
5.02	6-Oct-2022	Active	Woodrat	36.344915	-121.333114
5.02	6-Oct-2022	Active	Woodrat	36.344904	-121.333024
5.02	6-Oct-2022	Active	Woodrat	36.344988	-121.332933

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
5.02	6-Oct-2022	Active	Woodrat	36.343825	-121.335102
5.02	6-Oct-2022	Active	Woodrat	36.343828	-121.335085
5.02	6-Oct-2022	Active	Woodrat	36.342683	-121.343394
5.02	25-Oct-2022	Active	Woodrat	36.343288	-121.335134
5.02	25-Oct-2022	Active	Woodrat	36.343114	-121.335413
5.02	25-Oct-2022	Active	Woodrat	36.343164	-121.335390
5.02	25-Oct-2022	Active	Woodrat	36.343153	-121.335414
5.02	25-Oct-2022	Active	Woodrat	36.343104	-121.335453
5.02	25-Oct-2022	Active	Woodrat	36.343187	-121.335322
5.02	25-Oct-2022	Active	Woodrat	36.343132	-121.335507
5.02	25-Oct-2022	Active	Woodrat	36.342910	-121.335767
5.02	25-Oct-2022	Active	Woodrat	36.343023	-121.335618
5.02	25-Oct-2022	Active	Woodrat	36.342924	-121.335750
5.02	25-Oct-2022	Active	Woodrat	36.342956	-121.335717
5.02	26-Oct-2022	Active	Woodrat	36.342680	-121.340318
5.02	26-Oct-2022	Active	Woodrat	36.342681	-121.340292
5.02	26-Oct-2022	Active	Woodrat	36.342724	-121.340270
5.02	26-Oct-2022	Active	Woodrat	36.342741	-121.340301
5.02	26-Oct-2022	Active	Woodrat	36.342756	-121.340281
5.02	26-Oct-2022	Active	Woodrat	36.342763	-121.340338
5.02	26-Oct-2022	Active	Woodrat	36.342745	-121.340223
5.02	26-Oct-2022	Active	Woodrat	36.342737	-121.340194
5.02	26-Oct-2022	Active	Woodrat	36.342753	-121.340135
5.02	26-Oct-2022	Active	Woodrat	36.342785	-121.340133
5.02	26-Oct-2022	Active	Woodrat	36.342792	-121.340107
5.03	19-Sep-2022	Active	Woodrat	36.342617	-121.342232
5.03	6-Oct-2022	Active	Woodrat	36.344875	-121.333120
5.03	6-Oct-2022	Active	Woodrat	36.344914	-121.333064
5.03	6-Oct-2022	Active	Woodrat	36.344936	-121.333027
5.03	6-Oct-2022	Active	Woodrat	36.345010	-121.332976
5.03	6-Oct-2022	Active	Woodrat	36.345035	-121.332534
5.03	6-Oct-2022	Active	Woodrat	36.344834	-121.332646
5.03	6-Oct-2022	Active	Woodrat	36.344518	-121.333167
5.03	6-Oct-2022	Active	Woodrat	36.344221	-121.333677

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
5.03	6-Oct-2022	Active	Woodrat	36.344164	-121.333882
5.03	6-Oct-2022	Active	Woodrat	36.343931	-121.334377
5.03	6-Oct-2022	Active	Woodrat	36.343936	-121.334371
5.03	6-Oct-2022	Active	Woodrat	36.343887	-121.334988
5.03	6-Oct-2022	Active	Woodrat	36.343919	-121.334950
5.03	6-Oct-2022	Active	Woodrat	36.343912	-121.334936
5.03	6-Oct-2022	Active	Woodrat	36.343769	-121.334929
5.03	6-Oct-2022	Active	Woodrat	36.343984	-121.334640
5.03	10-Oct-2022	Active	Woodrat	36.343967	-121.334781
5.03	10-Oct-2022	Active	Woodrat	36.344188	-121.334378
5.03	10-Oct-2022	Active	Woodrat	36.344387	-121.333862
5.03	10-Oct-2022	Active	Woodrat	36.344433	-121.333744
5.03	10-Oct-2022	Active	Woodrat	36.344634	-121.333579
5.03	10-Oct-2022	Active	Woodrat	36.344258	-121.334076
5.04	19-Sep-2022	Active	Woodrat	36.342646	-121.342125
6.09	5-Oct-2022	Active	Woodrat	36.361125	-121.372510
6.09	5-Oct-2022	Active	Woodrat	36.361143	-121.372520
6.09	5-Oct-2022	Active	Woodrat	36.361163	-121.372451
6.09	5-Oct-2022	Active	Woodrat	36.361214	-121.372459
6.09	5-Oct-2022	Active	Woodrat	36.361190	-121.372435
6.09	5-Oct-2022	Active	Woodrat	36.361081	-121.372665
6.10	5-Oct-2022	Active	Woodrat	36.361760	-121.380285
6.10	5-Oct-2022	Active	Woodrat	36.361765	-121.380263
6.10	5-Oct-2022	Active	Woodrat	36.361817	-121.380485
6.10	5-Oct-2022	Active	Woodrat	36.361868	-121.380536
6.10	18-Oct-2022	Active	Woodrat	36.362131	-121.381165
6.10	18-Oct-2022	Active	Woodrat	36.361855	-121.381061
6.10	18-Oct-2022	Active	Woodrat	36.361875	-121.381124
6.10	18-Oct-2022	Active	Woodrat	36.361873	-121.381136
6.10	18-Oct-2022	Active	Woodrat	36.361879	-121.381137
6.10	18-Oct-2022	Active	Woodrat	36.361883	-121.381131
6.10	18-Oct-2022	Active	Woodrat	36.361919	-121.381150
6.10	18-Oct-2022	Active	Woodrat	36.361992	-121.381255
6.10	18-Oct-2022	Active	Woodrat	36.361982	-121.381227

RMU ID or Nearest RMU ID	Survey Date	Status	Species	Latitude	Longitude
6.10	18-Oct-2022	Active	Woodrat	36.361986	-121.381206
6.10	18-Oct-2022	Active	Woodrat	36.362008	-121.381334
6.10	18-Oct-2022	Active	Woodrat	36.362052	-121.381454
6.10	18-Oct-2022	Active	Woodrat	36.362054	-121.381359
6.10	18-Oct-2022	Active	Woodrat	36.362091	-121.381530
6.10	18-Oct-2022	Active	Woodrat	36.362161	-121.381558
6.10	18-Oct-2022	Active	Woodrat	36.362210	-121.381683
6.10	18-Oct-2022	Active	Woodrat	36.362266	-121.381727
6.10	18-Oct-2022	Active	Woodrat	36.362492	-121.382127
6.10	18-Oct-2022	Active	Woodrat	36.362537	-121.382221
6.10	18-Oct-2022	Active	Woodrat	36.362754	-121.382366
6.10	18-Oct-2022	Active	Woodrat	36.362766	-121.382570
6.10	18-Oct-2022	Active	Woodrat	36.362625	-121.382055
6.10	18-Oct-2022	Active	Woodrat	36.362696	-121.382485
6.10	18-Oct-2022	Active	Woodrat	36.362774	-121.382541
6.10	18-Oct-2022	Active	Woodrat	36.362849	-121.382654
6.10	18-Oct-2022	Active	Woodrat	36.362838	-121.382502
6.10	18-Oct-2022	Active	Woodrat	36.362896	-121.382579
6.10	18-Oct-2022	Active	Woodrat	36.362823	-121.382454
6.10	18-Oct-2022	Active	Woodrat	36.362798	-121.382420
6.10	18-Oct-2022	Active	Woodrat	36.362730	-121.382271
6.12	19-Oct-2022	Active	Woodrat	36.375758	-121.413427

2.3.2 Tidewater Goby Survey Plan

No work was performed in RMU 7 during the 2022 Maintenance Season but some survey data is available that was conducted for other programs. In future years when work is proposed in RMU 7 the following condition will apply: each year before the start of work in RMU 7 and no later than August 1, information on the current status of tidewater goby (e.g., presence, estimated number of individuals) in the Salinas River Lagoon will be submitted to the Service for review.

USFWS has developed a survey protocol to facilitate the determination of presence or absence of the tidewater goby in habitats that have potential to support it. The primary use for this protocol is for project-level surveys in support of requests for consultation under section 7 of the ESA, as amended. Additionally, this protocol may also be used for section 10(a)(1)(B) permit applications, and to determine

general presence–absence for other management purposes. Several assessments of the tidewater goby population in various localities have been conducted using these methods.

The RWQCB and MCWRA in cooperation with a Service-approved biologist will develop and implement a tidewater goby survey plan to document the presence, distribution, and abundance of the species within and adjacent to the Project area, including the Salinas River downstream of the Salinas River Diversion Facility (SRDF) and the Salinas River Lagoon. The survey plan will be developed in coordination with the National Marine Fisheries Service to avoid duplication of effort and excessive disturbance of habitat. The survey plan will be submitted to the Service for review and approval.

2.3.2.1 Tidewater Goby Survey Results

In October 2013, two tidewater goby were detected in the Salinas River Lagoon (Lagoon) during a survey performed by Hagar Environmental Science on behalf of the Agency. Prior to that survey, tidewater goby had not been reported in the Lagoon since 1951. Since being detected in 2013, tidewater goby have been detected during monitoring efforts in 2014, 2015, 2017, 2018, and 2020.

A survey conducted in May 2022 once again detected the presence of tidewater goby in the Lagoon. The most recent survey, conducted prior to the emergency sandbar management action that occurred in January 2023, did not detect tidewater goby. The January 2023 surveys were primarily conducted in areas near the river mouth that were newly inundated by storm flows and likely to be impacted by a facilitated sandbar breach. The purpose of this survey was to determine risk of stranding related to the emergency sandbar management action, therefore many sites with suitable habitat or previous goby detection were not surveyed because they were determined to have low potential for stranding.

A draft Low-Effect Habitat Conservation Plan to address emergency sandbar management to prevent flooding at the Salinas River Lagoon has been submitted to the U.S. Fish and Wildlife service for review. Tidewater goby are one of the Lagoon species addressed by the plan which the Agency hopes will be approved and adopted in the coming months.

2.3.3 Water Quality Reports

Water quality monitoring of the Salinas River Lagoon typically occurs between April and October. Depth profiles with instantaneous readings of temperature, dissolved oxygen, and conductivity are taken at multiple sites in the Lagoon monthly. Continuous recording sensors are also left at select sites to document conditions with hourly resolution. Monthly Lagoon monitoring is scheduled to begin for the 2023 conservation season once storm flows recede and conditions become suitable for monitoring.

Limited sampling is also conducted in association with facilitated sandbar management events at the Salinas Lagoon. The Lagoon most recently opened to the ocean on January 3, 2023 and remains open at the time of this report.

2.4 Adjustments to Maintenance Area Alignments

Maintenance area locations were estimated through the modeling process using LiDAR-based data. Although this data is extremely useful for modeling and other uses, and was the best available data, it did not capture all of the current field conditions that were encountered. Therefore, during the initial construction of a maintenance area, trained personnel can make slight modifications to the location and length of maintenance areas in order to increase their ability to function and decrease impacts to sensitive species. Some maintenance areas were shortened to prohibit the crossing of the low-flow channel at the tie-in locations. Those modifications were based on the resolution of the modeling effort and the depiction of the size and shape of the maintenance area feature and do not constitute an adjustment as described in this section. All adjustments that occurred are identified each year and listed in the table below. There were no alignments performed this maintenance season.

A Maintenance Area (1.11b) was added to the program's 401 Certification (No. 32716WQ02) and was approved via Amendment No. 1 on October 24, 2022. To stay within the scope of impacts defined in the Environmental Impact Report with the addition of MA 1.11b, MA 1.04 and 1.10 were retired from the program.

2.5 Arundo Surveys

RCDMC shall prevent the establishment of new arundo growth areas within designated maintenance areas. In order to monitor those occurrences, biological monitors will perform visual inspections of maintained areas during the pre-maintenance surveys and map any new arundo growth areas. Retreatment of those areas will then need to be scheduled during the following maintenance season. No new arundo growth areas were observed during the subject maintenance season.

3 Maintenance Activities Conducted in 2022

The Salinas River did not have significant flows during the previous winter season (2021-2022) and conservation releases from the upstream reservoirs ceased prior to the maintenance season. With this, there was not water present in the low-flow channel at the beginning of the maintenance season. The RMUs dried out completely before November 15th and no work was authorized within water or in wetlands.

Maintenance activities were conducted in 6 of the 7 RMUs in a total of 26 Maintenance Areas and 1 Selective Treatment Area. No work was performed in RMU 7. All of the activities were authorized through the Annual Work Plan approvals. The maintenance activities are displayed in map format in Section 6 of this report.

3.1 Work Season Dates

The early or spring work season, which only involves arundo herbicide application, began July 7th and was completed by July 21th. The fall work season began on October 1st and was completed by November 30th. Typical work hours were daily from 7am to 5 pm during daylight hours. No work was performed at night.

3.1.1 Rainfall Restrictions

There was one rain day during the work season and no work occurred that day. But, no rain event of 0.25 inches or greater in a 24-hour period occurred during the work period.

3.2 Completed Maintenance Activities

Maintenance activities were performed in RMUs 1, 2, 3, 4, 5, and 6 for a total 26 Maintenance Areas and 1 Selective Treatment Area. The specific maintenance activities are further described below. One tree planting project was proposed for mitigating anticipated tree removal however, no sensitive tree removal occurred therefore not warranting required mitigation. The third planting project was intended to repair tree damage caused by River fire debris flows. However, the responsible party later determined that the proposed planting area was not fit for long-term tree survivorship because of the soil's low organic material content and likely future inundation events. The responsible party in collaboration with RCDMC have identified a treat planting location and will be submitting it in this coming year's work plan. See map below for reference.



Figure 2 A suitable planting location (light blue) for tree planting has been identified by RCDMC staff and the landowner along the farm levee (see map for reference). Forty Fremont cottonwood cuttings will be collected nearby and planted linearly along the farm.

3.2.1 Native Vegetation Management

Native vegetation was removed within the designated maintenance areas. Disturbance of emergent vegetation did not occur in areas with suitable habitat for California red-legged frogs or for tidewater gobies. All new impacts associated with vegetation removal are quantified in the tables below by vegetation types for each maintenance area, each RMU, and the Program Area. This includes expansion of previously treated areas. Retreatment of native vegetation is included in the total area column but not under the vegetation type columns. Those impacts were addressed in the annual report following the initial removal.

Table 3: New Vegetation Impacts by Maintenance Area

Maint. Area #	Total Area (acres)	Arundo dominant	Unvegetated / Sparse herbaceous	Early successional perennial riparian	Mid- successional willow	Early to mid- successional cottonwood forest	Low stature herbaceous wetland
1.02	10.2	-	retreat	retreat	-	-	-
1.03	3.00	-	retreat	retreat	-	-	-
1.06	4.93	-	retreat	retreat	-	-	-
1.07	2.64	-	retreat	retreat	-	-	-
1.08	5.00	-	retreat	retreat	-	-	-
1.11b	3.50	-	2.35	1.00	0.15	-	-
1.26	2.77	-	2.56	0.21	-	-	-
2.05	1.85	retreat	retreat	retreat	-	-	-
2.06	7.80	-	retreat	retreat	-	-	-
3.16a	5.40	retreat	retreat	-	-	-	-
3.16b	12.70	retreat	retreat	retreat	-	-	-
3.17	4.70	retreat	retreat	retreat	-	-	-
3.18	3.70	retreat	retreat	retreat	-	-	-
3.19	2.35	retreat	retreat	retreat	-	-	-
4.23	5.60	retreat	retreat	retreat	-	-	-
4.24	4.60	retreat	retreat	retreat	-	-	-
4.25	4.00	retreat	retreat	retreat	-	-	-
4.26	6.00	retreat	retreat	retreat	-	-	-
5.02	2.85	-	2.70	0.15	-		-
5.03	7.13	-	6.67	0.46	-	-	-
6.07	6.40	-	retreat	retreat	-		-
6.08	6.96	-	retreat	retreat	-	-	-
6.09	9.30	retreat	retreat	retreat	-	-	-
6.10	4.30	-	retreat	retreat	-	-	-
6.11	8.16	-	retreat	retreat	-	-	-
6.12	5.90*	-	0.06	0.04	0.05	-	-

* New vegetation impacts from new access route

Table 4: New Vegetation Impacts by RMU

RMU	Total Area (acres)	Arundo dominant	Sparse herbaceous	Early successional perennial riparian	Mid- successional willow	Early to mid- successional cottonwood forest	Low stature herbaceous wetland
1	6.27	retreat	4.91	1.21	0.15	-	-
2	retreat	retreat	retreat	retreat	retreat	retreat	retreat
3	retreat	retreat	retreat	retreat	-	-	-
4	retreat	retreat	retreat	retreat	-	-	-
5	9.98	-	9.37	0.61	-	-	-
6	0.15	-	0.06	0.04	0.05	-	-
7	-	-	-	-	-	-	-

Table 5: New Vegetation Impacts for Program Area

RMUs	Total Area (acres)	Arundo dominant	Sparse herbaceous	Early successional perennial riparian	Mid- successional willow	Early to mid- successional cottonwood forest	Low stature herbaceous wetland
1-7	16.40	0	14.34	1.86	0.20	0	0

3.2.2 Wetlands Identification and Avoidance

No wetlands were impacted during the maintenance season. Areas where wetland plants were present were marked both by GPS coordinates and red tape during pre-maintenance surveys. Additional monitoring during maintenance activities occurred to ensure avoidance and final locations of wetland plants were confirmed after maintenance activities were completed. Areas that were located within or near where maintenance activities occurred that were previously mapped as wetlands using aerial tools were field verified. If no wetland vegetation was present then these areas were assumed not to be wetlands.

3.2.3 Permanent Fill, Including Grading, Within USACE Jurisdiction

Grading and limited sediment removal occurred during the 2022 maintenance season. The sediment removal occurred in one tributary within the SMP Area, MA 1.37 San Lorenzo Creek. The MA stockpile location was established in a location outside of jurisdictional area. The grading and excavation activities performed within the maintenance areas are shown in the tables below.

Table 6: Sediment Management Activities by Maintenance Area

Maint. Area #	Total Work Area (acres)	Un-vegetated Area Graded (acres)	Volume of Sediment Removal (cy)	Volume of Sediment Displaced by Grading (cy)	Grading Methods Used
1.26	2.77	2.77	0	5,700	Bulldozer
1.37	4.16	0	2,000	0	Bulldozer, grader, loader, and water truck

Table 7: Sediment Management Activities by RMU

RMU	Total Work Area (acres)	Un-vegetated Area Graded (acres)	Volume of Sediment Removal (cy)	Volume of Sediment Displaced by Grading (cy)
1	6.93	2.77	2,000	5,700
2	0	0	0	0
3	0	0	0	0
4	0	0	0	0
5	0	0	0	0
6	0	0	0	0
7	0	0	0	0

Table 8: Sediment Management Activities for Program Area

RMUs	Total Work Area (acres)	Un-vegetated Area Graded (acres)	Volume of Sediment Removal (cy)	Volume of Sediment Displaced by Grading (cy)
1-7	6.93	2.77	2,000	5,700

3.2.4 New Access

A new access route was installed at Selective Treatment Area 6.12a (see Table 3).

3.3 Compensatory Mitigation

Impacts to certain native vegetation types require compensatory mitigation. The impacts are tabulated annually and the necessary compensatory mitigation are reported cumulatively after each maintenance season. The following season's work plan must include enough mitigation to compensate for the

previous season's impacts. Therefore, compensatory mitigation activities may occur before the related impacts or the season after the impact occurred. The following table outlines which impacts require compensatory mitigation as well as the ratios.

Table 9: Compensatory Mitigation Ratios

Vegetation Type	Required Mitigation
Arundo-dominated Removal	none
Sparse Herbaceous with or without Arundo	none
Early Successional Perennial Riparian	1:1 Arundo Removal within secondary channel
	0.5:1 Arundo removal outside secondary channel
Mid-Successional Willow (less than 6")	3:1 Arundo Removal outside secondary channel
Early and Mid-Successional Cottonwood (2" or	3:1 Planting of cottonwood, sycamore or
greater of cottonwood, sycamore and alder)	alder (based on individual trees)
Large Stature Willows (6" or greater)	2:1 Planting of cottonwood, sycamore or
	alder (based on individual trees)
Low Stature Herbaceous Wetland	1:1 restoration

3.3.1 Summary of Impacts

The initial impacts to specific native vegetation types requires mitigation. Subsequent maintenance activities at the same location do not require additional mitigation. The impacts are documented annually and cumulatively reported. Therefore, the following tables identify the impacts from the most recent maintenance season and from the entire permit term to date, by vegetation type.

Table 10: New Impacts Requiring Compensatory Mitigation

RMU	Early successional perennial riparian (acres)	Mid- successional willow (acres)	Early to mid- successional cottonwood forest (trees)	Large Stature Willows (trees)	Low stature herbaceous wetland (acres)
1	1.21	0.15	0	0	0
2	0	0	0	0	0
3	0	0	0	0	0
4	0	0	0	0	0
5	0.61	0	0	0	0
6	0.04	0.05	0	0	0
7	0	0	0	0	0
Totals	1.86	0.2	0	0	0

Table 11: Total Impacts for Permit Term Requiring Compensatory Mitigation

RMU	Early successional perennial riparian (acres)	Mid- successional willow (acres)	Early to mid- successional cottonwood forest (trees)	Large Stature Willows (trees)	Low stature herbaceous wetland (acres)
1	12.45	3.63	0	0	0
2	0.26	0.27	0	0	0
3	3.39	2.2	0	0	0
4	12.98	3.25	7	1	0
5	9.51	1.9	29	18	0
6	15.95	4.65	0	6	0
7	0	0	0	0	0
Totals	54.54	15.9	36	25	0

3.3.2 Arundo Treatment as Compensatory Mitigation

The targeted invasive species for removal is arundo. Herbicide application is the preferred method of treatment for higher eradication rates. Herbicide application is most effective on green leafy plants, before they go dormant. Herbicide application was utilized during this maintenance season primarily in areas that were previously mowed. Any dense stands or browning arundo was treated through mowing and mulching, as necessary. Mitigation is performed preferentially by RMU or throughout the Program Area as needed. The following tables document the new and retreated arundo areas for the past maintenance season. Enough arundo areas have been identified and received initial treatment to account for all SMP impacts to date.

Table 12: New Arundo Treatment by RMU

		New Tre	atment		Retreatment			
	Mowing		Herbicide		Mowing		Herbicide	
	inside	outside	inside	outside	inside	outside	inside	outside
	MAs	MAs	MAs	MAs	MAs	MAs	MAs	MAs
RMU	(acres)	(acres)	(acres)	(acres)	(acres)	(acres)	(acres)	(acres)
1	0	4.00	0	0	0	0	0	0
2	0	0	0	0	<0.1	0	0	0
3	0	0	0	0	2.6	0	0	2.6
4	0	0	0	0	9.8	28.3	41.2	48.8
5	0	11.60	0	0	0	0	0	0

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6	0	2.25	0	0	0.9	0	0	3.5
7	0	0	0	0	0	0	0	0
Totals	0	17.85	0	0	13.3	28.3	41.2	54.9

3.3.3 Native Tree Species Plantings

No trees that would require mitigation were removed during the 2022 work season, and no additional trees are required to be planted in 2022 as mitigation for 2021 impacts. One tree planting project was proposed for mitigating anticipated tree removal however, no sensitive tree removal occurred therefore not warranting required mitigation. The third planting project was intended to repair tree damage caused by River fire debris flows. However, the responsible party later determined that the proposed planting area was not fit for long-term tree survivorship because of the soil's low organic material content and likely future inundation events. The responsible party in collaboration with RCDMC have identified a treat planting location and will be submitting it in this coming year's work plan. See map below for reference (see section 3.2).

Supplemental planting for previous years' impacts occurred to address low survivorship of planted trees. The success of native tree species plantings continues to be monitored and a replanting report in 2021 recorded the survival and status of trees planted. The report recorded the number of trees surviving and the remedial action needed to address tree cuttings that did not survive from subsequent years'. A total of 40 cottonwood cuttings were planted in December 2019 to address trees that did not survive in RMU 4 per above. Approximately 30 of the 40 cottonwood cuttings showed signs of initial sprouting and rooting. These cuttings were also regularly irrigated to ensure survivorship during dry summer months.

RMU	Cottonwoods	Willows	Other Native Trees
1	0	0	0
2	0	0	0
3	0	0	0
4	0	0	0
5	0	0	0
6	0	0	0
7	0	0	0
Totals	0	0	0

Table 13: New Tree Plantings by RMU

3.3.4 Status of Compensatory Mitigation

The mitigation activities began in year two of the program and will continue until all success criteria is achieved. The areas are being tracked individually but are reported cumulatively in order to determine programmatic compliance. The tables below document the total treatment areas and compares it to the compensatory mitigation requirement ratios in Table 10. No additional initial arundo removal is required for the impacts to date.

Table 14: Status of Required Arundo as Compensatory Mitigation

RMU	Total ESPR Impacts (acres)	Total Arundo treated inside MAs (acres)*	Total MSW Impacts (acres)	Total Arundo Treatment Required Outside MAs (acres)	Total Arundo treated outside MAs (acres)	Additional Arundo Removal Required (acres)
1-7	54.56	62.80	15.89	62.13	101.05	0

*Arundo treatment inside MAs is counted on an acre-for-acre basis for early successional perennial riparian impacts only.

Table 15: Status of Required Tree Planting Mitigation by RMU

RMU	Number of non- willow trees ≥ 2″ dbh removed	Number of willows ≥ 6″ dbh removed	Total Number of Trees Required to Plant	Number of Trees Planted, species	Trees Required – Trees Planted
1	0	0	0	0	-
2	0	0	0	0	-
3	0	0	0	0	-
4	7	1	23	90, cottonwoods 700, willows	-
5	29	18	123	275, cottonwoods	-
6	0	6	12	0	-
7	0	0	0	0	-
Totals	36	25	158	365 cottonwoods 700 willows	0

3.3.5 Success Criteria

Mitigation sites are monitored annually. The success of the invasive plant removal will be reported by area as they reach the targeted percent cover or after five years from initial removal, whichever occurs sooner. Due to extended drought conditions, there are no sites that are nearing the success criteria. We anticipate this next year will encourage the survival of trees planted given the high soil moistures from heavy winter rains.

4 Program Review

4.1 Impacts to Listed Species

Maintenance activities were designed to avoid direct and indirect impacts to listed species. There were no observations of any federally-listed species during the required pre-maintenance surveys. Biological Monitors performed all necessary inspections before work began each day and were present during maintenance activities. A Service-approved biologist was on-site as necessary and on-call daily.

4.2 Impacts to Water of the State

Maintenance activities were designed to avoid impacts to waters of the state by working in dry areas away from the low-flow channel. The Salinas River had minimal flows during the previous winter season and water from upstream reservoirs conservation releases was only present near upstream portions of RMU 1. Inspections of each maintenance site and the adjacent area occurred during the premaintenance surveys when flows were reduced enough to show tie-in locations and the adjacent low-flow channel. There was no indication or erosion or other water quality issues at the sites after the maintenance season. Continued inspections will occur during the next maintenance season.

4.3 **Project Design Changes**

All work was in compliance with the permit applications, permit terms and conditions, and annual authorizations. Less work was performed than proposed in the approved Work Plan.

4.4 Effectiveness Monitoring

Topographic surveys were conducted down the centerline of select maintenance areas both pre- and post-maintenance activities. This data is representative of each RMU and will be used over time to determine how the maintenance areas are functioning and to assess the sediment transport characteristics of the maintenance areas. The resultant longitudinal profiles are available in Section 7 of this report.

4.5 Adaptive Management

Adaptive management may be necessary if significant flows (25,450 cfs or greater at the Spreckels stream gage) occur during the previous rainy season. Modifications may need to be made to the location of maintenance areas if flood events cause the designated locations to shift or re-align, or if shifts in the location or alignment of the Salinas River low-flow channel indicate a need to modify a designated maintenance area. These needs should be evaluated near the end of the rainy season in order to be prepared for the following year's maintenance. At this time, there are no adaptive management sites identified.

During the winter of 2022/2023, all the Maintenance Areas were activated, however flows were less than the 5-year flow. The peak flows that have occurred at each gaging station by the time of this report are as follows:

- Bradley (USGS 11150500) 45,600 cfs on 01/10/2023 (Provisional)
- Soledad (USGS 11151700) 19,600 cfs on 03/16/2023 (Provisional)

- Chualar (USGS 11152300) 17,100 cfs on 01/12/2023 (Provisional)
- Spreckels (USGS 11152500) 19,400 cfs on 03/17/2023 (*Provisional*)

4.6 River Morphology Monitoring

Monitoring of the Salinas River's morphology is required after all flood events equal to or exceeding 42,800 cfs (10-year event) at the Spreckels stream gage. Specifically, visual inspections must occur of the low-flow channel and all designated maintenance areas to determine if any channel movement due to fluvial processes has occurred. These inspections would occur after flood waters have receded and the low-flow channel and maintenance areas are visible. The past winter did not produce the targeted flow at the Spreckels gage and therefore the inspections were not necessary.

4.7 Program Reassessment Reporting

As part of the initial 5-yr Reassessment Reporting, necessary to evaluate the performance of the Program, was performed last year May 31, 2021. For this purpose, the MCWRA has performed ongoing data collection and monitoring for years 2016, 2017, 2018, 2019, and 2020.* The information was used to assess the implementation and effectiveness of the project conducted in the first five-years. The information provided with the submittal included:

- a) A summary of the maintenance activities, impacts, and mitigation activities conducted in the first five-years of the Project implementation; and
- b) A summary of all monitoring information collected, as well as a detailed description and results of all analysis required, in accordance with Special Condition H (Inspections and Monitoring).

The maintenance activities, impacts, and mitigation activities completed in the first five:

In Years 1 – 5, maintenance activities have included vegetation removal and sediment management in RMU's 1-6. On average each year the participation in the SMP was approximately 21 MAs and 1 selective treatment area. A total of 31 out of 123 secondary channel areas, or MAs, have participated in the Program for one or more years during these first five years. A total of 1 out of 3 tributaries have participated in the Program for one or more or more years during these first five years.

Vegetation maintenance activities have occurred in a total of 31 secondary channels and 1 tributary during the first five years. These MAs include: 1.02, 1.03, 1.06, 1.07, 1.08, 1.25, 2.05, 2.06, 3.16 (a and b), 3.17, 3.18, 3.19, 3.20, 4.17, 4.18, 4.22, 4.23, 4.24, 4.25, 4.26, 5.03, 5.08, 5.09 (and 5.09b), 6.06, 6.07, 6.08, 6.09, 6.10, 6.11, and 6.12. The five-year total of initial vegetation removed from these MAs is 124.4 acres, which includes vegetation initially cleared under the Phase 1 demonstration project (see table 16).

* MCWRA and program partners have continued that same data collection into years 2021 and 2022

RMUs	Acres removed 2016 (initial)	Acres removed 2017 (initial)	Acres removed 2018 (initial)	Acres removed 2019 (initial)	Acres removed 2020 (initial)	Acres removed in 2020 (retreat)*	Cumulative acres of initial removal* (includes retreatment)
1-7	70.6	22.1	2.1	21.4	6.17	118.2	124.4

*Includes vegetation initially cleared under the demo project.

Sediment disturbance activities occurred in a total of 13 secondary channels and 1 tributary during the first five years. These MAs include: 1.02, 1.03, 1.06, 1.22, 1.38 (San Lorenzo Creek), 3.19, 3.2, 5.08, 5.09 (and 5.09b), 6.06, 6.10, 6.11. The five-year total of sediment removed from the SMP area is 42,863 cubic yards. The five-year total of sediment displaced by grading in the SMP area 36,331 cubic yards.

Year	Total Work Area (acres)	Un-vegetated Area Graded (acres)	Volume of Sediment Removal (cy)	Volume of Sediment Displaced by Grading (cy)
2016	35.3	10.5	0	28,435
2017	9.8	5	2,000	7,696
2018	9.6	5.6	25,000	0
2019	5.9	5.6	0	0
2020	6.7	0	8,898	200
Total	67.5	21.1	42,863	36,331

In Years 1 – 5, impacts have included the removal of native and non-native vegetation including the removal of 52.27 acres of Early Successional Perennial Riparian (ESPR); 15.69 acres of Mid-Successional Willow (MSW), 36 Early to Mid-Successional Cottonwood forest (trees); and, 25 Large Stature Willow (trees) (Table 17). No acres of low stature herbaceous wetland have been removed.

Table 18.	Years 1 -	5 New I	mpacts	Requiring	Compensatory	Mitigation.
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Vegetation Type	Acres removed Demo (initial)	Acres removed 2016 (initial)	Acres removed 2017 (initial	Acres removed 2018 (initial)	Acres removed 2019 (initial)	Acres removed 2020 (initial)	Cumulative initial vegetation removal requiring mitigation
Early successional perennial riparian	22.83	22.1	4.62	0.05	2.02	0.65	52.27
Mid- successional willow	5.16	3.5	5.77	0	1.26	0	15.69
Early to mid- successional cottonwood forest (trees)	35	1	0	0	0	0	36
Large Stature Willows (trees)	25	0	0	0	0	0	25
Low stature herbaceous wetland	0	0	0	0	0	0	0

Based on work completed during the first five work seasons and the impacts monitored to ESPR, MSW, and various trees, compensatory mitigation is required. A summary of compensatory mitigation has been detailed and discussed in each year's annual report, including the 2021 Annual Report in section 3.3. A summary of mitigation activities is provided below for Program Reassessment purposes.

In Years 1 – 5 the MCWRA, the RCDMC, and Program participants, have implemented compensatory mitigation installation, maintenance, and effectiveness monitoring, as required by law. The MCWRA and the others listed are responsible for the performance of compensatory mitigation for all actual Project impacts. The below is a summary for those compensatory mitigation actions which require inspection and monitoring, and are subject to analysis:

• The Program is implementing all required compensatory mitigation per the *Salinas River Stream Maintenance Program Revised Final EIR,* dated June 2014; the Final Supplemental Attachment; and the Program's 401 Certification.

- The Program is mitigating for EPSR and MSW through the removal of Arundo, and through trees planted, at required ratios.
- The Program is targeting final performed criteria including
 - 5% or less Arundo cover in all Arundo removal areas five years after removal (including Arundo removed within designated MAs and not intended as mitigation for impacts), and,
 - o 85% survival of mitigation tree plantings five years after planting

The MCWRA is responsible to monitor compensatory mitigation sites each year for five years following completion of initial removal (Arundo) and initial planting (trees). The monitoring is ongoing and the following information is being collected:

a) Assessment of growth, survival, percent cover, general health and stature, and progress toward achieving final performance criteria, and,

b) A determination of whether remedial actions are needed to achieve final performance criteria. The goal of monitoring is to provide a detailed description and the results of all analysis. This can be provided five years after initial removal and initial planting.

Monitoring of all Arundo removal areas started in Year 2018. The start to begin monitoring was delayed two years because of unfavorable drought conditions which didn't allow for the use of chemical control on the Arundo removal areas. If Arundo is stressed and browning due to drought, then emergence is impacted, and spray application is ineffective. The observed Arundo removal areas and the associated stands were in this condition during the years of 2016, and 2017. During this time required chemical control through herbicide treatment could not be performed. Chemical control of Arundo is the only proven method for eradication and two to three years of treatment are generally necessary. Herbicide treatment began in 2018 during mid-summer and fall applications after flowering and before dormancy. This is the best time to kill Arundo stands and protect injury to many native plants. Herbicide treatment is then used after repeated mowing and growth to reduce stands. In the years of 2016 and 2017, nonchemical control through mowing (cutting) and other manual methods (cutting and disking) were used. The mechanical methods employed did begin the process of Arundo removal; however, the reduction of the stands and cover for progress the following year minimal. The MCWRA reported this in the annual reports for 2016 and 2017 and the monitoring began in 2018. It is recommended, an adjustment be made to the final performance criteria timeline (of within five years) to determine achievement of 5% cover by Program year 2023 instead of 2021. The preliminary results of the Arundo removal data collection and monitoring for performance will be previewed and presented in the first report review of the Long-Term Effectiveness Assessment Report. In analysis underway, the Arundo transect study areas do show the Arundo performance on target to meeting the criteria of 5% or less. The data collection, monitoring, and analysis will be presented in further detail in the first report review. The first report review was provided by the MCWRA to accompany the 2020 Annual Report provided on May 31, 2021.

Monitoring of all tree planting sites. The replanting data and status of the sites is provided for an overview of the required planting of trees on sites in RMU 4 (near MA 4.22) and RMU 5 (MA 5.10) (Table 19).

RMU	Number of non- willow trees ≥ 2" dbh removed	Number of willows ≥ 6″ dbh removed	Total Number of Trees Required to Plant	Number of Trees Planted, species	Trees Required – Trees Planted	Status of site to-date
4 (near 4.22)	7	1	23	90, cottonwoods 700, willows	-	Damaged by 2021 debris flows and heavy runoff
5 (near 5.10)	29	18	123	275, cottonwoods	-	Intact and performing well
6 (near 5.10)	0	6	12	0	-	Intact and performing well
Totals	36	25	158	365 cottonwoods 700 willows	0	

 Table 19. Status of required tree plantings in RMUs 4 and 5.

There are two tree planting sites with ongoing monitoring. The achievement of the required performance criteria is targeted through ongoing data collection and monitoring, and the sites are visited multiple times per year. The planting sites of 4.22 and 5.10 were established in 2017 and 2016, respectively and in accordance with the data shown in Table 20. The trees that were planted near 4.22 in 2017 did not survive initially. Then trees were replanted to replace those; however, all those trees were damaged in the winter of 2021 because of River Fire debris flows and heaving runoff in late January 2021. The MCWRA, the RCDMC and the Program participant will be evaluating for a new site and begin replanting at a new site in Work Season 2022. The trees planted near 5.10 has trees planted and they are performing well. The trees planted have survived and the Responsible Party continues to manage weeds around the trees. No remedial actions are needed at this time to achieve final performance criteria. The determination of meeting final performance criteria is not available at this time and therefore the MCWRA will continue monitoring and ensuring maintenance. Updated photographs for 5.10 demonstrate the overall health, vigor, statue, and density achieved for the site replantings.



Figure 1. Tree plantings near 5.10 performing well.



Figure 2. Tree plantings near 5.10 performing well.

Table 20: Status of Required Arundo as Compensatory Mitigation for years 1-5

RMU	Total ESPR Impacts (acres)	Total Arundo treated inside MAs (acres)*	Total MSW Impacts (acres)	Total Arundo Treatment Required Outside MAs (acres)	Total Arundo treated outside MAs (acres)	Additional Arundo Removal Required (acres)
1-7	52.27	62.8	15.69	60.6	81.4	0

*Arundo treatment inside MAs is counted on an acre-for-acre basis for early successional perennial riparian impacts only. For status of required arundo as compensation mitigation updated to account for 2020 and 2021 work season impacts see table 15.

4.8 Long-Term Effectiveness Assessment Reporting

The MCWRA completed the first Effectiveness Report for the Project and provided it to the Central Coast Water Board on June 30, 2021. The Effectiveness Report includes the analyses, assessments, and other information identified in Special Condition 1.7 and is consistent with the approved Long-Term Effectiveness Assessment Plan dated May 2019. On July 6, 2021, Mr. Cassady, Environmental Scientist, thanked the MCWRA for sending the comprehensive Effectiveness Report and it was noted that despite the limitations of not having data from 5- or 10-year storm events, the report contains useful information and indicates the MCWRA was prepared to collect and analyze data once such events inevitably occur. Additional comments were provided by the Central Coast Water Board mainly focused on the amount of work being performed in the first five years. MCWRA provided responses to those comments and can be seen in the letter from April 26, 2022 *'Long-Term Effectiveness Reporting and continued program activities, Water Quality Certification Number 32716WQ02 for 2016-2025 Salinas River Stream Maintenance Program, Monterey County.'* As of May 26, 2022, the Central Coast Water Board confirmed receipt of those responses and will be contracting the MCWRA on next steps for the Long-Term Effectiveness Assessment Plan's approval.

5 Photos of Typical Work Areas

Pre-maintenance Areas



Vegetation Removal



Arundo Treatment











6 Maps of Maintenance Activities









Map created January 4, 2023



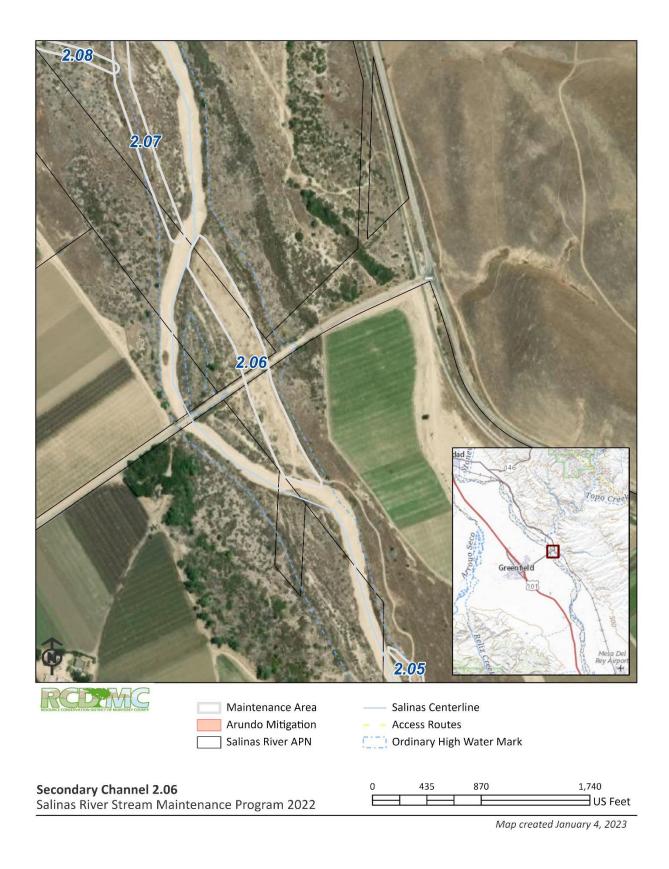


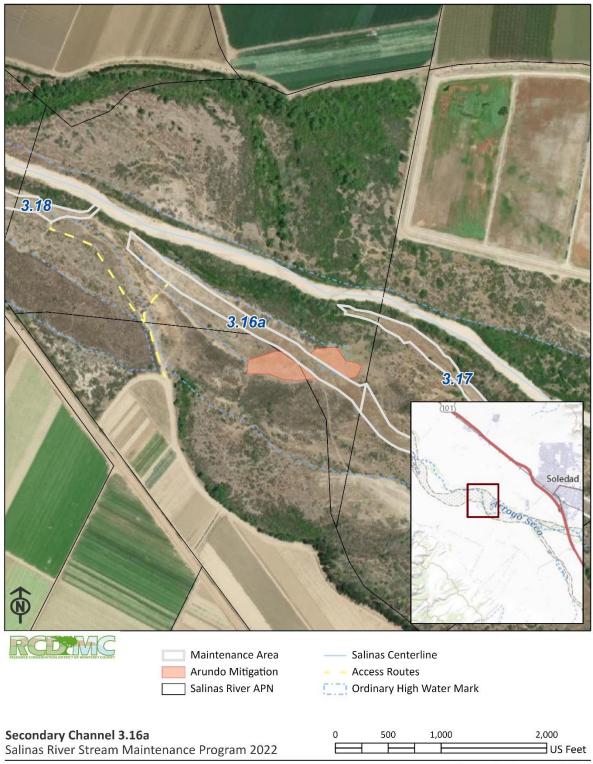


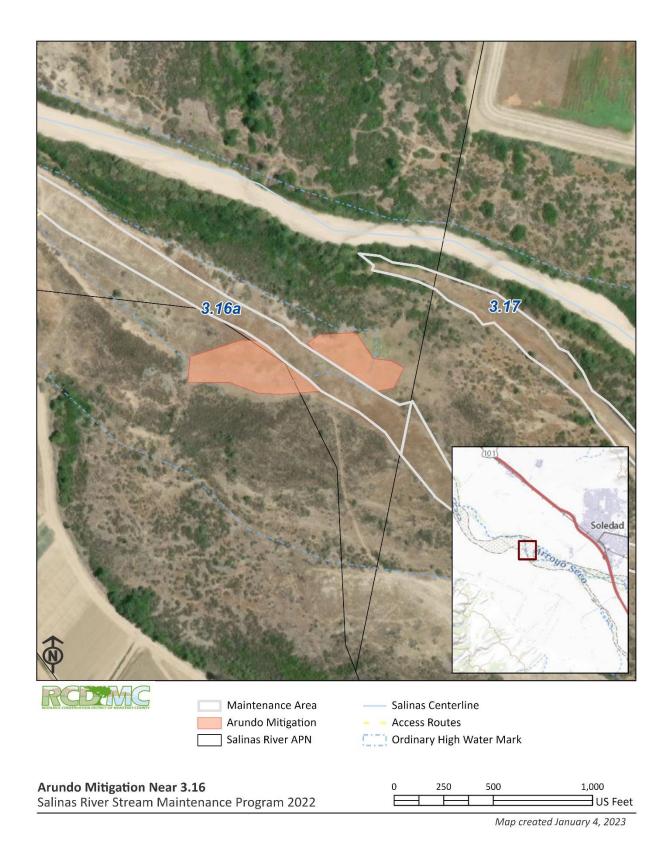










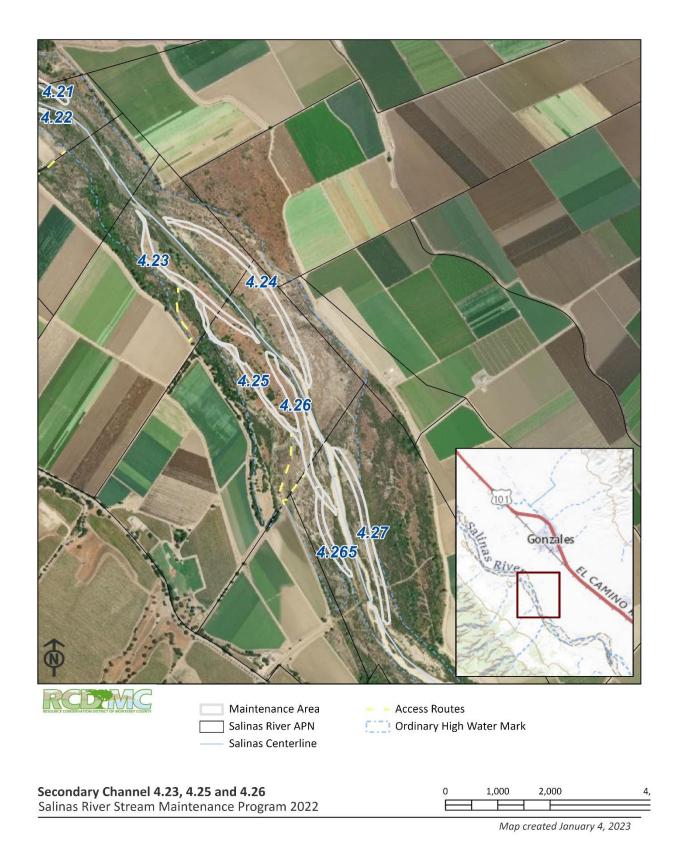










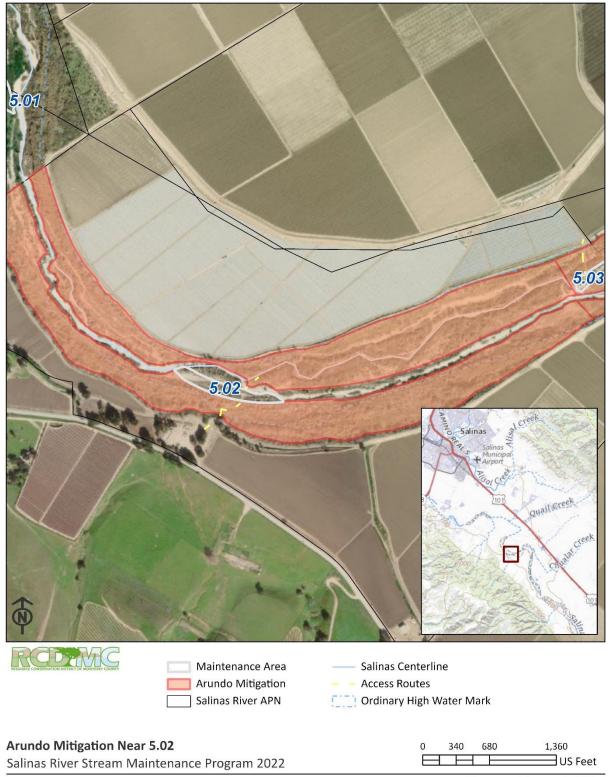


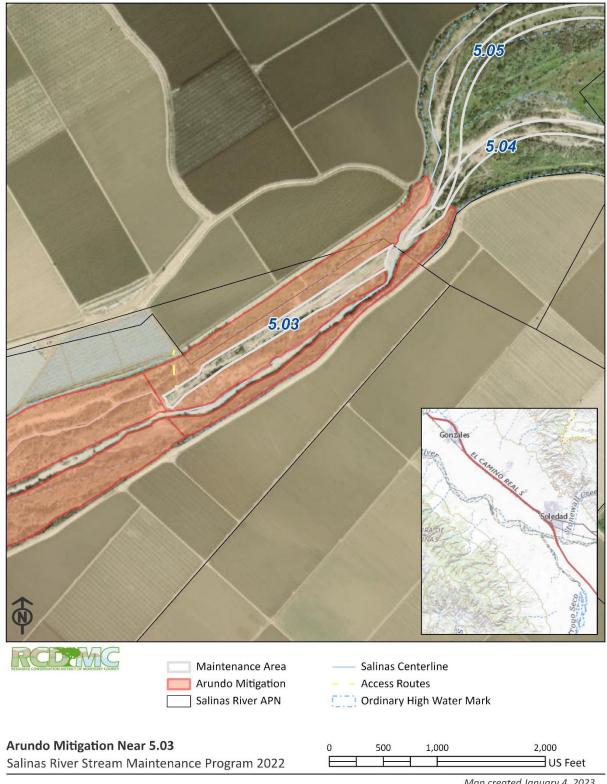


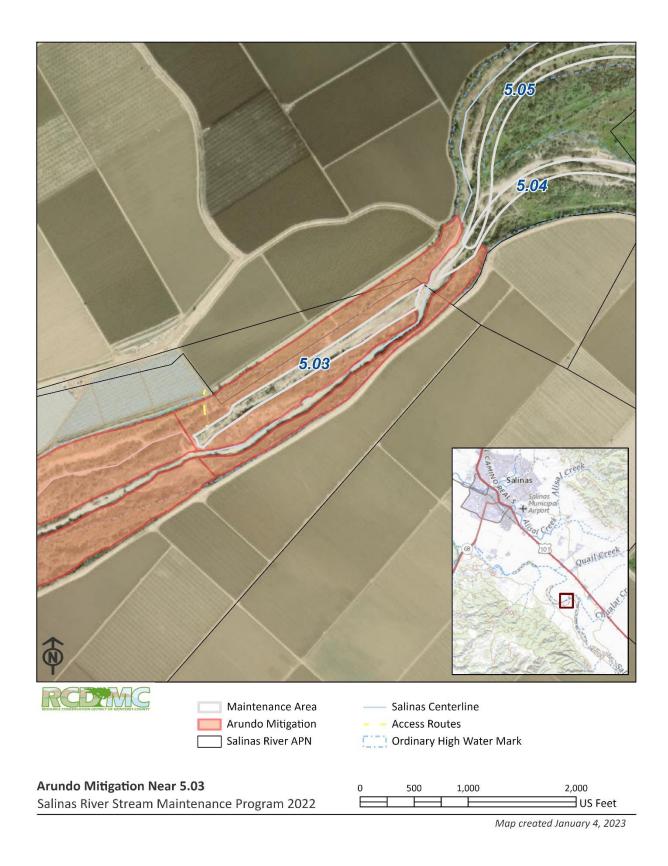








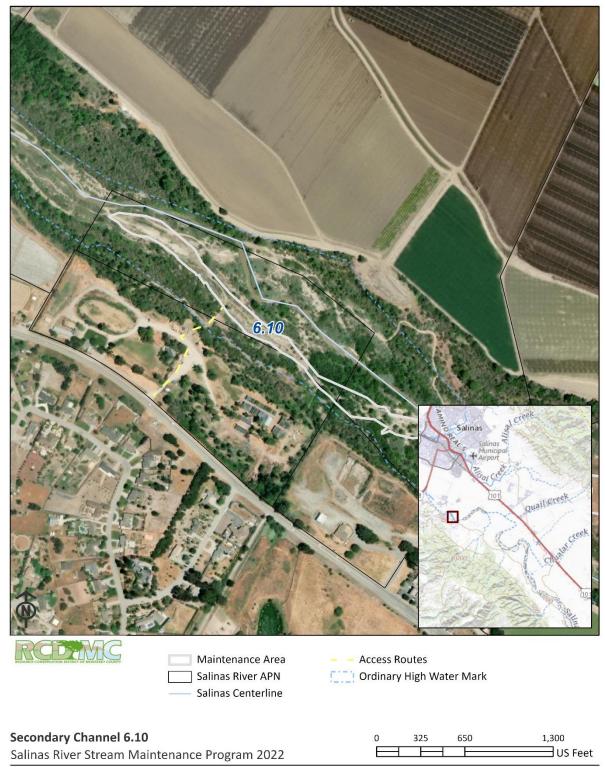










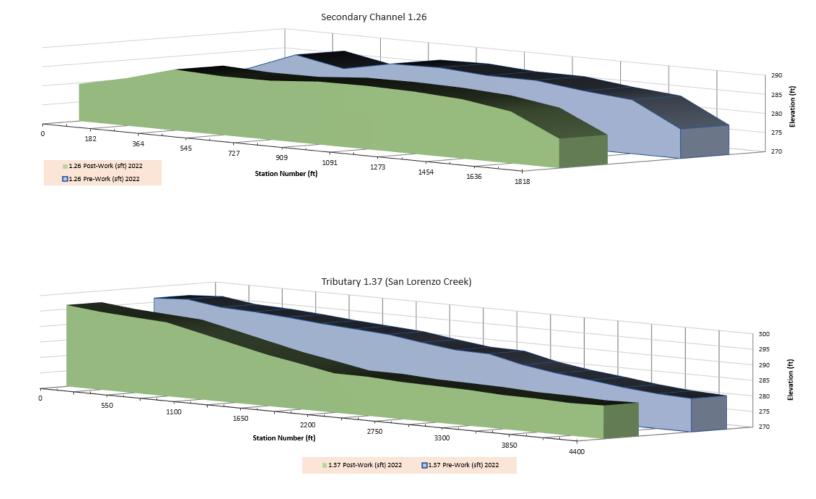








7 Longitudinal Profiles



Appendix A: Work Plan Approval



DEPARTMENT OF THE ARMY SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS 450 GOLDEN GATE AVENUE SAN FRANCISCO, CALIFORNIA 94102

September 30, 2022

Regulatory Division

Subject: File Number SPN-1996-223090

Mr. Benny Jefferson c/o Mr. Brandt Bates Resource Conservation District of Monterey County 744-A La Guardia Street Salinas, California 93905 brandt.bates@rcdmonterey.org

Dear Mr. Jefferson:

This correspondence is in reference to the submittal of June 30, 2022, from the Monterey County Water Resources Agency on your behalf, concerning Department of the Army (DA) authorization for the Salinas River Stream Maintenance Program (SMP) 2022 Annual Work Plan. The 2022 projects are located along the Salinas River approximately from River Mile (RM) 11 to RM 89 and include grading, sediment removal, and/or vegetation removal at 27 Maintenance Areas (MAs) totaling 168.08 acres, in Monterey County, California.

Work within U.S. Army Corps of Engineers' (Corps) jurisdiction will include sediment grading and/or removal of approximately 32,000 cubic yards from 31.26 acres in four of the MAs, as follows:

- MA 1.11b: 30,000 cubic yards of sediment graded and removed from 8.64 acres.
- MA 1.26: 9.29 acres graded.
- MA 1.27: 9.91 acres graded.
- MA 1.37 (San Lorenzo Creek): 2,000 cubic yards of sediment graded and removed from 2.06 acres.

All work shall be completed in accordance with the plans and drawings titled 2022 Salinas River SMP Fall Work Plan, dated April 28, 2022 (enclosure 1).

Section 404 of the Clean Water Act (CWA) generally regulates the discharge of dredged or fill material below the plane of ordinary high water in non-tidal waters of the United States, below the high tide line in tidal waters of the United States, and within the lateral extent of wetlands adjacent to these waters. Section 10 of the Rivers and Harbors Act (RHA) generally regulates construction of structures and work, including excavation, dredging, and discharges of dredged or fill material occurring below the plane of mean high water in tidal waters of the United States; in former diked baylands currently below mean high water; outside the limits of mean high water in non-tidal waters designated as navigable waters of the United States. Navigable waters of the United States generally include all waters subject to the ebb and flow of

the tide; and/or all waters presently used, or have been used in the past, or may be susceptible for future use to transport interstate or foreign commerce.

Based on a review of the information in your submittal, the project qualifies for authorization under Department of the Army Nationwide Permit (NWP) 27 - Aquatic Habitat Restoration, Enhancement, and Establishment Activities (86 Fed. Reg. 73522, December 27, 2021), pursuant to Section 404 of the CWA of 1972, as amended (33 U.S.C. § 1344 et seq.). The project must be in compliance with the terms of the NWP, the general conditions of the Nationwide Permit Program, and the San Francisco District regional conditions cited on our website (www.spn.usace.army.mil/Missions/Regulatory/Permitting/Nationwide/). You must also be in compliance with any special conditions specified in this letter for the NWP authorization to remain valid. Non-compliance with any term or condition could result in the revocation of the NWP authorization for your project, thereby requiring you to obtain an Individual Permit from the Corps. This NWP authorization does not obviate the need to obtain other State or local approvals required by law.

This verification will remain valid until March 14, 2026, unless the NWP authorization is modified, suspended, or revoked. Activities which have commenced (i.e., are under construction) or are under contract to commence in reliance upon a NWP will remain authorized provided the activity is completed within 12 months of the date of a NWP's expiration, modification, or revocation, unless discretionary authority has been exercised on a case-by-case basis to modify, suspend, or revoke the authorization in accordance with 33 C.F.R. § 330.4(e) and 33 C.F.R. § 330.5(c) or (d). This verification will remain valid if, during the time period between now and March 14, 2026, the activity complies with any subsequent modification of the NWP authorization. The Chief of Engineers will periodically review NWPs and their conditions and will decide to modify, reissue, or revoke the permits. If a NWP is not modified or reissued within five years of its effective date, it automatically expires and becomes null and void. It is incumbent upon you to remain informed of any changes to the NWPs. Changes to the NWPs would be announced by Public Notice posted on our website (www.spn.usace.army.mil/Missions/Regulatory/Public-Notices.aspx). Upon completion of the

project and all associated mitigation requirements, you shall sign and return the Certification of Compliance (enclosure 2) verifying that you have complied with the terms and conditions of the permit.

You shall comply with all terms and conditions set forth by the "*Technically Conditioned Water Quality Certification Number 32716WQ02 for 2016-2025 Salinas River Stream Maintenance Program, Monterey County,*" issued by the Central Coast Regional Water Quality Control Board (RWQCB) on August 31, 2016 (enclosure 3). You shall consider such conditions to be an integral part of the NWP authorization for your 2022 SMP projects, along with any limitations or conditions in annual or project-level approvals from the RWQCB. General Condition 18 stipulates that project authorization under a NWP does not allow for the incidental take of any federally-listed species in the absence of a biological opinion (BO) with incidental take provisions. As the principal federal lead agency for this project, the Corps initiated consultation with the National Marine Fisheries Service (NMFS) and United States Fish and Wildlife Service (USFWS) to address SMP-related impacts to listed species, pursuant to Section 7(a) of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. § 1531 et seq). By letter of August 22, 2016 (enclosure 4), USFWS issued a BO (08EVEN00-2016-I-0318) with an incidental take statement for the California red-legged frog (*Rana draytonii*), tidewater goby (*Eucyclogobius newberryi*), and least Bell's vireo (*Vireo bellii pusillus*). USFWS also concurred that the SMP is not likely to adversely affect the San Joaquin kit fox (*Vulpes macrotis mutica*), California tiger salamander (*Ambystoma californiense*), yellow-billed cuckoo (*Coccyzus americanus*), or Monterey spineflower (*Chorizanthe pungens*). By letter of September 6, 2016 (enclosure 5), NMFS concurred with the determination that the project is not likely to adversely affect the South-Central California Coast steelhead (*Oncorhynchus mykiss*) or designated critical habitat for this species.

In order to ensure compliance with this NWP authorization, the following special conditions shall be implemented:

- 1. To remain exempt from the prohibitions of Section 9 of the Endangered Species Act, the nondiscretionary Terms and Conditions for incidental take of federally-listed species shall be fully implemented as stipulated in the Biological Opinion titled *Biological Opinion for the Salinas River Stream Maintenance Program, Monterey County, California (2016-F-0318),* dated August 22, 2016 (enclosure 4). Project authorization under this permit is conditional upon compliance with the mandatory terms and conditions associated with incidental take. Failure to comply with the terms and conditions for incidental take, where a take of a federally-listed species occurs, would constitute an unauthorized take and non-compliance with the authorization for your project. The USFWS is, however, the authoritative federal agency for determining compliance with the incidental take statement and for initiating appropriate enforcement actions or penalties under the Endangered Species Act.
- 2. The USFWS and NMFS concurred with the determination that the SMP is not likely to adversely affect the federally listed San Joaquin kit fox, California tiger salamander, yellow-billed cuckoo, Monterey spineflower, South-Central California Coast steelhead, or designated critical habitat for these species. Their concurrence was premised, in part, on avoidance and minimization measures listed on pages 2-8 of the August 22, 2016 USFWS BO (enclosure 4), and project description on pages 1-4 of the September 6, 2016 NMFS concurrence letter (enclosure 5). Adherence to the project description and avoidance and minimization measures are incorporated as special conditions to the NWP authorization for your projects to ensure unauthorized incidental take of species and loss of critical habitat does not occur.

3. Incidents where any individuals of steelhead listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into waters of the United States or structures or work in navigable waters of the United States authorized by this NWP shall be reported to NOAA Fisheries, Office of Protected Resources, at (301) 713-1401 and the Regulatory Office of the San Francisco District of the U.S. Army Corps of Engineers at (415) 503-6795. The finder should leave the plant or animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved, and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

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You may refer any questions on this matter to me by telephone at 415-503-6791 or by e-mail at gregory.g.brown@usace.army.mil. All correspondence should be addressed to the Regulatory Division, South Branch, referencing the file number at the head of this letter.

The San Francisco District is committed to improving service to our customers. Our Regulatory staff seeks to achieve the goals of the Regulatory Program in an efficient and cooperative manner while preserving and protecting our nation's aquatic resources. If you would like to provide comments on our Regulatory Program, please complete the Customer Service Survey Form available on our website: http://www.spn.usace.army.mil/Missions/ Regulatory.aspx

Sincerely,

Kheepay D Dian

Greg Brown Senior Regulatory Project Manager

Enclosures

cc:

Monterey County Water Resources Agency, Salinas, CA (BodensteinerJM@co.monterey.ca.us) US FWS, Ventura, CA (mark_ogonowski@fws.gov) US NMFS, Santa Cruz, CA (william.stevens@noaa.gov) CA RWQCB, San Luis Obispo, CA (mark.cassady@waterboards.ca.gov) Enclosure 2

Permittee: Mr. Benny Jefferson, Resource Conservation District of Monterey County

File Number: SPN-1996-223090 (2022 Salinas SMP projects)

Certification of Compliance for Nationwide Permit

"I hereby certify that the work authorized by the above referenced File Number and all required mitigation have been completed in accordance with the terms and conditions of this Nationwide Permit authorization."

(Date)

Email to: <u>CESPN-RG-submittal@usace.army.mil</u> Attn: Greg Brown, gregory.g.brown@usace.army.mil

U.S. Army, Corps of Engineers San Francisco District Regulatory Division, CESPN-RG 450 Golden Gate Ave., 4th Floor San Francisco, CA 94102-3404