

Chapter 2 – Project Description

2.4.2 Non-flow Measures – Settlement Agreement Elements Common to All Watersheds

2.4.2.1 Proposed Fish Passage Barrier Remediation and Maintenance

Removal or replacement of major passage barriers in the Stevens Creek and Guadalupe River watersheds, combined with appropriate maintenance of remaining passage structures, is the goal of this element of the Proposed Project. In turn, these efforts would enhance fish passage to suitable spawning and rearing habitat as discussed in the next sections. The locations of these proposed barriers are known; however, although there maybe conceptual designs for some remediation projects, there is a lack of design specificity or site-specific field data. As such, these barrier remediation measures have been evaluated in this EIR at a programmatic level of detail with more project-level detail provided and evaluated as possible.

Those physical barriers to passage identified in the Settlement Agreement remaining for removal or improvement⁶ are listed in Table 2.4-4 and identified as “Proposed” in Figure 2.4-7 and Figure 2.4-8. Each of these barrier remediation locations are discussed more thoroughly in the Draft FHRP (Appendix A). Specific plans and designs to address these barriers have not yet been developed. The intent of each barrier remediation design is to be self-maintaining. While there might be short-term impacts from constructing these improvements that are analyzed in this EIR, the intent of these measures is to improve fish habitat conditions over the long term. Ongoing monitoring would confirm functionality, and any subsequent maintenance would be performed consistent with Valley Water’s SMP and as part of the AMP, as described in Section 2.6, *Adaptive Management Program*. The impacts associated with this work would be analyzed on a project-by-project basis in future CEQA reviews as design documents are prepared.

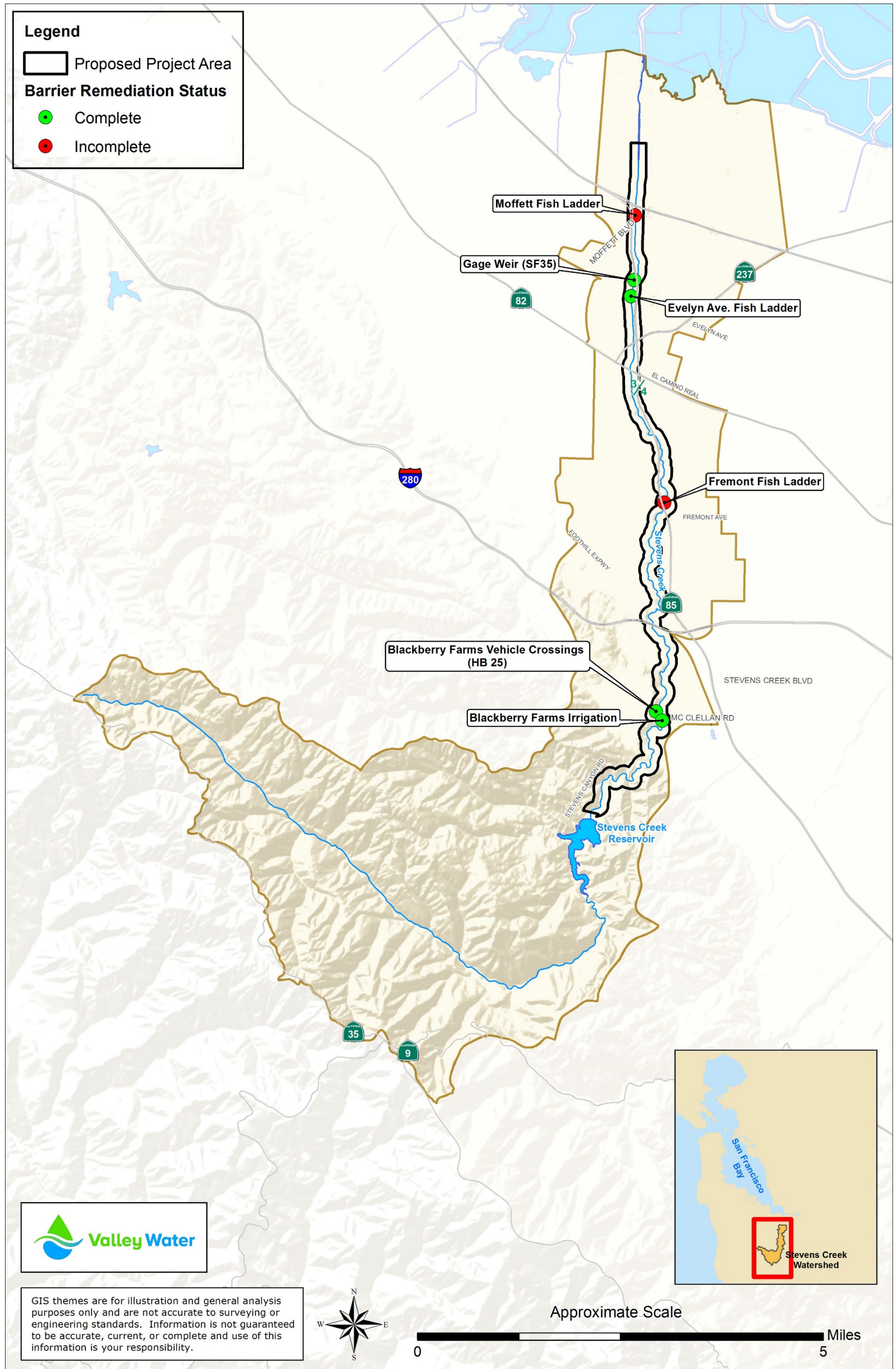
Typical activities that may result in temporary impacts during construction associated with implementation of these types of projects may include, but not be limited to, traffic from hauling of heavy equipment and materials to and from the project site, pruning or removal of riparian vegetation to access the work area, channel dewatering within the limits of the active work area, dredging and removal of barrier materials, disturbance of the channel bed and bank, and closure or limited use of public trails during construction. Additionally, any work at human-made fish passage barriers would likely include concrete or asphalt demolition and removal as well as installation of new energy dissipation improvements or erosion control materials, including riprap or potentially concrete where necessary. All areas with soil not permanently affected would be revegetated with native plantings to restore their pre-project functions and values.

Instream work would be limited to the summer work season beginning June 15 and ending October 15. Flows in the two watersheds are lowest during this time, but dewatering would be necessary for most projects. Dewatering of the instream work area would consist of placing a cofferdam upstream of the work area to temporarily impound water. The impounded water would be piped around the active work area using either pumps placed in the impoundment pool or using a gravity fed inlet. The water would be released into the active channel below the Project area. Rock may be placed below the pipe outlet as an energy dissipation measure to reduce erosion of the channel bed.

⁶ Some barrier remediation projects identified in the Settlement Agreement have been completed (see Appendix B of Appendix A, *Draft Fish Habitat Restoration Plan*, for a description of these completed projects).

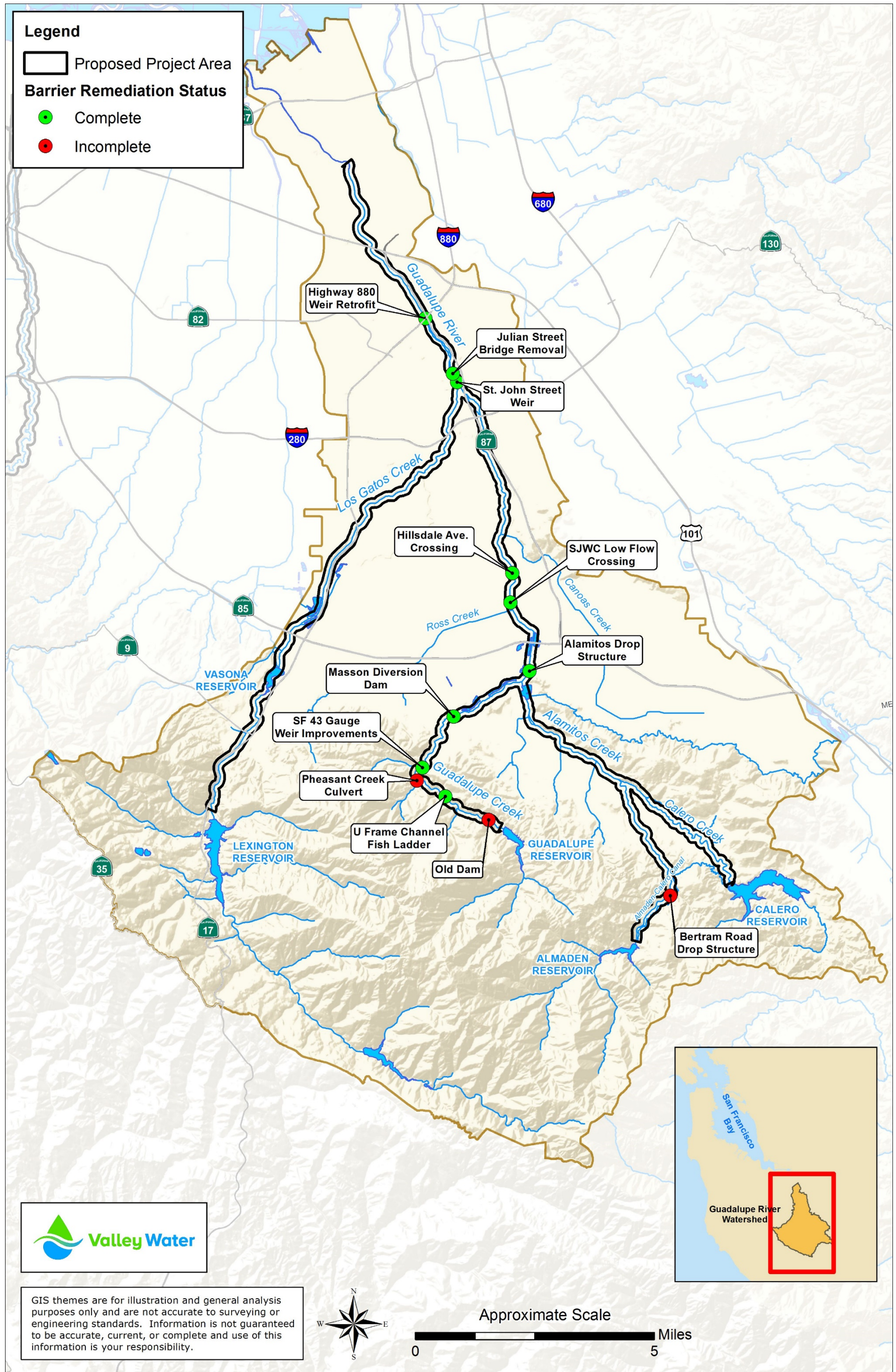
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Figure 2.4-7. Proposed Stevens Creek Barrier Remediation Measure Locations



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Figure 2.4-8. Proposed Guadalupe River Barrier Remediation Measure Locations



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Work would typically occur during normal business hours, Monday through Friday, 7 a.m. to 5 p.m. in accordance with local ordinances. Construction crews would be sourced locally, small in size, and localized to specific work sites. Project construction activities would be completed during daylight hours and would not occur during nighttime hours except during emergency activities. Valley Water would maintain emergency access to individual work sites that are part of the Proposed Project and to adjacent areas during and following construction, and the Proposed Project would not substantially increase safety hazards.

In cases where Valley Water owns the facility, barriers would be remediated by modifying, replacing, or removing the existing barrier, and costs of remediation would be a responsibility of Valley Water. Where the facility is owned by another entity, Valley Water would make reasonable best efforts to partner with the owner of the facility to remove or remediate the fish barrier. In accordance with the Settlement Agreement Sections 6.4.2.1.2(B), 6.5.2.2(B), 6.6.2.1.2.2, and 6.6.2.1.3.2, “SCVWD will fund not more than 50 percent of the costs to remediate these passage barriers. However, SCVWD will undertake reasonable best efforts with the Parties and owners to secure the additional funds necessary to perform the remediation” (Appendix B).

Table 2.4-4. Remaining Fish Passage Barriers Identified in Settlement Agreement and Included in Fish Habitat Restoration Plan for Implementation

| Watershed | Creek | Settlement Agreement Section Reference | Barrier Name | Ownership | Valley Water Role |
|-----------------|-----------------|--|-----------------------------|------------------|--|
| Stevens Creek | Stevens Creek | 6.5.2.2(A) | Moffett Fish Ladder | Valley Water | Lead |
| Stevens Creek | Stevens Creek | 6.5.2.2(A) | Fremont Fish Ladder | Valley Water | Lead |
| Guadalupe River | Pheasant Creek | 6.6.2.1.2.2 | Pheasant Creek Culvert | To be determined | Reasonable best efforts to partner with owner to remediate barrier |
| Guadalupe River | Guadalupe Creek | 6.6.2.1.2.2 | Old Dam | Private | Reasonable best efforts to partner with owner to remediate barrier |
| Guadalupe River | Alamitos Creek | 6.6.2.1.3.2 | Bertram Road Drop Structure | Private | Reasonable best efforts to partner with owner to remediate barrier |

2.4.2.2 Proposed Spawning and Rearing Habitat Improvements

Another proposed Phase 1 implementing measure common to both of the watersheds and identified in the FHRP focuses on improving spawning and rearing habitats. Valley Water would develop annual work plans for spawning gravel augmentation and rearing habitat enhancements for AMT review (Section 2.6.1), the first of which would be prepared following final Valley Water Board approval of the Project. Spawning habitat includes areas where eggs are deposited and fertilized, and where gravel emergence occurs. Rearing habitat is defined as areas where juvenile fish take up residence during some stage of development and utilize the area for feeding, shelter, and growth.

In cooperation with CDFW and NMFS, Valley Water developed the FHRP with a specific goal to specify techniques, locations, and implementation schedules to enhance spawning and rearing