

**NOTICE OF PREPARATION OF A  
DRAFT ENVIRONMENTAL IMPACT REPORT  
SCOTT RIVER WATERSHED-WIDE PERMITTING PROGRAM  
CALIFORNIA DEPARTMENT OF FISH AND GAME**

To Responsible and Trustee Agencies and All Interested Parties:

The California Department of Fish and Game (CDFG) and the Siskiyou Resource Conservation District (SQRCD) have developed a watershed-wide permitting program for the Scott River watershed (Program). The Program is designed to implement key coho salmon (*Oncorhynchus kisutch*) recovery tasks while facilitating compliance by agricultural operators and those implementing coho salmon restoration projects with the California Endangered Species Act (CESA) (Fish and G. Code, § 2050 *et seq.*) and Fish and Game Code section 1602 (section 1602). For purposes of the Program, “agricultural operator” means: 1) any person who lawfully diverts water from a stream in the Scott River watershed (Program Area) for an agricultural purpose; and/or 2) any person involved in a lawful agricultural operation on property in the Program Area through which or adjacent to which a stream flows.

CDFG has determined that the Program and the activities authorized under it through a watershed-wide Master Streambed Alteration Agreement (MSAA) and Incidental Take Permit (ITP) have the potential to cause significant adverse environmental effects. As a result, it is preparing an environmental impact report (EIR) pursuant to the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 *et seq.*).

CDFG is the lead agency for the purpose of reviewing the Program and the activities it will authorize under the Program because CDFG has principal responsibility for approving and administering the Program (Cal. Code Regs., tit. 14, § 15367). The activities CDFG will authorize are referred to in the ITP and MSAA as “Covered Activities.” CDFG has identified the North Coast Regional Water Quality Control Board as a responsible agency because it may have discretionary approval over some of the Covered Activities the Program will authorize (Cal. Code Regs., tit. 14, § 15381). A “trustee agency” is a state agency that has jurisdiction over natural resources held in trust for the people of the state that could be affected by a project (Cal. Code Regs., tit. 14, § 15386). CDFG has identified the State Lands Commission (SLC) as a trustee agency because the Covered Activities authorized under the Program could affect the beds of navigable waters and other “state owned ‘sovereign’ land” which are within SLC’s jurisdiction (Cal. Code Regs., tit. 14, § 15386, subd. (b)).

CDFG needs to know your views regarding the scope and content of the environmental information in connection with the Program. The initial study that has been prepared for the Program is attached as Attachment 4 and is also available for review at:

<http://www.dfg.ca.gov/hcpb/whatsnew/whatsnew.shtml>.


You may also request a copy of the initial study from CDFG (see below). CEQA requires that you submit any response to CDFG at the earliest possible date, but not later than 30 days after receipt of this notice.

Requests for a copy of the initial study or any other information regarding the Program, and all responses to this notice should be sent to:

Bob Williams, Staff Environmental Scientist  
Conservation Planning  
California Department of Fish and Game  
601 Locust Street  
Redding, CA 96001  
530-225-2365

Four documents are attached to this notice. Attachment 1 provides an overview of the Program, the scoping process, and the draft EIR schedule. Attachment 2 shows the location of the Scott River Watershed. Attachment 3 shows the environmental factors potentially affected by the Program that the EIR will address. Attachment 4 is the Initial Study.

Date: October 19, 2006

  
for **DONALD B. KOCH**, Regional Manager  
Northern California North Coast Region  
California Department of Fish and Game  
530-225-2363

## ATTACHMENT 1

### **Background**

The Scott River Watershed-wide Permitting Program (Program) is designed to implement key coho salmon (*Oncorhynchus kisutch*) recovery tasks while facilitating compliance by agricultural operators and those implementing coho salmon restoration projects with the California Endangered Species Act (CESA) (Fish and G. Code, § 2050 *et seq.*) and Fish and Game Code section 1602 (section 1602). Compliance with those laws is necessary because both agricultural water diversions and recovery efforts could result in temporary or long-term adverse effects on coho salmon and other stream resources. Currently, agricultural operators in the Scott River watershed (Program Area) can comply with CESA by applying to CDFG for an individual ITP, and with section 1602 by submitting a notification and obtaining a streambed alteration agreement (SAA). To facilitate such compliance, CDFG and the Siskiyou Resource Conservation District (SQRCD) developed the Program as an alternative to the standard process an agricultural operator would need to follow to obtain an ITP and SAA.

On March 29, 2005, SQRCD submitted an application to CDFG for a watershed-wide ITP pursuant to Fish and Game Code section 2081(b) and (c). On April 22, 2005, SQRCD submitted a notification to CDFG for a MSAA. Thereafter, CDFG has worked to prepare a draft watershed-wide ITP and MSAA in cooperation with SQRCD and agricultural operators. The Program will enable agricultural operators and those implementing coho salmon restoration activities, including SQRCD, to obtain coverage for their activities through the issuance of the ITP and sub-permits (for CESA) and individual SAAs (for section 1602). The sub-permits and SAAs will include those conditions in the ITP and MSAA that apply to the activities the ITP and MSAA authorized, referred to as “Covered Activities.”

The ITP, MSAA, and individual sub-permits and SAAs comprise the Program. The Program will authorize SQRCD and participating agricultural operators to conduct a range of Covered Activities specified in the ITP and MSAA within and adjacent to the Scott River and its tributaries, provided they conduct the activities in accordance with the avoidance, minimization, and mitigation measures specified in the ITP (for SQRCD only), and the avoidance and minimization measures specified in the sub-permits (for the agricultural operators only), and SAAs (for SQRCD and the agricultural operators) to protect fish and wildlife resources, including coho salmon. The term of the ITP will be 10 years. The term of the MSAA will be 5 years, which CDFG may extend for a second 5 year period.

CDFG and the Shasta Valley Resource Conservation District are developing a similar watershed-wide permitting program for the Shasta River watershed, also in Siskiyou County. That program is the subject of a separate environmental review process under CEQA.

## Master Streambed Alteration Agreement

CDFG and SQRCD have developed a Memorandum of Understanding which identifies their roles and responsibilities in administering and implementing the MSAA. The MSAA, which is currently in draft form, will identify specific Covered Activities. The MSAA also will include measures necessary to protect fish and wildlife resources that any of the Covered Activities may substantially adversely affect. Each participating agricultural operator who intends to conduct a Covered Activity will be required to complete an application, referred to as a “notification” with SQRCD’s assistance. SQRCD will also be required to notify CDFG to conduct a Covered Activity. After CDFG receives the notification, it will confirm the proposed activity is covered by the MSAA, and thereafter prepare a SAA for the participating agricultural operator or SQRCD which includes the particular set of protective measures in the MSAA that are assigned to that activity. The EIR will analyze the potential environmental effects of the Covered Activities in the MSAA. Requests for SAAs which include activities not identified within the MSAA may require additional environmental review.

## Incidental Take Permit

Under CESA, a person may not “take”<sup>1</sup> a species listed as threatened or endangered unless the take is incidental to an otherwise lawful activity and the person obtains take authorization from CDFG in the form of an incidental take permit. CDFG and SQRCD have worked together to develop a watershed-wide ITP as part of the Program, which is currently in draft form. The ITP will establish a program through which SQRCD and participating agricultural operators will be authorized to take coho salmon incidental to otherwise lawful Covered Activities. Specifically, CDFG would issue sub-permits to participating agricultural operators who intend to complete a Covered Activity, thereby making them sub-permittees. SQRCD will be covered by the ITP rather than by a separate sub-permit. As a condition of the ITP and each sub-permit, SQRCD and sub-permittees will be required to comply with specific avoidance and minimization measures identified in the watershed-wide ITP and sub-permit. In addition, SQRCD will be required to perform the mitigation measures identified in the watershed-wide ITP to fully mitigate take of coho salmon, and to monitor and report on the Covered Activities and avoidance, minimization, and mitigation measures.

## Program Advantages

Participation in the Program has many advantages, including the following:

- The Program represents a comprehensive, watershed-wide effort to implement key coho salmon recovery actions.
- The Program will bring existing agricultural water diverters into compliance with CESA and section 1602

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<sup>1</sup> Pursuant to Fish and Game Code section 86, “take” means hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.

- SQRCD will have one watershed-wide ITP for their many restoration projects, which will minimize the time and effort needed to obtain individual take authorization on a project-by-project basis. With the MSA and ITP, it will take much less time for CDFG to develop individual SAAs for each SQRCD project subject to section 1602 and sub-permits for participating agricultural operators. .
- SQRCD will assist participating agricultural operators to prepare their SAA notifications and those operators will not be required to pay a notification fee to CDFG.
- SQCD (through the ITP) and agricultural operators (through their sub-permits) will be authorized to take coho salmon incidental to the Covered Activities in the ITP.
- SQRCD and participating agricultural operators will not be responsible for CDFG's cost to prepare the EIR for the Program and, in most instances; CDFG will not need to prepare an additional environmental document under CEQA before issuing a sub-permit or SAA.
- CDFG will avoid the time needed to prepare multiple incidental take permits for multiple SQRCD activities.
- The Program provides a coordinated approach to implement restoration projects critical for recovering coho salmon.

### **Scoping and Public Information Meetings**

CDFG is seeking input on the scope and content of environmental information relevant to the Program and the Covered Activities authorized under it. To that end, CDFG will hold a public scoping meeting on **October 25, 2006**, from 6:30 to 8:30 p.m. The scoping meeting will provide the public an opportunity to comment on the scope of the environmental analysis in the EIR, and to raise issues, concerns, and ideas regarding potential impacts of the program and the projects authorized under it, feasible mitigation measures, and possible alternatives to the Program.

Prior to the public scoping meeting, CDFG will hold a workshop on techniques for effective participation in the CEQA environmental review process from 3:00 to 5:00 p.m. Workshop topics will include an overview of the environmental review process and information on the many ways the public can participate in the process. Workshop topics will include an overview of the review process under CEQA and information on how the public may participate in that process. It will not necessary to attend the CEQA workshop in order to participate in the public scoping meeting.

The scoping and public information meetings will be held at the Fort Jones Community Center located at 11960 East Street in Fort Jones.

### **Draft EIR Schedule**

The Draft EIR is scheduled for circulation in spring 2007.

### **Other CDFG Projects**

Other significant CDFG projects near the Program Area include the Shasta River watershed-wide permitting program and the petition in front of the Fish and Game Commission to remove the Siskiyou Mountains Salamander from the state list of threatened species under the California Endangered Species Act.

### **Additional Information**

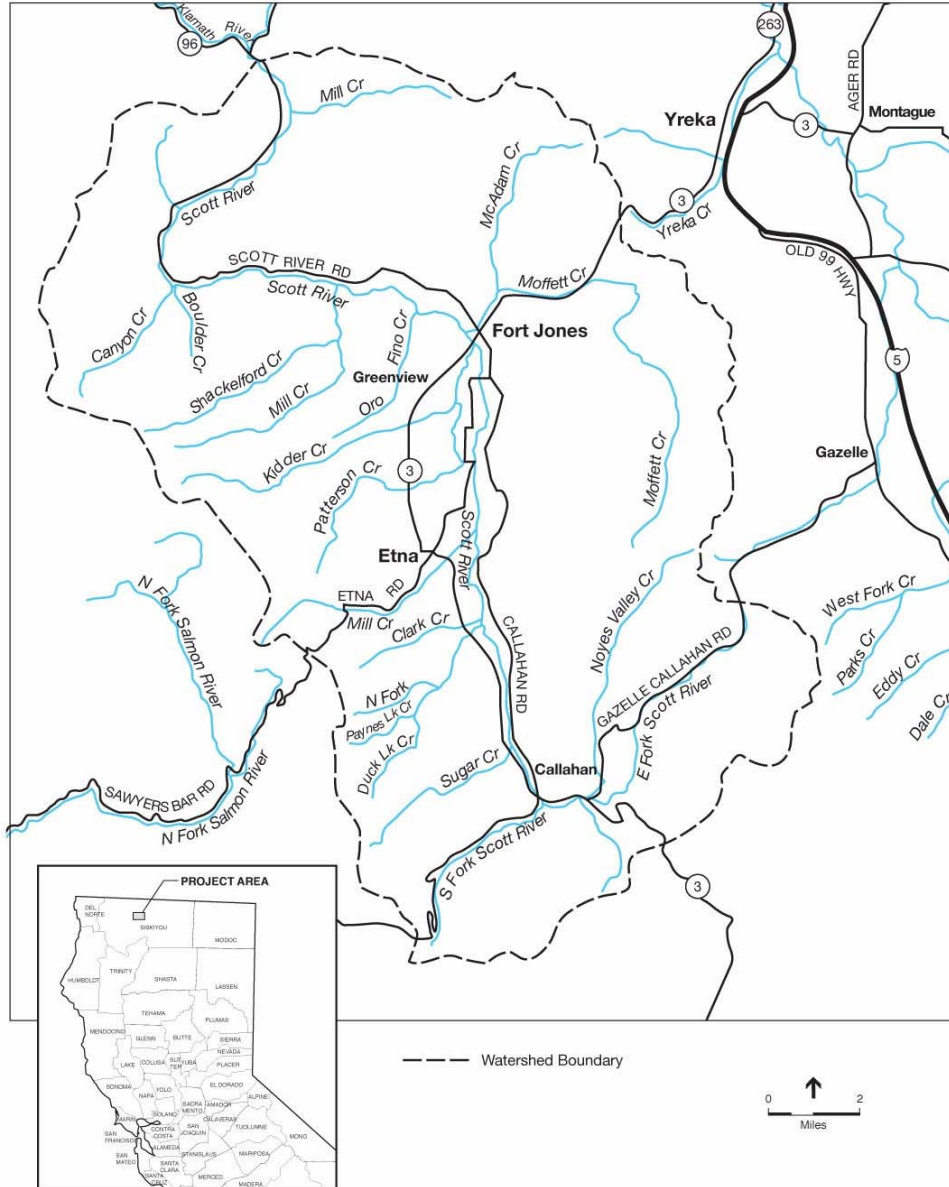
Additional information about the Scott River Watershed-wide Permitting Program may be obtained from CDFG's website at:

<http://www.dfg.ca.gov/hcpb/whatsnew/whatsnew.shtml>.

CDFG's contact person for any questions regarding the Program is:

Bob Williams, Staff Environmental Scientist  
Conservation Planning  
California Department of Fish and Game  
601 Locust Street  
Redding, CA 96001  
530-225-2365

# ATTACHMENT 2



SOURCE: ESA

Scott River Watershed-Wide Permitting Program . 206063

**Figure 1**  
Project Location

### ATTACHMENT 3

#### **Environmental Factors Potentially Affected**

The environmental factors checked below involve at least one “potentially significant impact” that could result from the Program and the Covered Activities authorized under it

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Aesthetics                                 | <input checked="" type="checkbox"/> Agriculture Resources              | <input type="checkbox"/> Air Quality                               |
| <input checked="" type="checkbox"/> Biological Resources            | <input checked="" type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology, Soils and Seismicity             |
| <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Hydrology and Water Quality        | <input checked="" type="checkbox"/> Land Use and Land Use Planning |
| <input type="checkbox"/> Mineral Resources                          | <input type="checkbox"/> Noise   | <input type="checkbox"/> Population and Housing                    |
| <input checked="" type="checkbox"/> Public Services                 | <input type="checkbox"/> Recreation                                    | <input type="checkbox"/> Transportation and Traffic                |
| <input type="checkbox"/> Utilities and Service Systems              | <input checked="" type="checkbox"/> Mandatory Findings of Significance |  |



See <i>NOTE</i> BELOW
SCH# _____

**ENVIRONMENTAL DOCUMENT TRANSMITTAL FORM**

1. Project Title	Scott River Watershed-wide Permitting Program	3. Contact Person	Bob Williams
2. Lead Agency	California Department of Fish and Game	3. Contact Person	_____
3a. Street Address	601 Locust Street	3b. City	Redding
3c. County	Shasta	3d. Zip	96001
		3e. Phone	530-225-2365

**PROJECT LOCATION**

4. County	Siskiyou	4a. City/Community	NA
4b. Assessor's Parcel No.	NA	4c. Section	NA
5a. Cross Streets	NA	Twp.	NA
6. With 2 miles:		Rang	NA
a. State Hwy#	NA	5b. For Rural, Nearest Community	_____
c. Railways	NA	b. Airports	NA
		d. Waterways	Scott River and its tributaries

**7. Document Type**

<b>CEQA</b>	01. <input checked="" type="checkbox"/> NOP	05. <input type="checkbox"/> Supplement/Subsequent EIR (Prior SCH No.: _____)	<b>NEPA</b>	09. <input type="checkbox"/> NOI	<b>OTHER</b>	13. <input type="checkbox"/> Joint Document
	02. <input type="checkbox"/> Early Cons			10. <input type="checkbox"/> FONSI		14. <input type="checkbox"/> Final Document
	03. <input type="checkbox"/> Neg Dec	06. <input type="checkbox"/> NOE		11. <input type="checkbox"/> Draft EIS		15. <input type="checkbox"/> Other _____
	04. <input type="checkbox"/> Draft EIR	07. <input type="checkbox"/> NOC		12. <input type="checkbox"/> EA		
		08. <input type="checkbox"/> NOD				

**8. Local Action Type**

01. <input type="checkbox"/> General Plan Update	05. <input type="checkbox"/> Annexation	09. <input type="checkbox"/> Rezone	12. <input type="checkbox"/> Waste Mgmt Plan
02. <input type="checkbox"/> New Element	06. <input type="checkbox"/> Specific Plan	10. <input type="checkbox"/> Land Division (Subdivision, Parcel Map, Tract Map, etc.)	13. <input type="checkbox"/> Cancel Ag Preserve
03. <input type="checkbox"/> General Plan Amendment	07. <input type="checkbox"/> Community Plan	11. <input type="checkbox"/> Use Permit	14. <input checked="" type="checkbox"/> Other
04. <input type="checkbox"/> Master Plan	08. <input type="checkbox"/> Redevelopment		

**9. Development Type**

01. <input type="checkbox"/> Residential: Units _____ Acres _____	07. <input type="checkbox"/> Mining: Mineral _____
02. <input type="checkbox"/> Office: Sq.ft. _____ Acres _____ Employees _____	08. <input type="checkbox"/> Power: Type _____ Watts _____
03. <input type="checkbox"/> Shopping/Commercial: Sq.ft. _____ Acres _____ Employees _____	09. <input type="checkbox"/> Waste Treatment: Type _____
04. <input type="checkbox"/> Industrial: Sq.ft. _____ Acres _____ Employees _____	10. <input type="checkbox"/> OCS Related
05. <input type="checkbox"/> Water Facilities: MGD _____	11. <input checked="" type="checkbox"/> Other: _____
06. <input type="checkbox"/> Transportation: Type _____	Incidental Take Permit
	Streambed Alteration Agreement

10. TOTAL ACRES	Approximately 1,176,160 acres	11. Total Jobs Created	NA
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**12. Project Issues Discussed in Document**

01. <input type="checkbox"/> Aesthetic/Visual	09. <input type="checkbox"/> Geologic/Seismic	17. <input type="checkbox"/> Social	25. <input checked="" type="checkbox"/> Wetland/Riparian
02. <input checked="" type="checkbox"/> Agricultural Land	10. <input type="checkbox"/> Jobs/Housing Balance	18. <input checked="" type="checkbox"/> Soil Erosion	26. <input checked="" type="checkbox"/> Wildlife
03. <input type="checkbox"/> Air Quality	11. <input type="checkbox"/> Minerals	19. <input type="checkbox"/> Solid Waste	27. <input type="checkbox"/> Growth Inducing
04. <input checked="" type="checkbox"/> Archaeological/Historical	12. <input type="checkbox"/> Noise	20. <input checked="" type="checkbox"/> Toxic/Hazardous	28. <input type="checkbox"/> Incompatible Land Use
05. <input type="checkbox"/> Coastal Zone	13. <input checked="" type="checkbox"/> Public Services	21. <input type="checkbox"/> Traffic/Circulation	29. <input checked="" type="checkbox"/> Cumulative Effects
06. <input type="checkbox"/> Economic	14. <input type="checkbox"/> Schools	22. <input checked="" type="checkbox"/> Vegetation	30. <input type="checkbox"/> Other _____
07. <input type="checkbox"/> Fire Hazard	15. <input type="checkbox"/> Septic Systems	23. <input checked="" type="checkbox"/> Water Quality	
08. <input type="checkbox"/> Flooding/Drainage	16. <input type="checkbox"/> Sewer Capacity	24. <input checked="" type="checkbox"/> Water Supply	

13. FUNDING (APPROX.)	<b>Federal \$</b>	<b>0</b>	<b>State \$</b>	<b>0</b>	<b>Total \$</b>
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**14. Present Land Use and Zoning**

Varies. Most of the Program Area is mapped as Prime Agricultural Soils in the Siskiyou County General Plan (1980).

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**15. Project Description**

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The name of the project is the Scott River Watershed-Wide Permitting Program (Program). The Program is designed to implement key coho salmon (*Oncorhynchus kisutch*) recovery tasks while facilitating compliance by agricultural operators and those implementing coho salmon restoration projects with the California Endangered Species Act (CESA) (Fish and G. Code, § 2050 *et seq.*) and Fish and Game Code section 1602 (section 1602). Compliance with those laws is necessary because both agricultural water diversions and recovery efforts could result in temporary or long-term adverse effects on coho salmon and other stream resources. Currently, agricultural operators in the Scott River watershed (Program Area) can comply with CESA by applying to CDFG for an individual incidental take permit, and with section 1602 by submitting a notification and obtaining a streambed alteration agreement (SAA). To facilitate such compliance, CDFG and the Siskiyou Resource Conservation District (SQRCD) developed the Program as an alternative to the standard process an agricultural operator would need to follow to obtain an incidental take permit and SAA.

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16. SIGNATURE OF LEAD AGENCY REPRESENTATIVE

Date October 19, 2006



for **DONALD B. KOCH**, Regional Manager

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NOTE: Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g., from a Notice of Preparation or previous draft document) please fill it in.

**REVIEWING AGENCIES**

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- |   |  |
|---|--|
| <input checked="" type="checkbox"/> Resources                             | <input type="checkbox"/> Caltrans District #4              |
| <input type="checkbox"/> Boating / Waterways                              | <input type="checkbox"/> Dept. of Transportation Planning  |
| <input checked="" type="checkbox"/> Conservation                          | <input type="checkbox"/> Aeronautics                       |
| <input checked="" type="checkbox"/> Fish and Game                         | <input type="checkbox"/> California Highway Patrol         |
| <input checked="" type="checkbox"/> Forestry                              | <input type="checkbox"/> Housing and Community Development |
| <input type="checkbox"/> Colorado River Board                             | <input type="checkbox"/> Statewide Health Planning         |
| <input checked="" type="checkbox"/> Dept. Water Resources                 | <input type="checkbox"/> Health                            |
| <input type="checkbox"/> Reclamation                                      | <input type="checkbox"/> Food and Agriculture              |
| <input type="checkbox"/> Parks and Recreation                             | <input type="checkbox"/> Public Utilities Commission       |
| <input checked="" type="checkbox"/> Office of Historic Preservation       | <input type="checkbox"/> Public Works                      |
| <input checked="" type="checkbox"/> Native American Heritage Commission   | <input type="checkbox"/> Corrections                       |
| <input type="checkbox"/> S.F. Bay Conservation and Development Commission | <input type="checkbox"/> General Services                  |
| <input type="checkbox"/> Coastal Commission                               | <input type="checkbox"/> OLA                               |
| <input type="checkbox"/> Energy Commission                                | <input type="checkbox"/> Santa Monica Mountains            |
| <input checked="" type="checkbox"/> State Lands Commission                | <input type="checkbox"/> TRPA                              |
| <input type="checkbox"/> Air Resources Board                              | <input type="checkbox"/> OPR – OLGA                        |
| <input type="checkbox"/> Solid Waste Management Board                     | <input type="checkbox"/> OPR – Coastal                     |
| <input checked="" type="checkbox"/> SWRCB: Sacramento                     | <input type="checkbox"/> Bureau of Land Management         |
| <input checked="" type="checkbox"/> RWQCB: Region #1 North Coast          | <input type="checkbox"/> Forest Service                    |
| <input checked="" type="checkbox"/> Water Rights                          | <input type="checkbox"/> Other                             |
| <input checked="" type="checkbox"/> Water Quality                         | <input type="checkbox"/> Other                             |

**For SCH Use Only:**

Date Received at SCH \_\_\_\_\_ Catalog Number \_\_\_\_\_

Date Review Starts \_\_\_\_\_ Applicant \_\_\_\_\_

Date to Agencies \_\_\_\_\_ Consultant \_\_\_\_\_

Date to SCH \_\_\_\_\_ Contact \_\_\_\_\_ Phone \_\_\_\_\_

Clearance Date \_\_\_\_\_ Address \_\_\_\_\_

Notes: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_