CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
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CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2026-102-R1

Project:	Scott River Watershed Restoration Program
Location:	Siskiyou County
Lead Agency:	North Coast Regional Water Quality Control Board
Lead Agency Contact:	Jacob Shannon; jacob.shannon@waterboards.ca.gov

Background

Project Location: The Scott River Watershed Restoration Program (Program) covers restoration activities throughout the Scott River Watershed, in Siskiyou County. The approximate acreage of the Scott River Watershed is 812 square miles, which is centered at 41.463937, -122.896424.

Program Description: Through implementation of the Program, the Scott River Watershed Council (SRWC), in coordination with the North Coast Regional Water Quality Control Board (Lead Agency) and the California Department of Fish and Wildlife (CDFW), proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend and restore or provide habitat for California native fish and wildlife. The Program is designed to benefit Southern Oregon/Northern California Coast coho salmon (*Oncorhynchus kisutch*), Chinook salmon (*Oncorhynchus tshawytscha*), steelhead (*Oncorhynchus mykiss*), Klamath River lamprey (*Entosphenus similis*), and Pacific lamprey (*Entosphenus tridentatus*). Many other terrestrial and aquatic species will also benefit from the Program. The Program includes phased restoration of aquatic and upland habitats within the Scott River Watershed.

The Program would be implemented over a period of approximately 30 years and benefit up to 21,900 acres of habitat. On an annual basis, the Program is expected to include 27 sub-projects.

The Lead Agency will review and approve all future sub-projects proposed under the Program. SRWC will be responsible for development and enrollment of eligible sub-projects into the Program. Sub-project eligibility will be determined through an enrollment process, which will include completion of a detailed enrollment form. SRWC will coordinate with and report to the Lead Agency for sub-project approval. The Lead Agency may approve qualifying sub-projects through written authorization and shall ensure and verify sub-project compliance with Program eligibility criteria and the Lead Agency's permitting requirements.

Eligible Program activities may include:

- **Improvements to stream crossings and fish passage**, including removing, replacing, modifying, installing, and/or resetting culverts and other stream crossings; installing and maintaining fish screens on existing water intakes; and removing, relocating, constructing, repairing, and maintaining fishways.
- **Removal of small dams and legacy structures**, to restore fisheries access to historic habitat for spawning and rearing and improve the long-term quality of aquatic habitat and stream geomorphology. All removal of small dam and legacy structure sub-projects are designed to reconnect streams and floodplains, establish wetlands, improve aquatic organism passage and spawning/rearing habitat, restore natural channel/flows, or improve the quality of aquatic habitat. Small structures to be removed include permanent, flashboard, debris basin, earthen, and seasonal dams.
- **Bioengineered bank stabilization,** which may include revetment consisting of trees, native plant materials, willow walls and willow siltation baffles, brush mattresses, brush check dams, and brush bundles, along with placement of buried riprap with soil and vegetation on top.
- **Floodplain restoration and enhancement of off-channel and side-channel habitat**, would include floodplain recontouring and floodplain reconfiguration. Meadow and floodplain restoration may involve reconnecting down-cut channels to their floodplains to restore hydrologic processes and meadow health; filling incised, entrenched channels; creating new stream channels; regrading floodplains; or realigning channels or installing stabilization structures.
- **Water conservation sub-projects**, these sub-projects would be designed to improve instream flow conditions for fish and other aquatic organisms by creating, operating, and maintaining ponds and off-channel infrastructure, connecting the infrastructure to streams via water control structures; and assisting with instream water rights dedications.
- **Removal of non-native invasive species and revegetation with native plants**, including invasive weeds and meadow-encroaching conifers. Manual and/or chemical methods will be used for vegetation removal. If used, chemical methods will be conducted in accordance with all applicable regulations. Revegetation activities include planting or placing vegetation, gathering and installing willow structures, temporary irrigation, and riparian prescribed fire.
- **Establishment, restoration, and enhancement of stream and riparian habitat and upslope watershed sites,** which may include placement of woody material or boulders, small wood structures or beaver dam analogues (BDAs), bank stabilization, confluence delta reprofiling, augmenting and placing gravel, replacing concrete-lined channels with natural materials, gully stuffing, cattle exclusion, and harvesting upslope plants for use in riparian restoration. In upslope areas, roads and trails that contribute sediment to streams or disrupt floodplain and riparian functions may also be decommissioned and restored or improved.
- **Forest health treatments**. In riparian areas, these activities may include thinning and invasive species management to reduce ladder fuels, followed by controlled burning of thinned material or reuse of the thinned material in other restoration actions (such as

gully stuffing or BDAs). In other forested areas, treatments may include targeted removal and burning or chipping of risk-posing trees or woody debris to reduce fuel load along roadways or in overly dense forest stands. Prescribed burning may also be used.

The Program will also include an adaptive management approach. As part of this approach, post-restoration monitoring of existing and completed restoration sub-projects will be done to evaluate the success and to inform future management and further work.

Tribal Engagement: In December 2025, SRWC sent initial outreach letters to the Yurok Tribe, Karuk Tribe, Quartz Valley Indian Reservation (QVIR), and the Scott Valley Indian Community (SVIC) describing the Program. In December 2025, SRWC also had a virtual meeting with representatives from the SVIC to further discuss the Program. A follow up correspondence occurred with a Yurok Tribe representative via phone and email. SRWC has also had follow-up discussion with a QVIR representative. SRWC plans ongoing engagement with tribes during sub-project development throughout Program implementation.

Interested Party Coordination: The Program was introduced by an article in the 2025 Year in Review newsletter that was emailed to the distribution list and was also posted on the SRWC's website. Interested parties include the U.S. Forest Service (USFS) Pacific Southwest Research Station, USFS Region 5, Ecology Program, the Watershed Science and Training Center, Stillwater Sciences, BBW & Associates, Upstream Ecology, Klamath Meadow Partnership, and the Northern California Resource Center, among others. The Program was also presented at the 2026 Annual Scott Watershed Informational Forum in March 2026. Interested parties were given the opportunity to ask questions about the Program at this event.

Early coordination also occurred with the U.S. Fish and Wildlife (USFWS) and National Marine Fisheries Service (NMFS), and all avoidance and minimizations were modeled after measures in the USFWS Programmatic Approach to ESA Consultation Streamlining for Aquatic, Riparian, Floodplain and Wetland Restoration Project (2022-0005149-S7) and NMFS Programmatic Biological Opinion for Restoration Projects within the NOAA Restoration Center's North Coast California Office Jurisdiction (NMFS No. WCR-2015-3755).

Anticipated Project Implementation Timeframes: Start date: May 2026
Completion date: December 2056

Lead Agency Request for CDFW Concurrence: On March 25, 2026, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Lead Agency pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on March 23, 2026 that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to

approve the Project relying on this section of the California Environmental Quality Act (CEQA). (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (A) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (B) the Project may have public benefits incidental to the Project's fundamental purpose; (C) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (D) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: https://wildlife.ca.gov/Notices/CEQA.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

   The Program includes phased restoration of aquatic and upland habitats in the Scott River Watershed. Improvements to stream crossings will allow for safe fish passage for migratory and nonmigratory species and result in beneficial transport of sediment and debris. Removal of small dams and legacy structures will restore fisheries access to historic habitat for spawning and rearing and improve the long-term quality of aquatic habitat and stream geomorphology. Bioengineered bank stabilization is expected to improve aquatic and riparian habitats and reduce soil erosion and sedimentation of streams and wetlands by increasing stream shade, promoting recruitment of large woody material, and increasing bank stability. Floodplain restoration and enhancement of off-channel and side-channel habitat will improve the

diversity and complexity of aquatic, meadow, and riparian habitat, as well as ecosystem function by providing refuge for fish during high flows and thermal extremes and improving water quality. Water conservation measures are designed to improve instream flow conditions for fish and other aquatic organisms. Removal of non-native invasive species and revegetation with native plants will enhance bank stability, provide stream shading and understory plant diversity, supply large wood and other organic material to streams, and provide nesting and roosting habitat. Establishment, restoration and enhancement of stream and riparian habitat and upslope watershed sites will enhance stream, riparian, and upslope habitat for birds, amphibians, fish, and other species. Forest health treatments are expected to protect forests and riparian habitats from severe wildfire.

B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

   As part of the restoration of the Scott River Watershed, the Program includes forest health treatments that according to the Lead Agency may reduce ladder fuels. This may have the incidental public benefit of reducing wildfire risk to public infrastructure and residential property.

C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

   Long-term Net Benefits to Climate Resiliency: The Program will result in long-term net benefits to climate resilience by restoring waterways throughout the watershed in key locations that would help buffer the effects of drought on fish populations and other wildlife species, as well as assist in the prevention of catastrophic wildfires. The suite of planned restoration activities will also restore/enhance channel and flow conditions, improve fish access, reconnect stream corridors and floodplains, create wetlands, increase stream shade, increase habitat diversity and complexity, and minimize large-scale fire events through reduction of fuel loads. This will provide refuge for aquatic species (including coho salmon, northwestern pond turtle, and other aquatic species) during longer and hotter dry seasons. Furthermore, the implementation of forest health treatments may support higher moisture availability that would create a natural fuel break and may provide refuge for wildlife during fires.

   The Program also includes sub-projects that create BDAs. BDAs are designed to contribute to moderating peak flows and promote groundwater percolation.

   The Program's wood loading and process-based restoration techniques will increase stream habitat diversity and mimic a healthy stream corridor's natural processes and functions, both of which will increase habitat and species resiliency in the context of greater extremes expected with climate change.

Forest health treatments are expected to reduce the risk and severity of catastrophic wildfire. Reducing ladder fuels, followed by controlled burning of thinned material or reuse of the thinned material reduces the risk of more frequent, high-intensity and large-scale fire events. Prescribed fire and/or forest thinning may also enhance the health of upland habitat and is expected to retain the healthiest/hardiest trees that are more likely to survive unexpected large-scale fire events. This is expected to lead to diverse ages, sizes, and spacing, leading to larger, healthier trees that sequester more carbon and provide habitat for multiple species.

Long-term Net Benefits to Biodiversity: The Program includes activities to restore several habitat types, including streams, seasonal wetlands, and riparian woodland and scrubland throughout the watershed. These habitat types support a variety of species including native fish, reptiles, amphibians, birds, bats and other mammals, and dozens of native plants.

Increasing shallow surface and groundwater in the restored areas would support increased development of riparian woodland and scrubland, and seasonal wetland plant communities. Riparian woodland and scrubland plant communities expected to benefit from the Program include black cottonwood *(Populus balsamifera, ssp. trichocarpa)*, ponderosa pine (*Pinus ponderosa*), white alder (*Alnus rhombifolia*), and willows (*Salix spp.*). Seasonal wetland plant communities include small fruited bulrush (*Scirpus microcarpus*), common spikerush (*Eleocharis macrostachya*), other rush species (*Juncus balticus, J. effusus, J. patens*), sedges (*Carex barbarae, C. praegracilis*), and grasses (*Danthonia californica*), among other species.

The Program would also enhance riverine conditions, create freshwater wetlands, elevate groundwater levels, and restore/enhance aquatic habitat in the watershed. These restoration activities are expected to reduce erosion, lower turbidity, increase groundwater recharge, and increase base flows. The expanded wetlands and aquatic habitat improvements are designed to improve the resilience of the ecosystem and its ability to support an increased diversity of plants, aquatic invertebrates, and insects, which in turn would support healthy populations of fish, amphibians, reptiles, birds, and small mammals, and will enhance overall biodiversity within the watershed.

Forest density reduction and invasive species control will include measures to preserve existing native species composition and promote the resiliency, health, and vigor of upland residual forest stands. Forest density reductions are also expected to increase average canopy gaps and increase sunlight to the forest floor to support a diverse understory of native plant species.

Long-term Net Benefits to Sensitive Species Recovery: The Program is expected to result in long-term net benefits to numerous sensitive species native to the Scott River Watershed. Notably, the watershed has been identified as critical to the recovery of coho salmon, a species listed as threatened under the California Endangered Species Act (CESA) and listed as threatened under the federal Endangered Species Act (ESA). The 2014 NMFS Southern Oregon/Northern California Coast Recovery Plan prioritizes the Scott River and identifies altered hydrologic function and degraded

riparian forest conditions as a limiting factor for coho salmon eggs, fry, juveniles, and smolts. The Program is expected to address these limiting factors by restoring streamflow and wetlands, improving fish passage, elevating groundwater levels, reducing erosion, and improving spawning and juvenile rearing habitat. Other sensitive aquatic species expected to benefit include Chinook salmon, listed as threatened under CESA, steelhead, a CDFW Species of Special Concern (SCC), Klamath River lamprey, a CDFW SSC, Pacific lamprey, a CDFW SCC, northwestern pond turtle *(Actinemys marmorata)*, a CDFW SSC and a proposed threatened under ESA, Cascades frog (*Rana cascadae*),a candidate listing as endangered under CESA, southern long-toed salamander (*Ambystoma macrodactylum sigillatum*), a CDFW SSC, Pacific tailed frog (*Ascaphus truei*), a CDFW SSC, and foothill yellow-legged frog - north coast DPS (*Rana boylii*), a CDFW SSC.

Forest health treatments are expected to benefit sensitive wildlife species such as Scott Bar salamander (*Plethodon asupak*), listed as threatened under CESA, American goshawk (*Accipiter atricapillus*), a CDFW SSC, and Townsend's big-eared bat (*Corynorhinus townsendii*), a CDFW SSC. Many of these species will benefit from a more open canopy for foraging and will benefit from reduced wildfire frequency and severity.

Sensitive plant species expected to benefit from forest health treatments include whitebark pine (*Pinus albicaulis*), listed as threatened under ESA, Yreka phlox (*Phlox hirsute*), a species listed as endangered under CESA and listed as endangered under ESA, and Trinity buckwheat (*Erigonum alpinum*), a species listed as endangered under CESA. A more open canopy will allow for more sun and open areas. The removal of invasive plant species will also reduce competition, promoting recovery of sensitive plant species.

Procedures for the Protection of the Environment: The Program includes procedures for the protection of the environment via both existing and future regulatory permits. These permits include: The Lead Agency's Section 401 Water Quality Certification and Waste Discharge Requirements for Restoration Projects Statewide, National Oceanic and Atmospheric Administrations' Programmatic Biological Opinion for Restoration Projects within the NOAA Restoration Center's Northern California Office Jurisdiction (NMFS No. WCRO-2021-02830, NMFS North Coast PBO), U.S. Fish and Wildlife Service's Programmatic Biological and Conference Opinion California Statewide Programmatic Restoration Effort (FWS Reference 2022-0005149-S7, USFWS Restoration PBO), and CDFW's anticipated Restoration Management Permit.

Protection measures include, but are not limited to:

- Environmental awareness training, environmental sensitive areas delineation, invasive species and pathogen prevention actions, fugitive dust reduction, speed limits, etc.
- Preconstruction surveys, and seasonal work windows to avoid adverse effects on protected species, including salmonids and the northwestern pond turtle

- Appropriate in-water avoidance measures, such as isolating construction from water flows; blocking nets or screens used to exclude aquatic species from areas to be dewatered
- Avoidance and minimization of disturbance to sensitive habitats, and revegetation
- If applicable, a sub-project proponent or SRWC shall implement BMPs identified in the Stormwater Pollution Prevention Plan (SWPPP), consistent with the National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities.

Ongoing Management for the Protection of the Environment: Post-restoration monitoring of existing and completed sub-projects is included as part of the Program and will evaluate the success to inform future management. Post-project monitoring needs will be determined on a project-by-project basis. Typically, pre-project conditions and as-built conditions will be taken into consideration when preparing monitoring plans and include pre- and post-restoration photo monitoring. As funding is available, sites where prescribed burning is used would be monitored for regrowth and follow-up treatments (such as spot removal of re-emerging invasive species) would be conducted to meet the desired ecological outcomes.

D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

The Program includes only activities related to habitat restoration. These include installing fish screens; removing legacy in-stream structures and installing bioengineered bank stabilization via heavy equipment; removing or breaching levees, berms, and dikes; placing infrastructure (e.g., pumps, piping, screens, and headgates); excavating channels; creating wooden or rock tailwater control structures; and building large wood or boulder habitat features, such as engineered log jams or beaver dam analogues. Road and trail work or decommissioning would focus on activities that reduce sediment loading or enhance floodplain and riparian functions. Forest health treatments and livestock exclusion fencing would be completed using hand tools or heavy equipment.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public

agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

In its request for a concurrence, the Lead Agency set forth potential bases for a determination that the Project will result in incidental public benefits and long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery. Although the CDFW Director agrees with the Lead Agency that the Project will provide such long-term net benefits, this Concurrence is not intended to be and should not be construed as an endorsement of every argument set forth in the Lead Agency's concurrence request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

By: Signed by: 19042A1B72454D8... Date: 5/8/2026

Meghan Hertel, Director
California Department of Fish and Wildlife