State of California
DEPARTMENT OF TRANSPORTATION

Business, Transportation and Housing Agency

Memorandum

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To: District Directors
Deputy District Directors for Design
Deputy District Directors for Environmental
Deputy District Directors for Project Management
Deputy District Directors for Maintenance

Date: December 16, 2010

From: RICHARD D. LAND
Chief Engineer

Subject: Remediation and Enhancement of Fish Passage Locations

Existing law requires that the California Department of Transportation (Caltrans) provide unimpaired passage for all anadromous fish at stream crossings (Fish and Game Code 5901 and Streets and Highway Code 156 [SB 857]). The intent of this memo is to encourage additional attention and effort toward the goal of remediating all structures that impede the migration of anadromous fish. Our progress is reported to the Legislature each October. Past annual reports and related information may be found on the Division of Environmental Analysis (DEA) Biology SB 857 webpage at http://pd.dot.ca.gov/env/bio/html/annual_report.htm.

Consistent with SB 857, all projects within current or historically populated streams shall be constructed so that they do not present a barrier to anadromous fish passage at any life stage. The definition of "projects" includes any action regardless of funding source or level and includes any rehabilitation, new construction or maintenance actions that extend the life of the existing culvert or crossing. A "barrier" can be a physical, thermal, or hydrologic impediment to fish passage that is a partial or complete barrier to any life stage as defined by the National Marine Fisheries Service (NMFS) and the Department of Fish and Game (DFG) assessment protocol.

In order to meet the annual reporting requirements of SB 857, each District has designated a District Fish Passage Coordinator to keep track of remediation locations within their district and to report progress for the annual report to Legislature.

Through ongoing fish passage assessments, consultation with regulatory and partner biologists, historic knowledge and expert evaluations, each District has identified locations in need of remediation that would provide habitat value and species benefits. In working with the District Fish Passage Coordinator, each District shall incorporate remediation of these prioritized locations into new projects to the extent feasible.

Attention should be paid to historic Native American fishing areas. District Cultural Resource staff and Tribal Liaisons should be consulted to assist in the identification of remediation locations that are adjacent to or within areas of historical fishing sites.

Where fish passage projects overlap with wildlife corridors, as identified by the California Central Habitat Connectivity Project or other available scientific information, it may be possible to request Federal Transportation Enhancement Activities (TEA) funding for wildlife passage enhancement that may also benefit fish passage. Information related to the twelve eligible transportation enhancement categories is available for review at http://www.dot.ca.gov/hq/TransEnhAct/test/Eligibility.html.

As Caltrans continues to address this important issue, Headquarters will work to provide assistance and guidance to Districts and our resource agency partners. Additional information and guidance may be found on the Division's Fish Passage Assessment web page located at http://pd.dot.ca.gov/env/bio/bio_pages/Fish_Passage_index.htm.

If you have any questions, please contact Gregg Erickson, Chief Office of Biological Studies and Technical Assistance at (916) 654-6296, or Melinda Molnar, Senior Fisheries Biologist at (707) 445-6627.