



STAFF REPORT FROM THE TOWN ADMINISTRATOR TO THE PLANNING COMMISSION

Special Meeting of August 24, 2026

SUBJECT

Fort Jones Wastewater Treatment Facility Upgrades Project

Initial Study/Mitigated Negative Declaration (State Clearinghouse No. 2026070268)

LOCATION

The project site is located at the western edge of Fort Jones, east of the confluence of Moffett Creek and the Scott River, Siskiyou County, California. The site is within the Fort Jones California USGS 7.5 minute quadrangle map in Township 43 North, Range 09 West, Sections 2 and 3 of the Mount Diablo Base and Meridian (MDBM). The following Assessor's Parcel Numbers (APN) comprise the project site: 024-040-080, 024-030-490, 055-241-010, and 055-241-020. Access to the site is provided from Serpa Lane, via Scott River Road.

GENERAL PLAN DESIGNATION

Mobile Home (M-H) – Fort Jones

ZONING DISTRICT

Manufactured Homes Park (M-H) – Fort Jones

AG-1-B-80 (prime agriculture) – Siskiyou County

AG-2-B40 (non-prime agriculture) – Siskiyou County

SURROUNDING USES

Surrounding land uses include Moffett Creek and agricultural land to the north; vacant and residential uses to the east; light industrial uses to the south; and agricultural land to the west. Surrounding zoning districts include Manufactures Homes Park (M-H) directly east across Scott River Road, Low Density Residential (R-1) southeast along Bridge Street, and Manufacturing (M) and General Commercial (C-2) immediately south of the project site along Serpa Lane. North of the site across Moffett Creek is unincorporated county land zoned Rural Residential (R-R) and Non-Prime Agricultural Land-40 acre minimum (AG-2-B-40).

PROJECT DESCRIPTION

Background

The Town of Fort Jones owns and operates a wastewater treatment facility (WWTF) located in unincorporated Siskiyou County (APN 024-040-080), as well as associated wastewater collection and conveyance infrastructure within the Town. The existing WWTF is unable to reliably meet the Town's current and future wastewater treatment needs, as treated effluent has periodically failed to comply with waste discharge requirements (WDRs) established by the North Coast Regional Water Quality Control Board (NCRWQCB) for biochemical oxygen demand (BOD), total suspended solids (TSS), and settleable solids.

The Town has received a Wastewater Planning Grant from the State Water Resources Control Board (SWRCB), Division of Financial Assistance (DFA) (Agreement No. D1604006) to address these deficiencies. To comply with applicable WDRs, and support the water quality objectives established in the NCRWQCB Water Quality Control Plan for the North Coast Region (Basin Plan), the Town proposes to decommission the existing WWTF and construct a new wastewater

treatment facility approximately 1,500 feet east of the existing facility. The proposed WWTF would improve treatment performance, reduce the potential for adverse effects on surface water and groundwater quality, and ensure continued and future wastewater service for the Town while maintaining compliance with applicable water quality regulations and Basin Plan objectives.

Project Characteristics

The proposed project (identified as Alternative 5 in the 2026 Wastewater Facilities Plan Addendum No. 2) consists of decommissioning the existing WWTF and moving treatment to a new offsite location where a new influent lift station, headworks, and treatment ponds will treat wastewater and the effluent would be disposed of in new evaporation and percolation ponds. Project features include the decommissioning of the existing WWTF, and installing new gravity sewer main piping to the new WWTF location, constructing a new influent pump station, new headworks with influent screening, construction of new aeration, settling, and evaporation/percolation (disposal) ponds, construction of a new recirculation pump station, and construction of a new rock filter. An offsite sewer pump station that serves the commercial area south and southwest of the new WWTF site will also be rehabilitated and a new 3-inch diameter force main will be installed from the existing pump station to a new manhole structure along the new influent sewer main line east of the new WWTF.

The proposed project will require reconfiguring three existing parcels to consolidate the land capable of supporting a new wastewater treatment facility into one parcel. The new facility is proposed on APN 055-241-010 and APN 055-241-020 (7.5 acres total) within the Fort Jones corporate limits and will require annexing a 10-acre portion of APN 024-030-490 located within unincorporated Siskiyou County. As APN 024-030-490 resides within the County and outside of the Town's established Sphere of Influence (SOI), the proposed project will require the approval of a SOI amendment and annexation by the Siskiyou County Local Agency Formation Commission (LAFCO) to authorize the boundary change.

The proposed project would require a general plan amendment on the 17.5-acre WWTF relocation parcel from Mobile Home (M-H) to Public Facility (PF). The Public Facility (PF) designation accommodates open space and public lands including schools, parks, and natural areas. Within this designation, other public lands that are typically not available for recreation or public open space (i.e. owned by a public entity or public utility) are considered suitable for public facilities. The Public Facility (PF) land use designation is consistent with all Town zone districts. The proposed project would also require a zone change from Manufactured Homes Park (M-H) (7.5 acres within Fort Jones) and AG-1-B-80/AG-2-B-40 (10 acres of unincorporated Siskiyou County) to the Town's Manufacturing (M) zone district. While Fort Jones does not have a Public Facility zone district established under Title 18-Zoning of the Municipal Code, the proposed project is considered consistent with similar permitted uses pursuant to Section 18.16.040 of the Municipal Code.

ENVIRONMENTAL DETERMINATION

The Town of Fort Jones (Town) is a lead agency under the California Environmental Quality Act (CEQA) and is responsible for preparing the Draft Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Town of Fort Jones Wastewater Facility Upgrades Project (State Clearinghouse No. 2026070268).

Public Review

The Draft IS/MND for the proposed Town of Fort Jones Wastewater Facility Upgrades Project was circulated for public review from July 10, 2026 to August 10, 2026. The Town accepted written comments from local, State, federal, and interested persons up until 5:00 p.m. on August 10, 2026. Copies of the Initial Study and technical appendices associated with the project were made available for public inspection at the Fort Jones City Hall located at 11960 East Street, Fort Jones, CA 96032; and on the Town's website located online at <https://fortjonesca.org/public-review-documents/>.

Section 15087 of the State CEQA Guidelines lists optional procedures for noticing, including publication in a newspaper, posting onsite, or mailing to owners of a property or properties contiguous to the site. In accordance with the provision of Section 15072(b) of the State CEQA Guidelines, as amended, the Town noticed the availability of the Draft IS/MND as follows: 1) published a Notice of Availability/Intent to Adopt a Mitigated Negative Declaration (NOA) in the Siskiyou Daily News, a newspaper of general circulation; 2) mailed the NOA to adjacent property owners within 500 feet of the project; 3) posted the NOA on the project site; 4) posted the NOA at the Fort Jones Town Hall; and 5) posted the NOA

with the Siskiyou County Clerk. In addition, the Town transmitted a Notice of Completion (NOC) to the Governor's Office of Land Use and Climate Innovation (LCI).

Significant Impacts

As documented in the Initial Study, the proposed project would result in a potentially significant effects related to agricultural resources, air quality, biological resources, cultural/Tribal cultural resources, hazardous materials, and noise. Design features incorporated into the project would avoid or reduce certain potential environmental impacts through compliance with existing regulations and permit conditions. The remaining impacts can be reduced to levels of less than significant through implementation of the proposed mitigation measures presented in the Mitigation Monitoring and Reporting Program prepared for the project.

Mitigation Measures AG-1 and AG-2 would offset farmland conversion. Dust control measures in accordance with Siskiyou County APCD requirements would be implemented to reduce concentrations of criteria air pollutants during construction (Mitigation Measure AQ-1). Mitigation Measures BIO-1 through BIO-4 are proposed to reduce biological impacts to less than significant levels (Northwestern pond turtle; Monarch butterfly; nesting migratory birds, noxious weed prevention). Mitigation Measures CR-1 and CR-2 (see also TCR-1) would ensure that any previously unidentified cultural resources discovered during construction would be properly identified, evaluated, and protected in accordance with applicable regulations. Implementation of Mitigation Measures HAZ-1 and HAZ-2 would ensure that project demolition activities do not result in significant hazards associated with the release of asbestos containing materials and lead-based paint materials. Mitigation Measures N-1 and N-2 would ensure that temporary construction noise would be minimized throughout the duration of construction activities.

Comments Received

Two (2) comment letters were received on the Draft IS/MND during the public review period from July 10, 2026, through August 10, 2026, consistent with CEQA public review requirements. The comments received and the Town's detailed responses are provided in Attachment C. The comments do not identify new significant environmental impacts, a substantial increase in the severity of previously identified impacts, or feasible mitigation measures or alternatives that were previously omitted from the environmental analysis. Therefore, no substantive changes to the Draft IS/MND are required, and recirculation of the document pursuant to CEQA Guidelines Section 15073.5 is not warranted.

Comment	Agency - Date	Comment Summary	Response Summary
Letter 1	California Department of Transportation – District 2 (7/20/26)	The Department recommends that a safety and operational analysis be prepared for the intersection of Scott River Road and Highway 3 if construction hauling exceeds 20 truck trips per day to or from the project site during construction.	Because the project is not anticipated to exceed the identified threshold, and the recommendation addresses a potential future construction scenario rather than an identified impact under CEQA, no revisions to the Draft IS/MND are required.
Letter 2	California Department of Fish and Wildlife (8/10/26)	The Department of Fish and Wildlife offers comments and recommendations to assist the Town in adequately identifying, avoiding, minimizing and/or mitigating the project's significant, or potentially significant, direct, and indirect impacts on biological resources.	Based on the project's replacement of an existing wastewater treatment facility, compliance with applicable WDR and NPDES requirements, floodplain permitting requirements, operational monitoring programs, emergency response procedures, and flood-resilient facility design, substantial evidence supports the conclusion that operational impacts to coho salmon, steelhead, and other aquatic resources would be less than significant.

Findings

The Town prepared an Initial Study (Attachment D), which determined that the proposed project could have significant environmental effects. The project avoids or mitigates the potentially significant environmental effects identified, and the preparation of an environmental impact report will not be required. There is no substantial evidence, in light of the whole record before the Town, that the project may have a significant effect on the environment. The determination is based on the attached Initial Study and the following findings.

- a) The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.
- b) The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
- c) The project will not have impacts that are individually limited, but cumulatively considerable.
- d) The project will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.
- e) No substantial evidence exists that the project will have a negative or adverse effect on the environment.
- f) The project incorporates all applicable mitigation measures identified in the Initial Study.
- g) This Mitigated Negative Declaration reflects the independent judgement of the lead agency.

PUBLIC NOTICE

The Notice of Availability/Intent to Adopt a Mitigated Negative Declaration published on July 10, 2026 served as the official public hearing notice for this agenda item.

STAFF RECOMMENDATION

1. Review the staff report and environmental determination.
2. Open the public hearing and consider public testimony.
3. After closing the public hearing, adopt Planning Commission Resolution No. 2026-1153, making the environmental determination to adopt the Mitigated Negative Declaration contained in Exhibit 1, subject to the Mitigation Monitoring and Reporting Program contained in Exhibit 2.

RECOMMENDED MOTION

"I move that the Commission adopt Planning Commission Resolution No. 2026-1153, making the environmental determination to adopt the Mitigated Negative Declaration contained in Exhibit 1, subject to the Mitigation Monitoring and Reporting Program contained in Exhibit 2."

ATTACHMENTS

- A) PC Resolution No. 2026-1153
 - 1) Exhibit 1, Mitigated Negative Declaration
 - 2) Exhibit 2, Mitigation Monitoring and Reporting Program (MMRP)
- B) Site Plan
- C) Response to Comments
- D) Final Initial Study/Mitigated Negative Declaration

George Brenard

George Brenard, Town Administrator
Town of Fort Jones



Attachment A

RESOLUTION NO. 2026-1153

A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF FORT JONES ADOPTING THE FORT JONES WASTEWATER TREATMENT FACILITY UPGRADES PROJECT MITIGATED NEGATIVE DECLARATION

WHEREAS, the Town of Fort Jones proposes to use State Funds from the State Water Resources Control Board to relocate and construct the Town's wastewater treatment facility. The new facility is proposed on APN 055-241-020 and APN 055-241-010 (7.5 acres) within the Fort Jones corporate limits and will require an approximate 10-acre portion of APN 024-030-490 located within unincorporated Siskiyou County; and

WHEREAS, staff has reviewed the proposed project and evidence and has referred the application and evidence to involved reviewing Town departments and agencies for comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to the California Environmental Quality Act (CEQA). A proposed Mitigated Negative Declaration has been prepared with respect to said project and notice has been sent to the Governor's Office of Land Use and Climate Innovation (LCI), responsible and trustee agencies, and posted for public review for a period of 30 days as required by the CEQA Guidelines; and

WHEREAS, after due notice of public hearing, the matter came on for consideration before the Fort Jones Planning Commission at a special meeting on August 24, 2026; and

WHEREAS, at said public hearing, due consideration was given to the proposed Mitigated Negative Declaration, the environmental effect of the project, and any changes connected therewith; and

WHEREAS, at said public hearing, due consideration was given to all objections to said project, and the Planning Commission believes that the Mitigated Negative Declaration should be adopted.

NOW, THEREFORE, be it resolved by the Planning Commission of the Town of Fort Jones as follows:

1. The Planning Commission finds on the basis of the Initial Study and all comments received that the proposed wastewater facility upgrades project has potential significant effects on the environment, which, with the inclusion of specific mitigation measures, will be rendered less than significant. Accordingly, a Mitigated Negative Declaration has been prepared pursuant to the CEQA Guidelines.
2. The Planning Commission of the Town of Fort Jones hereby adopts the Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the Fort Jones Wastewater Treatment Facility Upgrades Project.

INTRODUCED, PASSED, AND ADOPTED at a Special Meeting of the Planning Commission of the Town of Fort Jones this 24th day of August 2026 by the following vote:

AYES:

ABSTENTIONS:

NOES:

ABSENT:

I, Corinne Guidi, Clerk of the Town of Fort Jones, County of Siskiyou California, do hereby certify that this is a true and correct copy of the original Resolution Number 2026-1153.

ATTEST:

Town Clerk Corinne Guidi

APPROVED:

Mayor Madeleine De Andreis



Gateway to the Marble Mountains

MITIGATED NEGATIVE DECLARATION FORT JONES WASTEWATER TREATMENT FACILITY UPGRADES PROJECT

Subject: Town of Fort Jones Wastewater Treatment Facility Upgrades Project Initial Study

Project Description: The Town of Fort Jones owns and operates a wastewater treatment facility (WWTF) located in unincorporated Siskiyou County (APN 024-040-080), as well as associated wastewater collection and conveyance infrastructure within the Town. The existing WWTF is unable to reliably meet the Town's current and future wastewater treatment needs, as treated effluent has periodically failed to comply with waste discharge requirements (WDRs) established by the North Coast Regional Water Quality Control Board (NCRWQCB) for biochemical oxygen demand (BOD), total suspended solids (TSS), and settleable solids.

To address these deficiencies, comply with applicable WDRs, and support the water quality objectives established in the NCRWQCB Water Quality Control Plan for the North Coast Region (Basin Plan), the Town proposes to decommission the existing WWTF and construct a new wastewater treatment facility approximately 1,500 feet east of the existing facility. The proposed WWTF would improve treatment performance, reduce the potential for adverse effects on surface water and groundwater quality, and ensure continued wastewater service for the Town while maintaining compliance with applicable water quality regulations and Basin Plan objectives.

The proposed project (identified as Alternative 5 in the 2026 Wastewater Facilities Plan Addendum No. 2) consists of decommissioning the existing WWTF and moving treatment to a new offsite location where a new influent lift station, headworks, and treatment ponds will treat wastewater and the effluent would be disposed of in new evaporation and percolation ponds. Project features include the decommissioning of the existing WWTF, and installing new gravity sewer main piping to the new WWTF location, constructing a new influent pump station, new headworks with influent screening, construction of new aeration, settling, and evaporation/percolation (disposal) ponds, construction of a new recirculation pump station, and construction of a new rock filter. An offsite sewer pump station that serves the commercial area south and southwest of the new WWTF site will also be rehabilitated and a new 3-inch diameter force main will be installed from the existing pump station to a new manhole structure along the new influent sewer main line east of the new WWTF.

The proposed project will require reconfiguring three existing parcels to consolidate the land capable of supporting a new wastewater treatment facility into one parcel. The new facility is proposed on APN 055-241-020 and APN 055-241-010 (7.5 acres) within the Fort Jones corporate limits and will require an approximate 10-acre portion of APN 024-030-490 located within unincorporated Siskiyou County. As APN 024-030-490 resides within the County and outside of the Town's established Sphere of Influence (SOI), the proposed project will require the approval of a SOI amendment by the Siskiyou County Local Agency Formation Commission (LAFCO) to authorize the boundary change.

The proposed project would require a general plan amendment on the 17.5-acre WWTF relocation parcel from Mobile Home (M-H) to Public Facility (PF). The Public Facility (PF) designation accommodates open space and public lands including schools, parks, and natural areas. Within this designation, other public lands that are typically not available for recreation or public open space (i.e. owned by a public entity or public utility) are considered suitable for public facilities. The Public Facility (PF) land use designation is consistent with all Town zone districts. The proposed project would also require a zone change from Manufactured Homes Park (M-H) (7.5 acres within Fort Jones) and AG-1-B-80/AG-2-B-40 (10 acres of unincorporated Siskiyou County) to the Town's Manufacturing (M) zone district.

Project Location and Setting: The project site is located at the western edge of the Town of Fort Jones, east of the confluence of Moffett Creek and the Scott River, Siskiyou County, California. The site is within the Fort Jones California USGS 7.5 minute quadrangle map in Township 43 North, Range 09 West, Sections 2 and 3 of the Mount Diablo Base and Meridian (MDBM). The following Assessor's Parcel Numbers (APN) comprise the project site: 024-040-080, 024-030-490, 055-241-010, and 055-241-020. Access to the site is provided from Serpa Lane, via Scott River Road.

The existing WWTF has been operating for over 70 years. Uses at the site include six unlined wastewater ponds (approximately 3.99 acres), facility fencing, pipelines, above ground structures, and gravel access roads. Immediately surrounding the facility on agricultural lands are developed roadways, managed alfalfa fields, above ground and overhead irrigation sprinklers lines, power lines, well heads and other appurtenances for the ongoing management of agricultural operations. The eastern portion the site, within Fort Jones, has been fully disturbed, graveled, and is currently utilized as an equipment storage area. Vegetation in the agricultural fields consists of alfalfa hay, which is a managed crop that is mowed and baled 3-4 times per year, depending on growing conditions. Surrounding land uses include Moffett Creek and agricultural land to the north; vacant and residential uses to the east; light industrial uses to the south; and agricultural land to the west.

Findings and Determination

The Town prepared a Draft Initial Study (attached), which determined that the proposed project could have significant environmental effects. The project avoids or mitigates the potentially significant environmental effects identified, and the preparation of an environmental impact report will not be required. There is no substantial evidence, in light of the whole record before the Town, that the project may have a significant effect on the environment. The determination is based on the attached Initial Study and the following findings.

- a) The project will not degrade environmental quality, substantially reduce habitat, cause a wildlife population to drop below self-sustaining levels, reduce the number or restrict the range of special-status species, or eliminate important examples of California history or prehistory.
- b) The project does not have the potential to achieve short-term, to the disadvantage of long-term, environmental goals.
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- e) No substantial evidence exists that the project will have a negative or adverse effect on the environment.
- f) The project incorporates all applicable mitigation measures identified in the Initial Study.
- g) This Mitigated Negative Declaration reflects the independent judgement of the lead agency.

Documentation

The attached Initial Study documents the reasons to support the above determination.

Mitigation Measures

See attached Initial Study.

Public Review Distribution

Draft document referred for comments on July 10, 2026. Draft copies or notice of this proposed Mitigated Negative Declaration were distributed to:

California Air Resources Control Board (CARB)
 California Department of Conservation (DOC)
 California Department of Fish and Wildlife (CDFW)
 Governor's Office of Land Use and Climate Innovation (LCI)
 Native American Heritage Commission (NAHC)
 North Coast Regional Water Quality Control Board (NCRWQCB)

Siskiyou County Air Pollution Control District (SCAPCD)
 Siskiyou County Clerk
 Siskiyou County Local Agency Formation Commission (LAFCO)
 State Office of Historic Preservation (OHP)
 State Water Resources Control Board (SWRCB)

Comments Received

Two (2) comment letters were received from the California Department of Transportation (Caltrans), dated July 20, 2026 and the California Department of Fish and Wildlife (CDFW), dated August 10, 2026 (see attached Response to Comments document).

George Brenard

George Brenard, Town Administrator
 Town of Fort Jones

Mitigation and Monitoring Program (MMP)

This section contains the proposed Mitigation and Monitoring Program (MMP) for the proposed Fort Jones Wastewater Treatment Facility Upgrades project. The MMP includes a brief discussion of the legal basis for and the purpose of the program, discussion, and direction regarding complaints about noncompliance, a key to understanding the monitoring matrix, and the monitoring matrix itself.

California Public Resources Code Section 21081.6(a)(1) requires public agencies to adopt mitigation monitoring or reporting programs whenever the agencies adopt CEQA Findings in connection with the approval of projects requiring Environmental Impact Reports (EIRs) and whenever agencies adopt Mitigated Negative Declarations (MNDs). This requirement facilitates implementation of all mitigation measures adopted through the California Environmental Quality Act (CEQA) process.

The MMP contained herein is intended to satisfy the requirements of CEQA as they relate to the MND prepared for the proposed project. It is intended to be used by Town staff, participating agencies, project contractors, and mitigation monitoring personnel during implementation of the proposed project. Mitigation is defined by State CEQA Guidelines Section 15370 as a measure that does any of the following:

- Avoids impacts altogether by not taking a certain action or parts of an action.
- Minimizes impacts by limiting the degree or magnitude of the action and its implementation.
- Rectifies impacts by repairing, rehabilitating, or restoring the impacted environment.
- Reduces or eliminates impacts over time by preservation and maintenance operations during the life of the project.
- Compensates for impacts by replacing or providing substitute resources or environments.

Table 1, MITIGATION AND MONITORING PROGRAM, below, identifies the mitigation measures proposed for the Fort Jones Wastewater Treatment Facility Upgrades project. The table has four columns that are defined as follows:

- *Mitigation Measure/Condition.* Lists the mitigation measures identified within the MND for a specific impact, along with the number for each measure enumerated in the MND.
- *Timing.* Identifies at what point in time, review process, or phase the mitigation measures will be completed.
- *Enforcement/Monitoring.* References the responsible entity or any other public agency with which coordination is required to satisfy the identified mitigation measure.
- *Verification.* Provides a space to be initialed and dated by the individual designated to verify adherence to a specific mitigation measure.

Any person or agency may file a complaint asserting noncompliance with the mitigation measures associated with the proposed project. The complaint shall be directed to the Town's Administrator in written form, providing specific information on the asserted violation. The Town shall conduct an investigation and determine the validity of the complaint. If noncompliance with a mitigation measure has occurred, the Town shall take appropriate action to remedy any violation. The complainant shall receive written confirmation indicating the results of the investigation or the final action corresponding to the particular noncompliance issue.

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
AIR QUALITY			
<i>Mitigation Measure AQ-1</i> The construction and demolition contractor shall be responsible for implementing Siskiyou County APCD Rule 4.2 and Fugitive Dust Control Measures to reduce the potential generation of fugitive dust during the proposed construction activities. Compliance with these requirements shall be required to minimize dust generation during construction activity. • All active construction areas (for example, parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered a minimum of two times per day during the dry season; • Hydroseed or apply non-toxic soil stabilizers to inactive construction areas; • Dust-generating activities shall be limited during periods of high winds (over 15 mph); • Suspend excavation and grading activity when winds exceed 25 mph; • All haul trucks transporting soil, sand, or other loose material, likely to give rise to airborne dust, shall be covered; • All vehicle speeds shall be limited to 15 miles per hour within the construction area; • Promptly remove earth or other tracked out material from paved streets onto which earth, or other material has been transported by trucking or earth-moving equipment; and • Conduct digging, backfilling, and paving of utility trenches in such a manner as to minimize the creation of airborne dust.	During Construction	Contractor / Town of Fort Jones	
AGRICULTURE AND FORESTRY RESOURCES			
<i>Mitigation Measure AG-1 – Restoration of Existing Wastewater Treatment Facility</i> Upon decommissioning, the Town and project contractor shall ensure restoration of the decommissioned wastewater treatment facility area and make the 3.99-acre site available for agricultural use through preparation and implementation of an Agricultural Soils Restoration Plan. The plan shall include, but not be limited to the following: • <i>Baseline Agronomic Testing:</i> Quantitative testing of the topsoils slated for removal within the project impact area shall be performed prior to ground disturbance. This testing will establish baseline metrics for topsoil depth, soil texture, pH, electrical conductivity (EC), organic matter percentage, macro- and micro-nutrient levels, and water infiltration characteristics. • <i>Soil Horizon Segregation:</i> Topsoil (A horizon) excavated during project construction shall be stripped separately from underlying subsoils (B and C-horizons) and parent material. These distinct layers shall be preserved exclusively for strategic placement on the decommissioned WWTF site, ensuring the final restored topsoil profile achieves a depth and structural horizon equivalent to adjacent, undisturbed agricultural land with similar surface soils. • <i>Top Soil Preservation:</i> Temporarily stockpiled soils shall be protected from wind and water erosion, as well as noxious weed infestation, utilizing Best Management Practices (BMPs). These practices may include physical erosion control blankets, or the establishment of a temporary, non-invasive, sterile	Upon decommissioning of existing WWTF	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
cover crop. Stockpiles shall be physically segregated from construction debris, fuels, and chemical contaminants. • <i>Mechanical Compaction Mitigation:</i> Any compacted soils shall be subsoiled to a depth sufficient to alleviate compaction and restore root penetration and water infiltration characteristics comparable to the adjacent agricultural lands. • <i>Soil Contouring and Post-Placement Nutrient Management:</i> Placement of preserved topsoil shall occur at slopes generally consistent with adjacent agricultural land to promote efficient drainage. Following placement, soil testing shall be conducted to determine whether soil amendments are necessary to achieve soil productivity reasonably comparable to adjoining agricultural land. Common amendments may include compost, aged manure, gypsum, lime, and commercial fertilizers. • <i>Biological Stabilization and Tilth Restoration:</i> Immediately following soil contouring and amendment incorporation, the restored site shall be drilled or hydroseeded with a deep-rooting pasture mix or regionally relevant cover crop. This cover crop shall be utilized to accelerate the restoration of soil aggregate stability, promote biological development, and prevent immediate sheet or rill erosion. Restoration shall result in soil and site conditions capable of supporting agricultural production consistent with characteristics and reasonably comparable to similar adjacent farmland. Final soil testing results and documentation of restoration activities shall be submitted to the Siskiyou County Agricultural Commissioner and the Town Engineer for review and confirmation that the requirements of the Agricultural Soils Restoration Plan have been completed.			
<i>Mitigation Measure AG-2 – Deed Restrictions</i> To ensure the long-term preservation of Prime Farmland soils, prior to operation of the relocated wastewater treatment facility, the Town shall record a deed restriction or other legally enforceable instrument, acceptable to Siskiyou County, restricting the restored 3.99-acre former wastewater treatment facility site and 2.94 acres of annexed Prime Farmland to agricultural uses and prohibiting non-agricultural development. The restriction shall run with the land, be binding upon all current and future owners and successors in interest, and remain in effect in perpetuity unless otherwise approved by Siskiyou County.	Upon operation of the project and completion of restoration activities	Town of Fort Jones	
BIOLOGICAL RESOURCES			
<i>Mitigation Measure BIO-1 – Northwestern Pond Turtle</i> If any ground-disturbing activity is proposed within 1,200 feet of the Scott River and outside of the existing fenced WWTF site, the following measures shall be implemented to ensure that potential impacts to the northwestern pond turtle (NWPT) are avoided or appropriately minimized. The NWPT is currently proposed for federal listing as Threatened, and the U.S. Fish and Wildlife Service (USFWS) may recommend a different suite of measures to protect the turtle. Therefore, alternative measures acceptable to the USFWS may be substituted for those provided below. • <i>Worker's Environmental Awareness and Protection Training:</i> A Worker's Environmental Awareness and Protection (WEAP) Training shall be implemented by	Prior to and During Construction	Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
a USFWS-approved biologist prior to the commencement of construction and to any new crew members prior to beginning work on the jobsite. Upon completion of the program, employees will sign a form stating they attended the program and understand all protection measures. The project proponent will maintain a list of all personnel who have successfully completed the education program at the worksite. • <i>Pre-Construction Surveys:</i> A USFWS-approved biologist shall conduct three pre-construction surveys of the project site for NWPT. ○ One survey shall be conducted no more than 48 hours before the onset of work activities, ideally when weather conditions are suitable to detect pond turtles. ○ Two additional surveys shall be conducted prior to the onset of work activities with at least three days between surveys during suitable weather conditions during the northwestern pond turtle's active season (generally March 1–September 30) when air temperatures regularly exceed 55 degrees Fahrenheit. • <i>Exclusionary Fencing:</i> Silt fencing or other barriers to turtle movement shall be established around the perimeter of the work area within 1,200 feet of the Scott River and shall be inspected/maintained throughout the duration of construction. The interior of the exclusionary zone shall be inspected as part of the pre-construction surveys to ensure that no turtles are trapped within the barriers. • <i>Turtle Relocation:</i> If any life stage of the NWPT (adult, hatchling, or egg) is found and individuals are likely to be killed or injured by work activities, project activities that may harm the species shall be halted within 50 feet of the turtles until the individuals move out of harm's way or until a USFWS-approved biologist can capture and relocate them. • <i>Trash Removal:</i> All trash that could attract predators of the NWPT and all plastics that NWPT could consume or become entangled in shall be removed daily from the project site and disposed of properly. • <i>Erosion Control Materials:</i> Plastic monofilament netting (erosion control matting), loosely woven netting, or similar material in any form shall not be used at the project site because NWPT can become entangled and trapped in them. Any such material found onsite shall be immediately removed by construction personnel. Material utilizing fixed weaves (strands cannot move), polypropylene, polymer or other synthetic materials shall not be use. • <i>Nighttime Work:</i> The project proponent shall conduct project activities no earlier than 30 minutes after sunrise and no later than 30 minutes before sunset. If the Town of Fort Jones determines that nighttime work is necessary, all lighting shall be directed to the work area and shielded to prevent spill over into occupied or assumed occupied habitat outside the work area. • <i>Construction Equipment:</i> No equipment in which NWPT could seek shelter shall be left on site overnight outside of the designated staging areas, defined as those areas that are enclosed with silt fence or some other barrier designed to reasonably prevent wildlife from entering. The project proponent shall cover dirt or sand piles left overnight outside of the designated			

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
staging areas with tarps or plastic to prevent NWPT from sheltering in the material. For onsite storage of pipes, conduits and other materials that could provide shelter for NWPT that is not surrounded by NWPT exclusion fencing, an open-top trailer shall be used to elevate the materials above ground. This is intended to reduce the potential for NWPT to climb into the conduits and other materials. • <i>Cover Holes and Trenches:</i> All holes and trenches over 6.0 inches deep shall be covered overnight or escape ramps installed and shall be inspected each morning by a qualified biologist or assistant biologist. • <i>Vehicle Speed Limit:</i> Project-related vehicles shall observe a 15.0 miles per hour speed limit within construction areas, except on County roads, and State and federal highways. Off-road traffic outside of designated and fenced project work areas shall be prohibited. • <i>No Pets:</i> No pets shall be permitted at the project site, to avoid and minimize the potential for harassment, injury, and death of the NWPT. • <i>No Herbicides or Insecticides:</i> No herbicides or insecticides shall be used unless the USFWS determines that with implementation of best management practices (BMPs) that no NWPT are likely to be harmed. • <i>Refueling and Vehicle Maintenance:</i> Refueling and maintenance of vehicles and equipment shall occur within a designated staging area a minimum of 100 feet from riparian habitat or aquatic areas, unless the USFWS approves, and the equipment is stationary and less than 100 feet from aquatic areas. • <i>Spill Response:</i> Prior to the onset of work, the contractor shall have a plan in place for prompt and effective response to any accidental spills. A spill-containment kit shall be present at all times on site. The plan shall include informing all workers of the importance of preventing spills and of the appropriate measures to implement should a spill occur. • <i>Vehicle Leak Prevention:</i> Vehicles and equipment shall be checked daily for leaks, and all vehicular fluid spills will be contained and cleaned up immediately following the procedures noted in the above measure.			
<i>Mitigation Measure BIO-2 – Monarch Butterfly</i> The monarch butterfly is currently proposed for federal listing as Threatened. If the western migratory population of the monarch butterfly is formally listed or remains proposed for listing at the time of construction, the following measures shall be implemented, or an alternative suite of measures recommended by the U.S. Fish and Wildlife Service (USFWS) may be substituted for those presented below. • The limits of the construction area shall clearly be demarcated with fencing, pin flags, or other means. Construction equipment shall not venture beyond the marked construction boundary. Additionally, known milkweed populations adjacent to the construction area shall be flagged for visibility.	Prior to Construction	Contractor / Town of Fort Jones	
<i>Mitigation Measure BIO-3 – Nesting Migratory Birds</i> To avoid impacts to nesting birds, and/or raptors, protected under California Fish and Game Code Section 3503 and Section	Prior to Construction	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
3503.5, including their nests and eggs, one of the following shall be implemented: - Vegetation removal and ground-disturbance activities shall occur between September 1st and January 31st when birds are not nesting; or - If vegetation removal and ground disturbance activities occur during the nesting season, a pre-construction nesting survey shall be conducted by a qualified biologist to identify active nests in and adjacent to the project area. Surveys shall begin prior to sunrise and continue until vegetation and nests have been thoroughly observed. The survey shall take into account acoustic impacts and line-of-sight project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators). The results of the survey shall be submitted electronically to the California Department of Fish and Wildlife (CDFW) upon completion. The survey shall be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction survey, the site shall be resurveyed. If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and United States Fish and Wildlife Service to comply with Fish and Game Code Sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, and seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists. Nesting bird surveys should be conducted no more than seven days prior to the initiation of construction. If construction activities are delayed or suspended for more than seven days after the pre-construction nesting bird survey, the site should be resurveyed.			
<i>Mitigation Measure BIO-4 – Noxious Weed Prevention</i> The introduction and spread of invasive plant species and noxious weeds shall be avoided or minimized through implementation of the following measures: - Only certified or verified weed-free erosion control materials, mulch, and seed shall be used during construction activities. - Import and export of fill material shall be limited to sources that are certified or documented to be free of invasive plant material and noxious weed contamination. - All construction equipment shall be cleaned of soil, vegetative matter, and debris prior to entering the project site. Equipment shall be washed at a commercial wash facility or otherwise cleaned to prevent the introduction of invasive plant material.	During Construction	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
Any equipment found to be contaminated with soil or vegetative material shall be cleaned prior to use on the project site, regardless of prior operating location.			
<i>MM BIO-WQ-1: Seasonal Construction Restrictions</i> Ground-disturbing activities within the Regulatory Floodway, including grading, trenching, excavation, and WWTF decommissioning activities, shall occur during the dry season to the maximum extent feasible. Work within areas subject to inundation shall be scheduled outside periods when significant precipitation or elevated streamflows are anticipated. These requirements shall be incorporated into the project's construction scheduling and SWPPP implementation procedures.	During Construction	Contractor / Town of Fort Jones	
<i>MM BIO-WQ-2: Flood-Adaptive Erosion and Sediment Control Plan</i> Prior to construction, the contractor shall prepare and implement a Flood-Adaptive Erosion and Sediment Control Plan as a component of, or as an implementation supplement to, the project's SWPPP. The plan shall identify site-specific measures designed for flood-prone conditions, including stabilization of disturbed soils, redundant sediment-control measures, protection of excavations, and procedures for rapid deployment of additional controls before forecast storm events.	Prior to Construction	Contractor / Town of Fort Jones	
<i>MM BIO-WQ-3: Material Storage and Site Securing Requirements</i> Stockpiled soils, construction materials, fuels, chemicals, waste materials, and portable equipment shall be stored outside the Regulatory Floodway whenever feasible. Any materials temporarily located within flood-prone areas shall be secured, covered, or removed when precipitation or elevated flow events are forecast. Concrete washout areas shall be located outside drainage pathways and protected from inundation. These requirements shall be incorporated into the project's SWPPP, Spill Prevention and Response Plan, and construction specifications, as applicable.	During Construction	Contractor / Town of Fort Jones	
<i>MM BIO-WQ-4: High-Flow Response Thresholds</i> Construction managers shall monitor National Weather Service forecasts and site conditions throughout construction. Ground-disturbing activities shall be suspended and exposed soil areas stabilized when forecast precipitation or streamflow conditions indicate a substantial risk of sediment transport, erosion, or inundation of active work areas. The contractor shall incorporate these procedures into the project's SWPPP and construction scheduling procedures.	During Construction	Contractor	
<i>MM BIO-WQ-5: Water Quality Inspection and Adaptive Management</i> Construction activities occurring adjacent to aquatic resources or drainage pathways connected to Moffett Creek shall be subject to routine visual inspections of erosion, sediment-control BMPs, and receiving-water conditions. Where site conditions indicate a potential for project-related sediment discharge, turbidity monitoring may be implemented to evaluate BMP effectiveness. If inspections or monitoring indicate project-related water quality degradation, corrective actions shall be implemented immediately, including enhancement of BMPs, stabilization measures, repair of control devices, or temporary suspension of applicable work activities until compliance is achieved.	During Construction	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

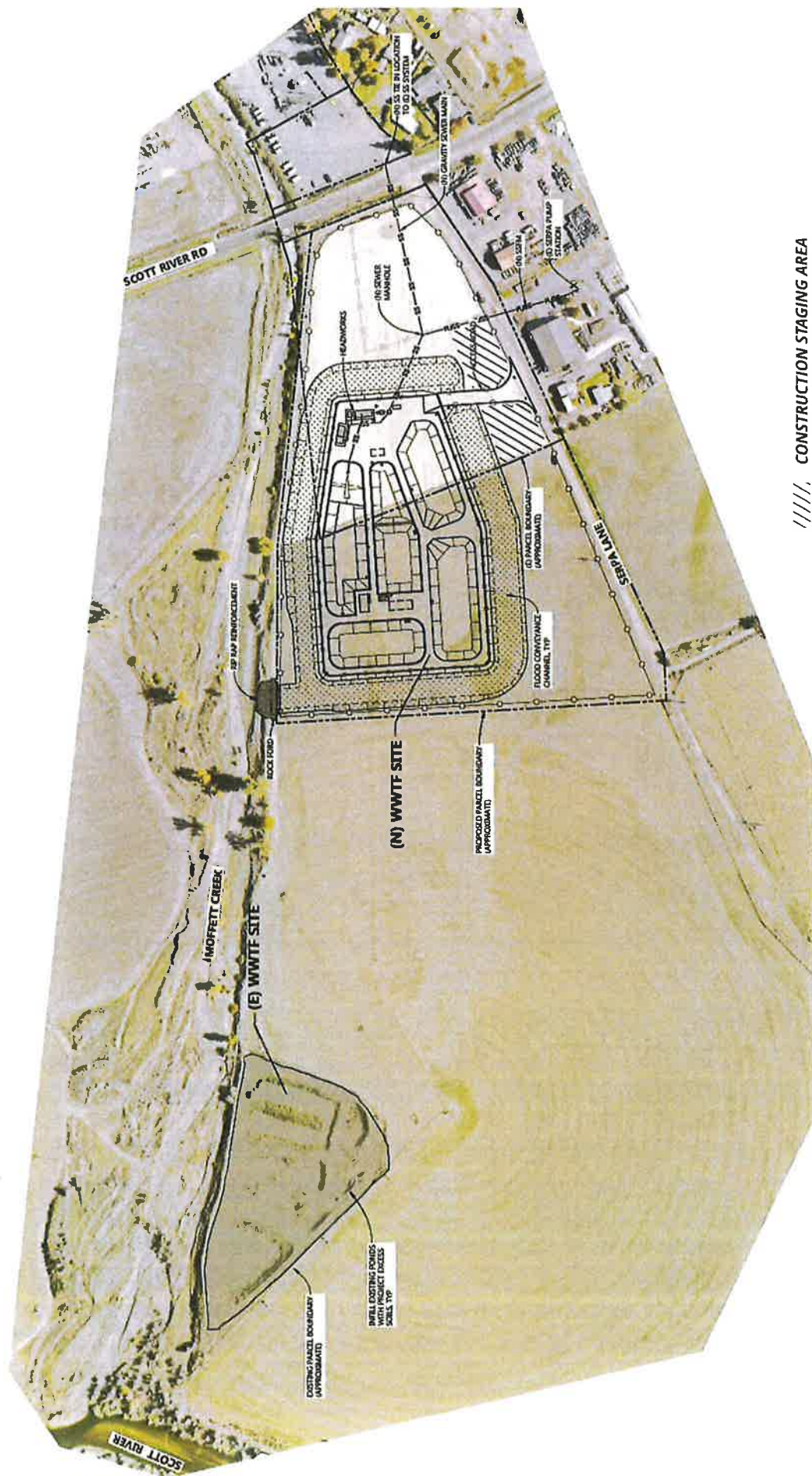
Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
CULTURAL RESOURCES			
<i>Mitigation Measure CR-1 – Inadvertent Discovery</i> If cultural resources, such as chipped or ground stone, or bone are inadvertently discovered during ground-disturbance activities, work shall be stopped within 50 feet of the discovery, as required by the California Environmental Quality Act (CEQA; January 1999 Revised Guidelines, Title 14 California Code of Regulations [CCR] Section 15064.5 [f]). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the material, and offered recommendations for further action.	During Construction	Contractor / Town of Fort Jones	
<i>Mitigation Measure CR-2 – Human Burial or Human Remains</i> If in the event that previously unidentified evidence of human burial or human remains are discovered during project construction, work will stop at the discovery location, within 20 meters (66 feet), and any nearby area reasonably suspected to overlie human remains (Public Resources Code, Section 7050.5) the Siskiyou County Coroner must be informed and consulted, per State law. If the coroner determines the remains to be Native American, he or she shall contact the Native American Heritage Commission within 24 hours. The Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent. The most likely descendent will be given an opportunity to make recommendations for means of treatment of the human remains and any associated grave goods. when the commission is unable to identify a descendant or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. Work in the area shall not continue until the human remains are dealt with according to the recommendations of the County Coroner, Native American Heritage Commission and/or the most likely descendent have been implemented.	During Construction	Contractor / Town of Fort Jones	
HAZARDS AND HAZARDOUS MATERIALS			
<i>Mitigation Measure HAZ-1 – Hazardous Building Materials Survey and Abatement</i> Prior to initiation of construction activities that would disturb, remove, modify, or demolish existing piping, structures, coatings, or materials that could contain ACMs or LBP, the Town shall retain qualified environmental professionals to conduct surveys for ACMs and LBP in accordance with applicable California Division of Occupational Safety and Health (Cal/OSHA) regulations, including Title 8, California Code of Regulations Sections 1529 and 1532.1, and other applicable federal, State, and local requirements. If ACMs, LBP, or other hazardous building materials are identified, all removal, handling, transportation, and disposal activities shall be conducted by appropriately trained and licensed personnel in accordance with applicable Cal/OSHA, California Air Resources Board, U.S. Environmental Protection Agency, and California Department of Toxic Substances Control requirements. Hazardous materials shall be removed, stabilized, or otherwise managed prior to construction activities that could disturb the materials. Removed materials shall be transported	Prior to and During Construction	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
and disposed of at facilities authorized to accept such materials in accordance with all applicable regulations. Construction contractors shall implement appropriate worker protection measures, engineering controls, and dust suppression practices to prevent the release of asbestos fibers, lead-containing dust, or other hazardous materials during removal and construction activities.			
<i>Mitigation Measure HAZ-2 – Discovery of Previously Unknown Hazardous Materials</i> In the event previously unidentified ACMs, LBP, or other suspect hazardous materials are encountered during construction, work in the vicinity of the discovery shall cease immediately. The Town shall retain a qualified environmental professional to evaluate the material and determine appropriate handling, abatement, and disposal requirements. Alternatively, the Town may presume the material to be hazardous and manage it accordingly. Construction activities in the affected area shall not resume until the material has been properly characterized, removed, or otherwise managed in accordance with applicable federal, State, and local regulations. Any hazardous materials identified during construction shall be handled, transported, and disposed of in accordance with applicable hazardous waste requirements.	During Construction	Contractor / Town of Fort Jones	
NOISE			
<i>Mitigation Measure N-1 – Temporary Construction Noise</i> The project contractor shall implement the following measures during project construction to minimize temporary noise impacts on nearby sensitive receptors. These requirements shall be included on grading and construction plans and incorporated into construction contract specifications. - Construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Saturday. Construction activities shall not occur on Sundays or recognized holidays. If construction activities are required outside the permitted construction hours, the Town shall provide notice to nearby residents and property owners at least 48 hours in advance describing the nature, location, duration, and anticipated hours of the work. - All construction equipment, fixed or mobile, shall be equipped with properly operating mufflers and sound-control devices no less effective than those originally installed by the manufacturer. Equipment shall be maintained in accordance with manufacturer specifications. - Stationary noise-generating equipment, including generators, compressors, pumps, and similar equipment, shall be located as far as practical from occupied residences and other sensitive receptors. When feasible, temporary noise shields, enclosures, or other sound-attenuating measures shall be utilized. - Construction contractors shall minimize equipment idling times and shall shut off equipment when not in active use, consistent with safety and operational requirements. - The contractor shall designate a disturbance coordinator or construction manager to respond to noise-related complaints, as feasible. Upon receipt of a noise complaint, the contractor shall investigate the complaint and implement reasonable corrective	During Construction	Contractor / Town of Fort Jones	

Table 1
MITIGATION AND MONITORING PROGRAM

Mitigation Measure / Condition	Timing / Implementation	Enforcement / Monitoring	Verification (Date & Initials)
measures, where feasible, to reduce construction-related noise impacts.			
<i>Mitigation Measure N-2 – Construction Vehicle Routing and Access</i> In addition to the permitted hours of construction activities, project grading and construction plans shall identify construction vehicle access routes and staging areas. The plans shall be subject to review and concurrence by the Town of Fort Jones Public Works Department and shall be implemented by the project contractor throughout the duration of construction activities. - During all project-related construction activities, construction worker parking, material delivery vehicles, and heavy trucks used for soil, aggregate, equipment, or material hauling shall utilize designated haul routes approved by the Town of Fort Jones. Such vehicles shall avoid travel on local residential streets, including but not limited to Bridge Street. - Onsite construction access shall be limited to the project access point along Serpa Lane. - Construction staging, equipment storage, and material stockpiling shall be restricted to the designated construction staging area shown on Figure 2-9, WASTEWATER FACILITY UPGRADES, and shall not occur within public roadways or residential areas. - The contractor shall post and maintain appropriate signage directing construction traffic to approved access and haul routes and shall inform subcontractors and delivery drivers of the approved routing requirements prior to commencement of construction activities.	Prio to and During Construction	Contractor / Town of Fort Jones	
TRIBAL CULTURAL RESOURCES			
<i>Mitigation Measure TCR-1 – Unanticipated Discovery</i> If any suspected TCRs are discovered during ground-disturbing construction activities, all work shall cease within at least 50 feet of the find. The Town shall invite a Tribal Representative from a California Native American tribe that is traditionally and culturally affiliated with the geographic area to make recommendations about whether or not the discovery represents a TCR (PRC Section 21074) and, if so, to make recommendations for culturally appropriate treatment. The contractor shall implement any measures determined by the Town to be necessary. Work at the discovery location cannot resume until the treatment has been implemented to the satisfaction of the Town of Fort Jones.	During Construction	Contractor / Town of Fort Jones	



Fort Jones Wastewater Treatment Facility Upgrades

IS/MND

Wastewater Facility Upgrades

2-9

July 2026

Response to Comments

CEQA-Plus Initial Study/ Mitigated Negative Declaration

Town of Fort Jones Wastewater Treatment Facility Upgrades Project

SCH No. 2026070268



August 2026

Section 1 – Draft IS/MND Comments

1.1 Environmental Review Process

The Town of Fort Jones (Town), as the lead agency under the California Environmental Quality Act (CEQA), prepared the Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) for the proposed Town of Fort Jones Wastewater Facility Upgrades Project (State Clearinghouse No. 2026070268). The Draft IS/MND was circulated for public review from July 10, 2026, through August 10, 2026. The Town accepted written comments from local, State, and federal agencies, organizations, and interested persons until 5:00 p.m. on August 10, 2026. Copies of the Draft IS/MND and its supporting technical appendices were made available for public review at the Fort Jones Town Hall, located at 11960 East Street, Fort Jones, California 96032, and on the Town's website at <https://fortjonesca.org/public-review-documents/>.

Section 15072 of the State CEQA Guidelines establishes the public notice requirements for proposed Negative Declarations and Mitigated Negative Declarations, while Section 15087 identifies additional optional noticing procedures. Consistent with these provisions, the Town provided public notice of the availability of the Draft IS/MND by:

1. Publishing a Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) in the *Siskiyou Daily News*, a newspaper of general circulation;
2. Mailing the NOI to owners of properties located within 500 feet of the project site;
3. Posting the NOI at Fort Jones Town Hall;
4. Posting the NOI at the project site; and
5. Filing a Notice of Completion (NOC) with the Governor's Office of Land Use and Climate Innovation (LCI) for distribution through the State Clearinghouse.

Proof of publication and other noticing documentation are available for public review at the Fort Jones Town Hall.

1.2 Comments Received

The Town of Fort Jones evaluated all comments on environmental issues received from agencies, organizations, and members of the public during the Draft IS/MND public review period and prepared written responses to each comment raising significant environmental issues. These responses are presented in the following section. The comments and responses, together with the Draft IS/MND, revisions made in response to comments, and the Mitigation Monitoring and Reporting Program (MMRP), comprise the Final Initial Study/Mitigated Negative Declaration (Final IS/MND).

A list of agencies, organizations, and interested persons that submitted comments on the content and adequacy of the Draft IS/MND is provided below. A copy of each comment letter, identified by number, is included, followed by responses to the individual comments contained in each letter. Two (2) written comment letters were received on the proposed Draft IS/MND.

- | | |
|----------|---|
| Letter 1 | California Department of Transportation (Caltrans) – July 20, 2026 |
| Letter 2 | California Department of Fish and Wildlife (CDFW) – August 10, 2026 |

Section 2 – Response to Comments

The lead agency, in this case the Town of Fort Jones (Town), must consider all comments received during the public review period before adopting a Mitigated Negative Declaration (MND). If comments submitted during the review period contain substantial evidence that the project, as revised and mitigated, may result in a significant environmental effect, the lead agency must either require additional project revisions or mitigation measures to avoid or reduce the impact to a less than significant level or, if such revisions or mitigation are not feasible, prepare an Environmental Impact Report (EIR).

The Town's responses to comments on the proposed Town of Fort Jones Wastewater Facility Upgrades Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) represent a good-faith, reasoned effort to address the environmental issues raised during the public review process. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the lead agency is required to respond to comments that raise significant environmental issues. Responses are not required for comments that do not address environmental issues, express opinions without supporting evidence, or concern matters outside the scope of CEQA.

All written comments received during the public review period are reproduced in this section and have been assigned a reference code for ease of review. Responses follow each comment letter and address those comments raising significant environmental issues. Where appropriate, responses may refer the reader to earlier responses addressing the same or substantially similar issues.

Pursuant to Section 15204(c) of the State CEQA Guidelines, comments should be supported by factual information, reasonable assumptions based on facts, or expert opinion supported by facts. Section 15204(c) states:

"Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence."

Some responses include minor revisions to the Draft IS/MND to clarify the analysis or incorporate additional information provided during the public review period. Additions or modified text are shown as underlined (example), and deleted text is shown as strikethrough text (~~example~~).

The revisions identified in the responses below are within the scope of the environmental analysis presented in the Draft IS/MND and do not result in new significant environmental impacts, a substantial increase in the severity of previously identified impacts, or new feasible mitigation measures or alternatives that would substantially reduce significant impacts. Accordingly, the revisions do not constitute significant new information under CEQA Guidelines Section 15073.5 and do not require recirculation of the Draft IS/MND.

All additions, modifications, and deletions identified in the responses to comments, where applicable, have been incorporated into the Final IS/MND and the Mitigation Monitoring and Reporting Program (MMRP). Changes are identified by page number and, where appropriate, by paragraph.

From: Babcock, Kelly M@DOT <kelly.babcock@dot.ca.gov>

Sent: Monday, July 20, 2026 1:29 PM

To: Joseph Hess <jhess@fortjonesca.com>

Cc: Clark, Skip@DOT <Skip.Clark@dot.ca.gov>; Grah, Kathy M@DOT <kathy.grah@dot.ca.gov>; Battles, Michael@DOT <Michael.Battles@dot.ca.gov>

Subject: Fort Jones Wastewater Treatment Facility Upgrades Project- Caltrans Projects

Good Afternoon Joseph,

Thank you for the opportunity to comment on the city of Fort Jones Wastewater Treatment Facility Upgrades Project. Caltrans District 2 would like to provide the following comments:

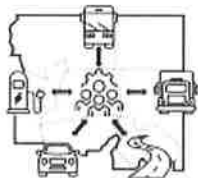
VMT: The proposed project involved decommissioning the existing facility and treating a new wastewater treatment facility. The project is presumed to have a less than significant VMT impact. No comments or conditions.

Operations: The proposed project is not expected to have a significant impact on operations. No comments or conditions.

Safety: If hauling in excess of 20 trucks a day to or from the site during construction, the project proponent shall conduct a safety/operation analysis at the intersection where trucks enter the state highway system.

Once again, thank you for opportunity to review and comment on the Fort Jones Wastewater Treatment Facility Upgrades Project. Please feel free to reach out to me with questions about any of Caltrans comments and conditions.

Kelly Babcock
Local Development Review
D2 Transit Representative
530.782.2965



Response to Letter 1 – California Department of Transportation

Response 1: The participation of the California Department of Transportation (Caltrans or Department) in the public review of this document is appreciated. The Department concurs with the Draft IS/MND findings of less than significant related to vehicle miles traveled (VMT) and traffic operations.

The Department recommends that a safety and operational analysis be prepared for the intersection of Scott River Road and Highway 3 if construction hauling exceeds 20 truck trips per day to or from the project site during construction. Based on the anticipated construction activities, the Town does not expect construction hauling to exceed this threshold. However, if construction operations are modified and hauling is expected to exceed 20 truck trips per day, the Town or its contractor will retain a qualified traffic engineer to prepare the recommended safety and operational analysis in coordination with Caltrans prior to initiating those activities. Because the project is not anticipated to exceed the identified threshold, and the recommendation addresses a potential future construction scenario rather than an identified impact under CEQA, no revisions to the Draft IS/MND are required.



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

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director



August 10, 2026

Joseph Hess
Fire Chief/Town Administrator
Town of Fort Jones
11960 East Street
Fort Jones, CA 96032
jhess@fortjonesca.com

SUBJECT: REVIEW OF TOWN OF FORT JONES WASTEWATER TREATMENT FACILITY UPGRADES PROJECT, INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION, SISKIYOU COUNTY, STATE CLEARINGHOUSE NUMBER 2026070268

Dear Joseph Hess:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (MND) posted for public review on July 8, 2026, for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines¹.

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; Public 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.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 2

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 will be required.

California Endangered Species Act

Please be advised that a CESA permit² must be obtained if the Project has the potential to result in "take" (hunt, pursue, catch, capture, kill, or attempt thereof) of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project has the potential to result in the take of a CESA-listed species, early consultation is encouraged, as significant modification to the Project may be necessary to minimize and fully mitigate impacts as required by Fish and Game Code section 2081(b)(2).

Lake and Streambed Alteration (LSA) Agreements

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of the bed, channel, or bank of any river, stream, or lake; or
- Substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

Work within perennial and ephemeral streams and watercourses with a subsurface flow, is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through horizontal directional drilling or trenching, is also generally subject to notification requirements. Therefore, impacts to the mainstems, tributaries,

² <https://wildlife.ca.gov/Conservation/CESA/Permitting>

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 3

associated riparian habitat, and hydrologically connected floodplains caused by the proposed Project may require an LSA notification.

CDFW, as a responsible agency under CEQA, will consider the CEQA document for the Project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. LSA Program staff are available to assist and can be contacted at r1lsaredding@wildlife.ca.gov. To obtain information about the 1602 Notification process, please visit the LSA Program website³.

Nesting Birds

CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Lead Agency: Town of Fort Jones

Location: The Project site is located throughout Assessor Parcel Numbers 024-040-080-000, 024-030-490-000, 055-241-010-000, 055-241-020-000, west of Scott River Road at the western edge of Fort Jones, east of Scott River-Moffett Creek confluence.

Project Description: The Project, as described in the MND, proposes to decommission the Town of Fort Jones' existing Wastewater Treatment Facility (WWTF) and construct a new WWTF 1,500 feet east of the existing facility (Project area). The proposed Project will require reconfiguring three existing parcels and work would include constructing a new influent lift station, headworks, and treatment ponds. An offsite sewer pump station that serves the commercial area south and southwest of the new WWTF site will also be rehabilitated and a new 3-inch diameter force main will be installed from the existing pump station to a new manhole structure along the new influent sewer

³ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 4

main line east of the new WWTF.

Biological Setting:

The existing WWTF occupies approximately 3.99 acres at the southeastern corner of the Scott River–Moffett Creek confluence. The proposed WWTF Project site is located roughly 1,500 feet east of the existing facility, along the south side of Moffett Creek. The Project area is surrounded by agricultural fields, predominately actively irrigated alfalfa hay production, with Moffett Creek forming the northern boundary of the site.

Moffett Creek is an intermittent tributary to the Scott River, one of the two major tributaries of the Klamath River system. Both Moffett Creek and the Scott River support a diverse assemblage of state special-status aquatic and terrestrial species. Notably, these waterways provide habitat for multiple anadromous fish species, including Chinook salmon (*Oncorhynchus tshawytscha*); Southern Oregon/Northern California Coast (SONCC) coho salmon (*Oncorhynchus kisutch*), listed as threatened under both CESA and the federal Endangered Species Act (ESA); steelhead Trout (*Oncorhynchus mykiss*); and Pacific lamprey (*Entosphenus tridentatus*), designated as a state Species of Special Concern (SSC).

The riparian corridor throughout the Scott River watershed supports a high diversity of migratory and resident birds, including Bald Eagle (*Haliaeetus leucocephalus*, CESA endangered) and Bank Swallow (*Riparia riparia*, CESA threatened). In addition, Western Pond Turtle (*Actinemys marmorata*; SSC and ESA candidate), occurs in the riparian channel margins of the Scott River, and its tributaries, nesting in adjacent upland habitats. The surrounding alfalfa fields provide important foraging habitat for Swainson's Hawk (*Buteo swainsoni*, CESA threatened), while the grassland, chaparral/scrub, and forested habitats throughout the broader watershed support seasonal movements and foraging by Roosevelt Elk and Black-tailed Deer.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the Lead Agency in adequately identifying, avoiding, minimizing and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on biological resources.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 5

Indirect Impacts on Aquatic Species

2b The MND includes a species analysis table which states that potential impacts to various aquatic species are avoided because construction will not occur within a waterway; however, beyond this, the MND does not provide an additional analysis of potential impacts. While the absence of in-channel work reduces the likelihood of direct impacts, an analysis of indirect impacts would be appropriate since this Project is proposed to discharge into Moffett Creek and be constructed within a Regulatory Floodway. Indirect impacts to aquatic species, particularly salmonids like CESA-listed coho salmon, should be considered and included in the MND. This year, the Scott River has been experiencing low flows, with June 2026 flows measured between 117–137 cubic feet per second⁴, triggering emergency curtailments of all surface water diversions⁵. This ongoing drought exacerbates salmonid vulnerability by reducing base flows, reducing habitat, and concentrating contaminants, while increasing the importance of off-channel refugia, like that in the upper reaches of Moffett Creek, accessible to salmonids during high-flow pulses. Inflows from the Project may enhance seasonal connectivity, but only if the delivered water maintains adequate water quality and does not introduce elevated contaminant loads.

Without a thorough impacts analysis on salmonids, the MND does not fully evaluate potentially significant impacts. CDFW recommends revising the MND to incorporate an assessment of construction-phase and operation-phase indirect impacts on salmonids, and to identify appropriate avoidance, minimization and mitigation measures (AMM's) to reduce those impacts to a less than significant.

Construction Impacts and Aquatic Resources

2c The MND includes an assessment of biological resources, acknowledging the presence of Moffett Creek and the Scott River, both of which support CESA listed coho salmon and other sensitive aquatic species. Standard construction Best Management Practices (BMPs) are cited in the MND intended to minimize erosion and sedimentation during construction. However, the MND does not

⁴ U.S. Geological Survey (USGS). 2026. "Scott River near Fort Jones, CA (11519500) – Streamflow Data." Available here: https://waterdata.usgs.gov/nwls/uv?site_no=11519500

⁵ State Water Resources Control Board (SWRCB). 2026. "Scott River Watershed: Reinstatement of Curtailments for All Surface Water Rights (Groups 1–8), Addendum 12." Issued June 9, 2026.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 6

sufficiently address how construction of a WWTF within a Regulatory Floodway may indirectly impact aquatic species during highflow events. Construction activities such as grading, trenching, pond excavation, and decommissioning of the existing WWTF will occur within flood-prone areas where disturbed soils, stockpiled materials, uncured concrete, or construction-related organic matter could be mobilized during flood events. Studies have shown that flood-driven pulses of nutrients and organic material can depress dissolved oxygen concentrations, increase biochemical oxygen demand, and alter macroinvertebrate communities essential for juvenile salmonid foraging^{6,7}.

Although the MND notes compliance with standard BMPs, it does not appear to include turbidity monitoring, flood-adaptive nutrient monitoring, dry-season construction windows, flood-response thresholds, or adaptive management measures that are necessary to demonstrate that construction-phase, flood-related indirect impacts on salmonids will be reduced to a less-than-significant level. Since the Project footprint lies within the Regulatory Floodway, CDFW recommends revising the MND to include enforceable construction-phase measures such as turbidity/nutrient monitoring tied to forecasted high-flow events, dry-season schedules for ground-disturbing activities, enhanced erosion control designed for flood-prone timing and flood-adaptive BMPs requiring the securing of materials and suspension of work when elevated flow conditions are predicted. Without these measures, the MND does not provide adequate evidence that construction-phase flood-related impacts to aquatic species will be less than significant.

Operation Phase and Salmonid Impacts

The MND includes a general description of WWTF operations and acknowledges that the new facility will be regulated under Regional Water Quality Control Board Waste Discharge Requirements (WDR) or NPDES permits, which typically include nutrient and effluent monitoring. However, the MND does not analyze how long-term operation of a WWTF located within a Regulatory Floodway may indirectly impact salmonids during periodic flood events. Even with regulatory compliance, scientific literature indicates that floodwaters can mobilize nutrients, residual organic material, and contaminants from wastewater infrastructure, such as treatment plants and

2d

⁶ Minshall, G. W. (1988). Stream ecosystem theory: a global perspective. *Journal of the North American Benthological Society*, 7(4), 263–288.

⁷ Morley, S. A., Foley, M. M., Duda, J. J., et al. (2020). Shifting food web structure during dam removal—Disturbance and recovery during a major restoration action. *PLoS ONE*, 15(9), e0239198.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 7

sewer systems, in ways that differ substantially from routine dry-weather wastewater discharge^{8,9,10}. These flood-related pulses can contribute to dissolved oxygen depression and altered food-web dynamics that negatively affect juvenile salmonid survival.

Additionally, changes in flood conveyance arising from permanent infrastructure or higher discharge rates may alter velocity flows, inundation patterns, or floodplain refugia availability over the long term. Juvenile coho salmon survivorship is closely tied to their access to low-velocity refugia during flood events^{11,12} which may make alteration to hydrology a potentially significant indirect impact.

Despite these known relationships, the MND does not appear to include operational-phase flood-response thresholds, emergency overflow or bypass contingencies specific to aquatic resource protection, high-flow monitoring triggers, or adaptive management measures addressing nutrient mobilization during flood conditions. CDFW recommends revising the MND to include an analysis of how operational infrastructure may interact with flood events, as well as the inclusion of flood-responsive measures addressing nutrient monitoring, emergency containment practices, adaptive management procedures triggered by forecasted high-flow events. CDFW also recommends expanding the cumulative impacts discussion, given ongoing pressures on salmonid populations within the Scott River watershed and the potential for incremental floodplain and hydrologic changes associated with WWTF operations to contribute to watershed-level effects. Without these measures, the MND does not provide adequate evidence that operational-phase flood-related impacts to aquatic species will be less than significant.

⁸ Shucksmith, J., Addison-Atkinson, W., Fagour, C., Gostlaux, L., Grosjean, N., Nichols, A., Mignot, E., Muraro, F., & Rubinato, M. (2025). *Experiments on contaminant transport from sewer infrastructure within shallow floodwater*. *Journal of Hydraulic Research*, 63(5), 521–535.

⁹ Jess (2024). *Monitoring (micro-)pollutants in wastewater treatment plants: Comparing discharges in wet- and dry-weather*. *Environmental Research*, 263(2), 120132.

¹⁰ Kumar, A., Batley, G. E., Nguyen, T. V., Trinh Nguyen, C. T., Cassidy, M., & Besley, C. H. (2025). *Pulsed versus continuous exposures to evaluate the toxicity of sanitary sewer wet-weather overflows*. *Environmental Toxicology and Chemistry*, 45(4), 914–926.

¹¹ Bell, E. B., Duffy, W. G., & Roelofs, T. D. (2001). *Fidelity and survival of juvenile Coho salmon in response to a flood*. *Transactions of the American Fisheries Society*, 130(3), 450–458.

¹² Pollock, M. M., Pess, G. R., Beechie, T. J., & Montgomery, D. R. (2004). *The importance of beaver ponds to Coho salmon production in the Stillaguamish River basin, Washington, USA*. *North American Journal of Fisheries Management*, 24(3), 749–760.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 8

Lighting

The MND includes an evaluation of nighttime lighting under the Aesthetics section and concludes impacts would be less than significant based on fixture shielding, motion-activated controls, and confinement of lighting to the facility footprint. However, the MND does not evaluate nighttime lighting as a potential biological resource impact, particularly given the Project's proximity to Moffett Creek and the presence of sensitive riparian and aquatic wildlife.

Artificial light at night has been shown to disrupt nocturnal wildlife movement, alter insect communities, reduce prey availability for salmonids and riparian birds, and interfere with bat foraging behavior. Lighting may also suppress or redirect nighttime insect emergence that supports aquatic food webs^{13,14}, disorient migratory birds and alter navigation¹⁵, and exclude light-averse bat species from riparian foraging areas¹⁶. Research also identifies artificial lighting as a contributor to insect declines¹⁷ which may indirectly affect juvenile salmonid foraging opportunities adjacent to the Project site.

CDFW recommends the MND include an assessment of potential biological impacts associated with operational lighting, including evaluation of light spill into riparian habitat, effects on nocturnal species, and measures to minimize illumination near Moffett Creek and employing appropriate AMM's. AMM's may include directional shielding, maintaining dark buffers adjacent to riparian vegetation, limiting illumination duration through motion-activated controls, and restricting nighttime lighting in areas adjacent to the creek.

SUBMITTING ENVIRONMENTAL DATA

CEQA requires that information developed in environmental documents be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations. (Public Resources Code, § 21003,

¹³ Perkin, E. K., et al. (2014). *The Influence of artificial light on stream and riparian ecosystems*. *Freshwater Biology*, **59**(1), 2–4.

¹⁴ Baxter, C. V., Fausch, K. D., & Saunders, W. C. (2005). *Tangled webs: reciprocal flows of invertebrate prey link streams and riparian zones*. *Freshwater Biology*, **50**(2), 201–220.

¹⁵ Longcore, T., & Rich, C. (2004). *Ecological light pollution*. *Frontiers in Ecology and the Environment*, **2**(4), 191–198.

¹⁶ Stone, E. L., Jones, G., & Harris, S. (2012). *Conserving energy at the cost of biodiversity? Impacts of artificial lighting on bats*. *Animal Conservation*, **15**, 1–9.

¹⁷ Owens, A. C. S., Cochard, P., Durrant, J., Farnworth, B., Perkin, E. K., & Seymoure, B. M. (2020). *Light pollution is a driver of insect declines*. *Biological Conservation*, **241**, 108259.

Joseph Hess
Town of Fort Jones
August 10, 2026
Page 9

subd. (e).) Accordingly, please report any observation of special status species to the CNDDDB using the CNDDDB field survey form^{18,19}.

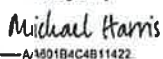
FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and an assessment of filing fees is necessary. Fees are payable upon filing the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the Lead Agency in identifying potential Project impacts on biological resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist, Specialist by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:

A1801B4C4B11422

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¹⁸ California Department of Fish and Wildlife. (2016, November). CNDDDB Online Field Survey Form User Guide. Retrieved from <https://nrm.dfg.ca.gov/fieldSurvey/default.aspx>

¹⁹ California Department of Fish and Wildlife. (n.d.). Submitting data to the California Natural Diversity Database (CNDDDB). Retrieved from <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

Response to Letter 2 – California Department of Fish and Wildlife

Response 2a: The Town of Fort Jones (Town) acknowledges California Department of Fish and Wildlife's (CDFW or Department) comments regarding its role as a Trustee Agency and Responsible Agency under CEQA and appreciates the Department's review of the Draft IS/MND. The Department provides a detailed summary of the proposed project and the site's biological setting. This introductory information does not require a response from the Town. The Town has reviewed the Department's recommendations and provides responses to the specific recommendations in Responses 2b through 2e.

Response 2b: Indirect Impacts on Aquatic Species

The Town appreciates CDFW's comments regarding the potential for indirect construction- and operation-related effects on aquatic species, including coho salmon (*Oncorhynchus kisutch*), steelhead (*O. mykiss*), and other sensitive aquatic species that may utilize Moffett Creek and the Scott River watershed. The Town agrees that although the project does not include in-channel construction activities, the potential for indirect effects associated with construction activities within the Regulatory Floodway should be expressly addressed. Accordingly, the following supplements the MND's discussion of biological resources and water quality to clarify the evaluation of potential indirect effects on aquatic species.

Construction-Phase Indirect Effects

The project would not involve construction within the active channel of Moffett Creek or other waters of the State. Therefore, the project would not result in direct alteration of aquatic habitat, removal of aquatic vegetation, direct mortality of fish, or physical obstruction of fish passage.

Nevertheless, construction activities within the Regulatory Floodway could have indirect effects on aquatic species if disturbed soils, sediment, construction materials, fuels, concrete products, or other pollutants were mobilized and transported to Moffett Creek during precipitation or elevated-flow events. Increased sedimentation or degradation of receiving-water quality could adversely affect aquatic organisms, including salmonids, even in the absence of in-channel construction.

These potential indirect effects were considered in the MND through the project's construction stormwater controls, including preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP), erosion and sediment-control BMPs, spill-prevention and response measures, and compliance with applicable Regional Water Quality Control Board requirements. Given the project's location within a flood-prone area, the Town has further clarified the implementation of these controls to address the potential for elevated flows and precipitation events to mobilize disturbed soils or construction-related materials.

The project will also implement site-specific construction controls addressing stabilization of disturbed soils, protection and securing of construction materials, storm-event preparedness, and response to conditions that could result in sediment transport or water-quality degradation. These measures are intended to prevent construction-related pollutants from entering Moffett Creek and to minimize the potential for indirect effects on aquatic habitat and salmonids.

With implementation of these requirements, construction activities would not be expected to result in a substantial adverse change in the quality of aquatic habitat or otherwise substantially interfere with the use of Moffett Creek by aquatic species.

Operational Indirect Effects

The Town respectfully notes that the proposed project will not discharge treated wastewater to Moffett Creek. Rather, the project utilizes infiltration ponds for treated wastewater disposal

and groundwater recharge consistent with applicable regulatory requirements. As a result, the project would not involve a direct discharge to Moffett Creek or other surface waters and would not be expected to directly affect aquatic species through changes in surface-water quality.

The treatment system is designed to provide treatment of wastewater prior to discharge to the infiltration ponds and will be operated in accordance with applicable Regional Water Quality Control Board requirements. The project will be subject to applicable monitoring, operational, and water-quality requirements intended to protect groundwater quality and prevent adverse effects to environmental resources.

The Town acknowledges CDFW's observation regarding the sensitivity of aquatic resources within the Scott River watershed during low-flow conditions. However, because the project does not discharge effluent to Moffett Creek, the potential for direct impacts to aquatic species or aquatic habitat from surface-water discharges is substantially reduced. The project will continue to operate under applicable regulatory requirements designed to protect water quality and environmental resources.

The project would not physically alter Moffett Creek, its channel, riparian corridor, or any identified off-channel habitat. Consequently, the project would not directly remove, obstruct, or degrade access to aquatic or riparian habitat within the creek system.

As noted above, the project replaces the existing wastewater treatment facility with a new treatment system designed to provide reliable treatment and controlled disposal through infiltration ponds. The project will not introduce untreated wastewater to Moffett Creek, will not create a new point-source discharge to surface waters, and will not involve activities that would directly affect aquatic habitat within Moffett Creek.

Based on the above, substantial evidence supports the conclusion that the project's operational impacts to Moffett Creek and associated aquatic resources would be less than significant.

Conclusion

Based on the absence of in-channel construction, implementation of the project's SWPPP, erosion and sediment control BMPs, spill-prevention measures, applicable Regional Water Quality Control Board requirements, and operation of the proposed WWTF in compliance with applicable discharge permits, the project would not be expected to substantially adversely affect aquatic habitat or salmonid species through indirect construction- or operation-related effects.

In response to CDFW's comment, the Town has supplemented and clarified the MND's discussion of indirect impact pathways and the measures through which construction- and operation-related water quality effects would be avoided, minimized, monitored, and regulated. These clarifications do not identify a new significant environmental effect or increase the severity of an impact previously disclosed in the MND. Therefore, the Town concludes that indirect impacts on coho salmon, steelhead, and other aquatic species would remain less than significant with mitigation, and the conclusions of the MND remain unchanged.

Response 2c: Construction Impacts and Aquatic Resources

The Town appreciates CDFW's comments regarding potential indirect construction-related impacts to salmonids and other aquatic resources resulting from construction activities within the Regulatory Floodway of Moffett Creek and the Scott River watershed.

The MND previously identified the potential for construction activities to result in erosion, sedimentation, and degradation of water quality and identified compliance with applicable

regulatory requirements, including preparation and implementation of a SWPPP, construction-phase BMPs, and applicable Regional Water Quality Control Board requirements. The Town acknowledges that the project's location within the Regulatory Floodway warrants additional clarification regarding implementation of construction-phase stormwater and erosion-control measures during elevated-flow conditions and precipitation events.

In response to CDFW's comments, the Town has clarified and enhanced the implementation requirements associated with the project's existing construction stormwater controls. The following measures are intended to provide site-specific implementation requirements for the SWPPP and construction BMPs and do not alter the type or significance of the environmental impacts identified in the MND. The measures establish additional procedures for implementing existing erosion, sediment, stormwater, and spill-prevention controls under conditions that could result in mobilization of disturbed soils, construction materials, or pollutants during elevated flow or precipitation events. While the Draft IS/MND concludes that impacts would be less than significant with mitigation, the Town has considered CDFW's recommendations and, to further strengthen environmental protection measures, Section 7, Mitigation and Monitoring Program, of the Draft IS/MND will be augmented to include the following monitoring requirements associated with implementation of the required State General Construction Permit and SWPPP:

MM BIO-WQ-1: Seasonal Construction Restrictions

Ground-disturbing activities within the Regulatory Floodway, including grading, trenching, excavation, and WWTF decommissioning activities, shall occur during the dry season to the maximum extent feasible. Work within areas subject to inundation shall be scheduled outside periods when significant precipitation or elevated streamflows are anticipated. These requirements shall be incorporated into the project's construction scheduling and SWPPP implementation procedures.

MM BIO-WQ-2: Flood-Adaptive Erosion and Sediment Control Plan

Prior to construction, the contractor shall prepare and implement a Flood-Adaptive Erosion and Sediment Control Plan as a component of, or as an implementation supplement to, the project's SWPPP. The plan shall identify site-specific measures designed for flood-prone conditions, including stabilization of disturbed soils, redundant sediment-control measures, protection of excavations, and procedures for rapid deployment of additional controls before forecast storm events.

MM BIO-WQ-3: Material Storage and Site Securing Requirements

Stockpiled soils, construction materials, fuels, chemicals, waste materials, and portable equipment shall be stored outside the Regulatory Floodway whenever feasible. Any materials temporarily located within flood-prone areas shall be secured, covered, or removed when precipitation or elevated flow events are forecast. Concrete washout areas shall be located outside drainage pathways and protected from inundation. These requirements shall be incorporated into the project's SWPPP, Spill Prevention and Response Plan, and construction specifications, as applicable.

MM BIO-WQ-4: High-Flow Response Thresholds

Construction managers shall monitor National Weather Service forecasts and site conditions throughout construction. Ground-disturbing activities shall be suspended and exposed soil areas stabilized when forecast precipitation or streamflow conditions indicate a substantial risk of sediment transport, erosion, or inundation of active work areas. The contractor shall incorporate these procedures into the project's SWPPP and construction scheduling procedures.

MM BIO-WQ-5: Water Quality Inspection and Adaptive Management

Construction activities occurring adjacent to aquatic resources or drainage pathways connected to Moffett Creek shall be subject to routine visual inspections of erosion, sediment-control BMPs, and receiving-water conditions. Where site conditions indicate a potential for project-related sediment discharge, turbidity monitoring may be implemented to evaluate BMP effectiveness. If inspections or monitoring indicate project-related water quality degradation, corrective actions shall be implemented immediately, including enhancement of BMPs, stabilization measures, repair of control devices, or temporary suspension of applicable work activities until compliance is achieved.

Conclusion

The Town has determined that the measures described above clarify and strengthen implementation of required construction stormwater controls, SWPPP requirements, spill-prevention procedures, and BMPs already incorporated into the project. These measures provide site-specific direction for construction activities occurring within the Regulatory Floodway but do not alter the project description, identify a new significant impact, or increase the severity of impacts previously evaluated in the MND.

With implementation of the project's SWPPP, Spill Prevention and Response Plan, applicable Regional Water Quality Control Board requirements, construction BMPs, and the site-specific implementation measures described above, the potential for construction activities to mobilize sediment, nutrients, organic material, contaminants, or construction debris to aquatic habitats would be substantially reduced. The measures provide enforceable procedures for avoiding water-quality degradation during elevated flow conditions and for implementing corrective actions if construction activities adversely affect receiving-water conditions.

Therefore, the Town's original conclusion that indirect construction-related impacts to coho salmon, steelhead, aquatic macroinvertebrates, and associated aquatic habitat would be less than significant with mitigation remains unchanged.

Response 2d: Operational Phase and Salmonid Impacts

The Town appreciates CDFW's comments regarding potential impacts to salmonids associated with long-term operation of the proposed wastewater treatment facility within the Regulatory Floodway.

The MND evaluated operational impacts related to hydrology, water quality, biological resources, and flooding and concluded that impacts would be less than significant with compliance with applicable regulatory requirements, including Waste Discharge Requirements (WDRs), National Pollutant Discharge Elimination System (NPDES) permit requirements (if applicable), Regional Water Quality Control Board oversight, and project design features incorporated into the proposed WWTF.

The proposed WWTF is specifically being constructed to replace aging treatment infrastructure and improve treatment reliability, flood resilience, and protection of water quality. The facility would be required to operate in accordance with permit conditions that establish effluent limitations, monitoring requirements, reporting procedures, and corrective actions intended to protect receiving-water beneficial uses, including aquatic habitat and salmonid resources. Operational discharges would therefore be subject to ongoing regulatory oversight and adaptive compliance measures throughout the life of the facility.

CDFW's comment suggests that flood events could mobilize nutrients, organic material, or contaminants from wastewater infrastructure. The Town notes that the purpose of the project is to reduce the likelihood of such occurrences through upgraded treatment processes, improved flood-resistant design, emergency response procedures, and compliance with

applicable wastewater and floodplain management standards. The MND does not identify a substantial source of untreated or inadequately treated wastewater that would be released during normal operations, nor does the project include features that would increase pollutant loading to Moffett Creek, the Scott River, or connected aquatic habitats.

The MND also evaluated floodplain and hydraulic conditions. The proposed facility will be designed and permitted in accordance with applicable FEMA floodway requirements and local floodplain development standards. Any improvements located within the Regulatory Floodway must demonstrate compliance with regulatory standards intended to avoid measurable increases in flood elevations or substantial interference with flood conveyance. As noted on page 114 of the Draft IS/MND (see Table 4-12, Base Flood Water Surface Elevations), implementation of the project would not result in an increase in 100-year flood water surface elevations, flood depths, flow velocities, or inundation extent within the Moffett Creek floodway. Therefore, the project is not expected to substantially alter flow velocities, inundation patterns, floodplain connectivity, or aquatic refuge habitat available during flood events.

The Town further notes that operation of the WWTF includes emergency response, spill-prevention, and contingency procedures addressing equipment malfunction, extreme weather events, and flood conditions. In addition, permit-required monitoring and reporting provide mechanisms for identifying and responding to potential water quality concerns. These requirements are part of the facility's operational and regulatory framework and support the MND's conclusion that operational impacts would remain less than significant.

Regarding cumulative impacts, the Town acknowledges ongoing stressors affecting salmonid populations within the Scott River watershed; however, the project would replace and modernize existing wastewater treatment infrastructure and is expected to maintain or improve water-quality protection relative to existing conditions. The project, designed as an infiltration system would not result in wastewater discharge to either Scott River or Moffett Creek, create new stream crossings, modify channel morphology, or substantially alter floodplain hydraulics. Consequently, the project would not make a cumulatively considerable contribution to watershed-scale impacts on salmonid populations.

Conclusion

Based on the project's replacement of an existing wastewater treatment facility, compliance with applicable WDR and NPDES requirements, floodplain permitting requirements, operational monitoring programs, emergency response procedures, and flood-resilient facility design, substantial evidence supports the conclusion that operational impacts to coho salmon, steelhead, and other aquatic resources would be less than significant.

The clarifications provided above further explain the regulatory and operational mechanisms that protect aquatic resources during both routine and elevated-flow conditions. They do not identify a new significant impact, a substantial increase in the severity of a previously identified impact, or a feasible mitigation measure previously omitted from the environmental analysis.

Response 2e: Lighting

The Town appreciates CDFW's comments regarding the potential effects of nighttime lighting on sensitive aquatic and riparian species.

The Draft IS/MND evaluated operational lighting under the Aesthetics section and concluded that lighting impacts would be less than significant due to project design features that minimize light spill and nighttime illumination. The Town acknowledges that artificial lighting can affect wildlife under certain circumstances. However, the proposed project incorporates multiple design features specifically intended to avoid substantial illumination of adjacent aquatic and riparian habitats (Draft IS/MND, p. 34).

The nearest sensitive habitat consists of Moffett Creek and its associated riparian corridor. The proposed wastewater treatment facility will utilize fully shielded, downward-directed lighting designed only to provide temporary illumination necessary for operators to safely respond to occasional nighttime operational emergencies. The closest light fixture to Moffett Creek would be located approximately 60 feet from the channel bank. Exterior lighting will be motion-activated and will not operate continuously during nighttime hours. In addition, all lighting will be designed and installed in accordance with Dark Sky principles to minimize glare, light trespass, and upward light dispersion.

Due to the directional shielding of fixtures, limited duration and frequency of illumination, setback distance from the creek, and confinement of lighting within the developed facility footprint, the potential for measurable light spill into adjacent riparian or aquatic habitat is expected to be minimal. The project does not include high-intensity recreational, commercial, or roadway lighting that would result in continuous nighttime illumination of surrounding habitats. As a project design feature, all permanent exterior lighting shall:

- Be fully shielded and directed downward;
- Be designed to prevent illumination beyond the minimum area necessary for operational and safety purposes;
- Utilize motion-sensor activation or equivalent controls to minimize the duration of illumination;
- Avoid placement of fixtures that directly illuminate Moffett Creek or adjacent riparian vegetation; and
- Comply with applicable Dark Sky standards and local lighting requirements.

Given these existing project design features, nighttime lighting would be limited, intermittent, and confined to operational areas of the facility. Therefore, the project is not expected to substantially affect nocturnal wildlife movement, bat foraging habitat, migratory bird behavior, aquatic insect emergence, or salmonid prey resources. Accordingly, operational lighting impacts to biological resources would remain less than significant.

Response 2f: The Town acknowledges CDFW's comment regarding the submission of environmental data. To the extent applicable, the Town will comply with Public Resources Code section 21003 and will ensure that any qualifying biological resource information developed during project implementation is submitted to the California Natural Diversity Database (CNDDDB) using the appropriate CNDDDB field survey forms.

Response 2g: The Town acknowledges CDFW's comment regarding the payment of filing fees. The Town will comply with all applicable CEQA filing fee requirements at the time the Notice of Determination (NOD) is filed. Any required fees will be paid in accordance with the California Code of Regulations, Fish and Game Code, and Public Resources Code to ensure that project approvals are operative, vested, and final.