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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

August 20, 2025

Laura Foglia
Larry Walker Associates
1480 Drew Ave #100
Davis, CA 95618
Laura@lwa.com

SUBJECT: Review of the Scott Valley Groundwater Recharge Project, Siskiyou County, State Clearing House Number 2025070908

Dear Laura Foglia:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND), dated July 2025, for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines[1].

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its Trustee Agency capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. Likewise, to the extent implementation of the Project as proposed may

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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result in "take" as defined by state law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or state listed rare plants pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code § 1900 et seq.), authorization as provided by the applicable Fish and Game Code may be required.

Project Description:

The Scott Valley Irrigation District (SVID)(Lead Agency) is applying for a five (5) year temporary permit for groundwater recharge from the State Water Quality Control Board (SWQCB) to conduct a Flood Managed Aquifer Recharge (Flood-MAR) project on the Scott River. The Project proposes to divert available surface water from the Scott River during high flow events for groundwater recharge. The Project could divert up to 5,400 acre-feet per year, at a maximum diversion rate of 30 cubic feet per second during the non-irrigation season (December 15 through March 31). Temporary diversions would occur at SVID's existing point of diversion (POD) located at Young's Dam into the SVID ditch and be applied to existing irrigated fields for groundwater recharge. The proposed project would not require construction of new infrastructure, utilizing the existing system of fish screens, ditches, and conveyance infrastructure throughout the SVID service area for groundwater recharge when water is available.

Comments and Recommendations

In June 2025, CDFW responded to an early consultation request from Larry Walker Associates (LWA). Throughout a series of email communications and meetings with LWA staff, CDFW conveyed comments on the draft IS/MND. CDFW's early consultation comments appear to have been incorporated into the final Project proposal. CDFW, LWA, and the Lead Agency worked in cooperation to incorporate additional protective measures into the proposed Project to help ensure the protection of aquatic organisms within the Scott River, notably the California Endangered Species Act and federal Endangered Species Act listed Coho Salmon (*Oncorhynchus kisutch*) (dually listed as threatened). These measures should be mentioned within the analysis performed for the IS/MND.

CDFW Recommendation #1. Throughout the IS/MND the potential diversion start date is shown as December 1st of each diversion year for the five (5) year permit. CDFW, LWA and the Lead Agency have agreed upon December 15th

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as the earliest possible date for the beginning of diversion from the Scott River to help ensure there are no impacts to spawning salmonids. The date range for potential diversion shown within the IS/MND should be changed to reflect this agreement between parties.

CDFW Recommendation #2. For diversion to begin on December 15th, CDFW, LWA and the Lead Agency agreed upon the following conditions:

Diversion shall not occur from December 15-31st unless there has been greater than 1-inch of precipitation within a 24-hour period, as measured at the CIMIS station (station #225), the NOAA Fort Jones Ranger station[2], or station of comparable quality. Further, the westside tributaries downstream of Young's Dam (Kidder Creek, Patterson Creek, Crystal Creek, Johnson Creek, Etna Creek and Clark Creek), and the eastside tributary of Moffett Creek, shall be visually verified (including photo documentation) to be flowing and connected to Scott River.

These conditions help to ensure adequate flows within the system prior to the diversion of water for groundwater recharge. It also helps to ensure that spawning conditions within the vicinity of the POD are adequate for salmonids to reach tributaries.

Aside from the above comments, CDFW's early consultation comments appear to have been considered when designing the Project, and the measures throughout the IS-MND appear adequate in avoiding and minimizing potentially significant impacts to biological resources. Therefore, CDFW has no further comments pertaining to the Project as it is described in the IS-MND.

Conclusion

CDFW appreciates the opportunity to comment on the IS/MND and to assist LWA and the Lead Agency in identifying, avoiding, minimizing, and mitigating potentially significant Project impacts to biological resources. If you have any questions, please contact Philip Cramer, Northern Region Inland Water Rights Coordinator, by email at R1HabconRedding@wildlife.ca.gov.

[2] https://www.ncdc.noaa.gov/cdo-web/datasets/GHCND/stations/GHCND:USC00043182/detail

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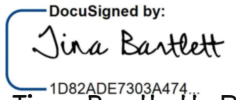
Sincerely,



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