

ATTACHMENT E

List of Revisions to the Draft IS/MND for the Upper Scott River Mainstem Habitat Enhancement Project Phase II

The table below describes revisions to the Draft IS/MND and the locations for the revisions as contained in the Final IS/MND for the Upper Scott River Mainstem Habitat Enhancement Project Phase II. This table also lists revisions to the MMRP. Revisions are indicated in red font, with underlined text (e.g., text) indicating additions and strike outs (e.g., ~~text~~) indicating deletions.

Location in the Final IS/MND	Description of Change
Section 1.2 CEQA Process, page X, paragraph X	<p><i>Language was added to provide additional information and clarification on the CEQA process:</i></p> <p>The Siskiyou Resource Conservation District (SRCD) is both the project proponent and the lead agency under CEQA for the proposed project. The SRCD intends to adopt a mitigated negative declaration for this project. As lead agency, the SRCD is required to circulate an IS/MND for public and agency review before adopting it. <u>On 5 November 2025, SRCD filed a notice of intent (NOI) to adopt an IS/MND with the Governor’s Office of Land Use and Planning (State Clearinghouse) and the Siskiyou County Clerk’s Office. This A draft IS/MND was thenis-being</u> circulated for a 30-day review period <u>beginning 5 November 2025 and ending 4 December 2025. The draft IS/MND was circulated to various agencies, including the North Coast Regional Water Quality Control Board (NCRWQCB), California Department of Conservation (DOC), and California Department of Fish and Wildlife (CDFW). The draft IS/MND was also posted to SRCD’s website.</u></p> <p>Before adoption <u>of an IS/MND</u>, SRCD must consider the IS/MND along with any comments received during the public and agency review process. <u>This Final IS/MND incorporates comments received during the public review period and contains responses to those comments by SRCD, the CEQA lead agency (Attachment D). This Final IS/MND also includes a description of revisions to the IS/MND (Attachment E). SVRCD has determined that these revisions do not require recirculation of the IS/MND. Under CEQA Guidelines section 15073.5(c)(1), recirculation of an IS/MND is not required if mitigation measures are replaced with equal or more effective measures. Also, under CEQA Guidelines section 15073.5(c)(1), recirculation is not</u></p>

	<p><u>required if project revisions are made in response to written or verbal comments on the project’s effects identified in the draft IS/MND and do not constitute any new avoidable significant effects.</u></p> <p>If SRCD finds, on the basis of the <u>Final IS/MND including</u>and any comments received, that the IS/MND adequately addresses the environmental issues associated with the project and that no substantial evidence indicates that the project would have a significant effect on the environment, then the SRCD may adopt the IS/MND. Adoption of the <u>Final IS/MND</u>mitigated negative declaration would not require implementation of the project. Future implementation of the project would be dependent on landowner interest and funding considerations.</p>
<p>Section 5.4(a) Biological Resources, Northwestern Pond Turtle, page X, paragraph X.</p>	<p><i>The following underlined text was added to this paragraph in response to the letter from the California Department of Fish and Wildlife (CDFW):</i></p> <p><u>However, pond turtle exhibits high site fidelity. If found, and relocated, the likelihood of pond turtles returning to the construction zone is high. Therefore, a qualified biological monitor, experienced with the pond turtle, will be present in the construction areas where there is a high probability that pond turtle could be present.</u></p>
<p>Section 5.4 Biological Resources, Standard Project Requirements SPR-BIO-1: Compliance with Biological Regulations. This SPR was added to the IS/MND text and to the MMRP.</p>	<p><i>In response to the letter from CDFW, and to clarify and emphasize that the project will comply with biological resource regulations, the following standard project requirement was added. Other project SPRs for biological resources were renumbered accordingly.</i></p> <p><u>SPR-BIO-1: Compliance with Biological Resource Regulations. The project will comply with the applicable federal and state requirements for biological resources. The project proponent must notify the US Fish and Wildlife Service, National Marine Fisheries Service, and California Department of Fish and Wildlife, and apply for biological resource permits as needed (e.g., ESA, CESA, LSAA). The project will adhere to all permit requirements. This SPR applies to all project activities, including project maintenance activities.</u></p>

<p>Section 5.4(a) Biological Resources, Bank Swallow, page X, paragraph X.</p>	<p><i>In response to the letter from the CDFW, the text was revised as follows:</i></p> <p>Bank Swallow Bank swallow nests in colonies, the size of which are dependent on the amount of suitable nesting habitat. It is primarily a riparian species and nests are built in vertical banks with friable, fine-textured or sandy soils along streams and rivers, although it will sometimes nest along lakes and ocean coasts. The height of the vertical banks at nesting colonies is typically at least 1.0 m tall, with most burrows excavated in the top third of the bank (Garrison 1998, CDFW 1999). Bank swallow nesting habitat along streams and rivers is maintained through natural erosion and fluvial processes that create and maintain steep banks along river channels. <u>The decline of suitable habitat is the primary cause of bank swallow population declines.</u> Bank swallow populations in California and elsewhere have been adversely impacted by bank stabilization projects (CDFG 1992). Bank swallow <i>Riparia riparia</i> is known to occur within the project area and suitable breeding and foraging habitat exist within and adjacent to the project area. Single bank swallows were observed foraging in the project area during the biological reconnaissance survey in May 2025, although no nests were observed; however, visibility of banks from the land-based pedestrian survey was poor due to dense riparian vegetation (See Attachment A – Biological Survey Report). In mid-August 2025, a wading survey of the Scott River identified evidence of recently occupied nests within the project area (C. Jankowski and N. Howington, SRCD, personal communication, 21 August 2025). The project has the potential to adversely impact bank swallows by directly impacting nesting habitat and by causing disturbance to nesting swallows. The project will recontour banks and will install ELJs which will require excavation of streambanks, which will directly impact steep, near vertical banks that may provide nesting habitat for bank swallows. Project goals of bank stabilization conflict with erosion processes that create and maintain steep riverbanks that bank swallows use for nesting. Not all eroding banks will be tall enough or have the appropriate soils or configuration to provide suitable nesting habitat for bank swallows, but focused surveys will be needed prior to project implementation to identify areas that may be suitable bank swallow nesting habitat. Construction activities may also impact nesting bank swallows by creating disturbance and by creating noise above ambient levels. The project has the potential to cause indirect as well as direct impacts to bank swallow nesting habitat. It is anticipated that ELJs will reduce lateral scour and will capture and store sediment, which over time will promote the establishment of riparian vegetation. This process, along with the proposed plantings along the toe of the banks, could have an indirect impact on suitable nesting habitat as riparian vegetation may prevent or reduce future erosion at these locations. However, uncertainties including the frequency and magnitude of high-water events, and how natural fluvial processes will affect the project reach over time, make quantifying these effects difficult. Impacts to bank swallows from the project will be avoided, minimized, and/or otherwise mitigated through implementation of mitigation measure <u>MM-BIO-4 for bird nest protection, and MM-BIO-5 for bank swallow protection.</u> <u>These measures will protect bank swallow nests and nesting habitat, including documented, as well as potentially suitable nesting habitat.</u> Avoidance and minimization will be the primary measures implemented; however, if these measures are infeasible or insufficient, and the project results in loss of bank swallow habitat, compensatory mitigation will be utilized which will be an effort to create habitat to compensate for any lost bank swallow habitat. Implementation of these measures will reduce impacts to less than significant levels. Less Than Significant With Mitigation Incorporated.</p>
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<p>Section 5.4(c) Biological Resources, page X, paragraph X.</p>	<p><i>The underlined text was added to this paragraph in response to the letter from CDFW:</i></p> <ul style="list-style-type: none"> • Compensatory mitigation will be implemented so that riparian vegetation that is lost as a result of the project will be replaced such that there will be an overall increase in riparian vegetation. At a minimum, the SRCD will mitigate at a ratio of 2:1 through creation of habitat (as measured in square feet), with the goal of creating at least twice as much habitat as was affected by project construction. <u>A riparian vegetation plan will be developed prior to riparian planting. The plan will include a plant palette of species to be used in revegetation, success criteria, monitoring and reporting, and corrective actions to be taken when replanting does not meet proposed success criteria.</u> Plantings will primarily consist of native dormant stock (black cottonwood poles and bundles of willow cuttings) planted in the early spring to the depth of the low-flow water table, where possible. If necessary, plantings will be caged to prevent browse. Larger-diameter willows will be salvaged and replanted to the extent possible. Removed willows will also be used as rooted planting stock. Planting efforts will occur across excavated and re-graded areas (including where newly excavated overflow channels reenter the main channel), along the constructed toes of banks, within the ELJs, and through the banks, floodplain, and terraces. Riparian plantings will be maintained through the life of the grant term for the project. <u>Monitoring of riparian planting will be monitored for five years post planting, as feasible.</u> At a ratio of at least 2:1, these compensatory mitigation revegetation efforts will more than replace the vegetation disturbed during project construction. Ultimately, this project will increase the extent of riparian vegetation within the project area.
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<p>Section 5.4 Biological Resources, Mitigation Measure MM- BIO-1: Northwestern Pond Turtle Protection. This mitigation measure was revised in the IS/MND text and in the MMRP.</p>	<p><i>In response to the letter from CDFW, the underlined text was added to the mitigation measure:</i></p> <p>MM-BIO-1: Northwestern Pond Turtle Protection.</p> <p>If suitable habitat for northwestern pond turtle exists in the project area and the habitat cannot be avoided, pre-construction surveys for northwestern pond turtle and pond turtle nests shall be conducted by a qualified biologist within 14 days, and again within 24 hours, before the start of ground-disturbing activities. If a northwestern pond turtle or nest is observed during pre-construction surveys, a qualified biologist shall be on-site to monitor construction in suitable pond turtle habitat. If a pond turtle is found within the construction area, it will be allowed to leave of its own volition or it will be captured by a qualified biologist, in coordination with CDFW and/or USFWS, and relocated out of harm’s way to the nearest suitable habitat immediately upstream or downstream from the project site. <u>However, because pond turtles exhibit high site fidelity and the likelihood of relocated pond turtles returning to the construction zone is high, a qualified biological monitor experienced with the species will be present during construction where there is a high probability pond turtle could be present.</u> If pond turtle nests are identified in the work area during pre-construction surveys, a 300-foot no disturbance buffer shall be established between the nest and any areas of potential disturbance. Buffers shall be clearly marked with flagging or temporary fencing. Construction will not be allowed to in the exclusion area until hatchlings have emerged from the nest, or the nest is deemed inactive by a qualified biologist. If northwestern pond turtle is found to be occupying the project area, revegetation plans will be modified to provide gaps in planting areas to allow movement of pond turtles between aquatic and upland habitats.</p>
<p>Section 5.4 Biological Resources, MM-BIO-4: Bird Nest Protection</p>	<p><i>In response to the letter from CDFW, the second paragraph of MM-BIO-4 was revised as follows:</i></p> <p>If Project activities must be conducted during the nesting bird season, a qualified biologist will conduct surveys for nesting raptors within a 0.5-mile radius of the project area and for other nesting bird species within a 500-ft radius of the project area. Surveys shall be conducted within 7 days prior to project implementation. If nests are detected, buffers will be established around nests that are sufficient to ensure that breeding is not likely to be disturbed or adversely impacted by construction. Buffers around active nests will be a minimum of 0.5 miles for bald and golden eagle <u>nests</u>, 500 feet for osprey and other non-listed raptor <u>nests</u>, 500 feet for greater sandhill crane nests, 250 feet for bank swallow <u>nests and nesting habitat (See MM-BIO-5)</u>, and 250 feet for <u>nests of</u> other non-special status avian species, unless the biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. Factors to be considered when determining buffer size will include: the presence of natural buffers provided by vegetation or topography; nest height; locations of foraging territory; and baseline levels of noise and human activity. Buffers will be maintained until young have fledged and dispersed from the area or the nests become inactive, as verified by the biologist.</p>

<p>Section 5.4 Biological Resources, MM-BIO-5: Bank Swallow Protection</p>	<p><i>In response to the letter from CDFW, the mitigation measure was revised as follows:</i></p> <p>MM-BIO-5: Bank Swallow ProtectionDue to the presence of bank swallow individuals, nests, and habitat within the project area, the following avoidance, minimization and mitigation measures shall be implemented:Avoidance:Bank swallow nests shall be protected by implementing MM-BIO-4 to avoid the nesting season as feasible and to establish a minimum 250-foot no-disturbance buffer around any active nests found <u>as well as for any nesting habitat</u>. Because bank swallows may return to colony sites in subsequent years, buffers shall be maintained for any nesting colony sites throughout the duration of the project. Buffer size or duration may be adjusted by a qualified biologist, in consultation with CDFW. <u>The project shall avoid all bank swallow nesting habitat, including both documented as well as potentially suitable habitat. Vertical streambanks shall remain untouched and unaltered, especially those occurring near known nesting colony sites within the project area. Suitable nesting habitat for bank swallows shall be avoided to the extent feasible while still accomplishing the goals of the project.</u>Minimization:If bank swallow habitat cannot be avoided, construction designs will be modified in order to minimize impacts to bank swallow habitat. One way to minimize impacts will be to leave streambanks vertical between ELJs rather than re-grading them to a shallower slope.Compensatory Mitigation:If any bank swallow nesting habitat is lost as a result of the project, compensatory mitigation will be implemented. Compensatory mitigation will be an effort to compensate for or offset the loss of habitat by constructing habitat at another appropriate location. Compensatory mitigation will be employed as a last resort if avoidance of bank swallow nesting habitat is infeasible and minimization on its own is not sufficient to reduce impacts to a less than significant level. Compensatory mitigation efforts will be implemented in close coordination with CDFW and USFWS and will involve the following: <ul style="list-style-type: none"> • At a minimum, the SRCD will complete a 2:1 compensatory habitat mitigation effort (as measured in linear feet), with the goal of creating at least twice as much habitat as was affected by project construction. The extent of mitigation possible will be dependent on the availability of streambanks of appropriate height and soil type. • Heavy equipment will be utilized to construct a vertical face along a bank located as near to this project site as possible. This process will be overseen by the SRCD, CDFW, and/or USFWS. • The SRCD will be responsible for the constructed habitat site for at least 3 years following its construction. Any maintenance of the constructed habitat during this period will be completed by the SRCD in coordination with CDFW and USFWS. • After the 3-year maintenance period, active management of the site will be complete and the habitat will be allowed to evolve naturally. Compensatory mitigation sites will be located at sites subject to no long-term plans, with the understanding that the site would remain as bank swallow habitat if colonized within 3 years. A signed agreement will be obtained from the property owner. </p>
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<p>Section 5.4 Biological Resources, MM-BIO-6: Protection of Special-Status Fish</p>	<p><i>In response to the letter from CDFW, the Avoidance section of MM-BIO-6 was revised as follows (no changes were made to the Minimization or Mitigation sections of MM-BIO-6). The period for in-channel construction activities was changed from June 15-October 15 to July 15-October 1 throughout the IS/MND.</i></p> <p>Avoidance:</p> <ul style="list-style-type: none"> • The project would acquire the proper permits prior to implementing any instream work. • In-channel construction activities which could affect habitat for special-status fish species will be limited to the low-flow period between June 15 and October 15 <u>July 15 and October 1</u> to minimize potential for adversely affecting special-status fish species. • Water temperatures will be maintained through avoidance of any cold groundwater seeps. • If individuals of special-status species are observed to be present within a work area, then the appropriate agencies must be notified (i.e., NMFS for federally-listed species, and CDFW for state-listed or other state special status). <u>Prior to construction, the project will obtain landowner permission granting a</u> Agency personnel will be granted access (with appropriate prior notice to landowners) to construction sites during construction and following project completion in order to evaluate species presence, condition, and/or habitat conditions. • Prior to instream work, and depending on temperature conditions, water will be temporarily diverted around active work areas to protect fish and water quality. Diverting water around construction areas will maintain flow and migratory corridors. Fish exclusion barriers will be installed around the instream work areas. All fish trapped within the exclusion zone will be captured and relocated to suitable habitat outside the work area in consultation with NMFS and CDFW. <u>The project would acquire the proper permits prior to capturing, handling, or relocating of any state- or federally-listed fish species.</u>
<p>Section 5.4 Biological Resources, MM-BIO-12: Riparian Habitat Protection</p>	<p><i>In response to the letter from CDFW, the Compensatory Mitigation section of MM-BIO-12 was revised as follows (no changes were made to the Avoidance or Minimization sections of MM-BIO-12):</i></p> <p>Compensatory Mitigation:</p> <ul style="list-style-type: none"> • Compensatory mitigation will be implemented within the project area to replant lost riparian vegetation. At a minimum, lost riparian vegetation will be mitigated at a ratio of 2:1 (as measured in square feet) through creation of riparian habitat by replanting willows and other riparian species, with the goal of creating at least twice as much riparian habitat as was affected by project construction. • <u>A riparian vegetation plan will be developed prior to riparian planting. The plan will include a plant palette of species to be used in revegetation, success criteria, monitoring and reporting, and corrective actions to be taken when replanting does not meet proposed success criteria.</u>