State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
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Redding, CA 96001
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

August 1, 2019

Amy Cuellar, Project Manager
Navigant
35 Iron Point Circle, Suite 225
Folsom, CA 95630

Subject: Review of the Mitigated Negative Declaration for the Skedaddle Interconnection Project, State Clearinghouse Number 2019069071, Lassen County

Dear Ms. Cuellar:

The California Department of Fish and Wildlife (Department) has reviewed the Initial Study/Mitigated Negative Declaration (MND) dated June 2019, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, the Department administers the California Endangered Species Act and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act, California Public Resources Code section 21000 et seq.

The Department appreciates the Lassen Municipal Utility District (LMUD) extending the review period so that we could accommodate a site visit.

Project Description

The Project as proposed is to develop the Skedaddle Interconnection Project which would be constructed in the unincorporated area of Wendel, California. The Project includes the following components as stated in the MND:

- *Skedaddle Substation – 345/60-kV electrical substation*
- *Shaffer Substation – 345-kV electrical substation*
- *Overhead 60-kV transmission system via the new 60-kV Antola Road Switching Station*
- *Access roads to provide access to and between the Skedaddle and Shaffer Substations*
- *Overhead 345-kV transmission line interconnection of the Shaffer Substation to the existing NV Energy 345-kV Reno-Alturas line*

- *Temporary construction staging areas including one located south of proposed substations (approximately 1000 by 300 feet) and another area to the east of Shaffer Substation (approximately 400 by 300 feet).*

Lassen Municipal Utility District would construct, own and operate the Skedaddle Substation, access roads, 60-kV transmission interconnection, Antola Road Switching Station, and on-site electric transmission interconnections to the point of change of ownership between Skedaddle and Shaffer substations. NV Energy would construct, own and operate the Shaffer Substation and the two sections of 345-kV transmission line required to interconnect the Shaffer Substation to the existing NV Energy Reno-Alturas 345-kV line.

According to the MND, approximately 24 acres of habitat will be disturbed. Ten acres of temporary disturbance for construction parking, wire pulling, splicing, laydown, and staging. Fourteen acres of permanent disturbance including footprint of the Skedaddle Substation (approximately 2 acres), footprint of the Shaffer Substation (approximately 9 acres), Antola Switching Station (0.07 acres), and less than 0.02 acres for all the transmission towers and proposed access roads (approximately 2.5 acres).

Comments and Recommendations

Special Status Species

Several special status plant species have been observed within the footprint of the Project. The Department recommends avoiding these sensitive plants by locating poles outside of special status plant occurrences and constructing temporary fencing prior to the start of construction.

Invasive plant species compete with special status native plants. The Department recommends, where feasible, crushing (i.e., driving over) the vegetation instead of removing it in areas where permanent impacts are not an issue. Keeping the roots intact will prevent or at least minimize soil disturbance thus decreasing the opportunity for invasive species to take hold and reduce spreading invasive species in areas where they are already present.

Invasive Plant Species

Invasive plant species have been found within the Project area. Invasive species can be inadvertently transported by vehicles, equipment, and people. The Department recommends developing mitigation measures for preventing the

further spread of those noxious or invasive species. An example of such a measure is included below:

> Invasive Weed Prevention and Management Program. Prior to start of construction for projects occurring within or adjacent to sensitive habitats, an Invasive Weed Prevention and Management Program shall be developed by a qualified biologist to prevent invasion of native habitat by non-native plant species. A list of target species shall be included, along with measures for early detection and eradication. The contractor shall wash all equipment before and after use with every new section of transmission line installation and removal in order to help prevent the spread of invasive and noxious weeds within the Project footprint. All disturbed areas shall be hydroseeded with a mix of locally native species upon completion of work in those areas. In areas where construction is ongoing, hydroseeding shall occur where no construction activities have occurred within six (6) weeks since ground disturbing activities ceased. If exotic species invade these areas prior to hydroseeding, weed removal shall occur in consultation with a qualified biologist and in accordance with the restoration plan.

Cal IPC has written a best management practice for utility companies entitled *Prevention BMPs for Transportation and Utility Corridors* which can be found here at the Cal IPC website: https://www.cal-ipc.org/resources/library/publications/#BMPs.

Wetlands

The MND states 248.1 square feet (0.0057 acre) of permanent wetland impact and approximately 145 square feet (0.0033 acres) of temporary wetland impacts would occur with the buildout of the Project. Any impacts to wetlands are considered significant and will need to be mitigated as the Department has a "*No Net Loss*" wetland policy[1]. Therefore, the 248.1 square feet (0.0057 acre) of permanent impact and the approximately 145 square feet (0.0033 acres) of temporary impacts would need to be mitigated at a minimum ratio of 2:1. Mitigation measures should first emphasize avoidance and reduction of Project impacts. For unavoidable impacts, the feasibility of on-site habitat restoration or enhancement should be discussed. If on-site mitigation is not feasible, off-site mitigation through habitat creation, enhancement, acquisition, and preservation in perpetuity should be addressed.

During the site visit on July 19, 2019, the area proposed for the new transmission line that runs parallel to the land owned by the Department, was visited. It is proposed that the new poles will be positioned up on the embankment of the railroad line – approximately two feet above the toe of the railroad berm, which is

[1] Fish and Game Commission Wetlands Resources Policy (Amended 8/18/05)

outside of any known wetlands. However, in areas where poles will be placed and a wetland lies just below, the Department recommends the wetland be covered with a canvas tarp in order to prevent any of the spoils from discharging into it. After the pole is placed and soil packed around it, the tarp and spoils can be removed, leaving the wetland intact.

Trenching

Numerous references to trenching or excavation of holes exist in the MND. The Department recommends a mitigation measure be added to prevent wildlife entrapment:

> At the end of each workday, excavations shall be secured with cover, such as plywood, or a ramp provided to allow any animals that may have become entrapped in the trench to climb out overnight. The ramp may be constructed of either dirt fill or wood planking or other suitable material that is placed at an angle no greater than 30 degrees.
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> LMUD shall visually check all sections of pipe for the presence of wildlife sheltering within them prior to the pipe sections being placed in the trench and attached together or shall have the ends capped while stored on site to prevent wildlife from entering. After attachment of the pipe sections to one another, whether in the trench or not, the exposed end(s) of the pipeline shall be capped at the end of each day during construction to prevent wildlife from entering and being trapped within the pipeline.

Mitigation Measures

BIO-3

The Department has the following recommendations in boldface for mitigation measures BIO-3:

> *BIO-3: Prior to any vegetation removal for the Project that occurs during the nesting season (February 15 to September 15), the qualified biologist shall conduct a nesting bird survey no more than* **one** *week prior to construction to determine presence/absence of nesting birds within the disturbance area. If active nests are observed, work activities will be avoided within 100 feet of active passerine nests and 300* **to 500** *feet of active raptor nests until young birds have fledged and left the nest.* **The buffer will be determined in consultation with the USFWS and CDFW.** *The nests shall be monitored weekly by a qualified biologist with expertise on nesting birds. The buffer may be reduced if deemed appropriate by the qualified biologist. If any federally or state-listed bird species or California fully protected bird species are observed nesting in or near the BSA, the*

qualified biologist shall coordinate with LMUD, the USFWS and/or CDFW before any disturbances occur within 500 feet of the nest. Readily visible exclusion zones will be established in areas where nests must be avoided. The LMUD will be contacted if any federally or state-listed bird species are observed during surveys. Bird nests, eggs, or young covered by the MBTA and CFGC will not be moved or disturbed until the end of the nesting season or until young fledge, nor will adult birds be killed, injured, or harassed at any time. Pursuant to CFGC Section 3503.5, nests of raptors (e.g., owls, hawks, falcons, eagles) shall not be removed prior to coordination with and approval from the CDFW.

If a nest of any special-status avian species, such as loggerhead shrike, greater sandhill crane, tricolored blackbird, or burrowing owl (wintering or nesting burrow), is identified, all Project-related activities will cease within 500 feet of the active nest/burrow until LMUD and the qualified biologist have coordinated with the USFWS and CDFW to determine an appropriate monitoring plan for working in the vicinity of the nest/burrow.

BIO-6

Mitigation measure BIO-6(c) discusses salvaging of special-status plant species. The Department generally considers salvage and relocation (translocation) to be an ineffective way to compensate for permanent impacts to rare, threatened, endangered, and sensitive native plants (rare plants)[2]. Rare plant translocations for mitigation have a low success rate (less than ten percent)[3] and the Department considers such efforts experimental, unless they have been demonstrated to be effective through long-term experimentation. Successful rare plant translocations require many years of habitat surveys, habitat modeling, site selection, seed collection, plant propagation, site preparation, monitoring, and remedial actions such as management of competing plants, supplemental watering, and supplemental planting. Success is not guaranteed, and even translocations that are initially successful may fail to persist over the long term.

Furthermore, transplantation efforts do not replace intact ecosystems or maintain the entire range of genetic diversity at the impact site. The presence of rare plants often signifies the presence of biogeographically important sites with unusual soil, microclimate, or other conditions that are not easy to identify and difficult or impossible to duplicate. Loss of genetic material from rare plant translocation may also hinder introduced populations from withstanding changing environmental conditions over time. Conservation translocation of plants requires consideration of several factors that might not be considered for animal species, such as microclimate, soil, pollinators, herbivory, weed management, mycorrhizal associations, and adequate monitoring that could reasonably span many years. These factors considerably increase the

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[2] Department of Fish and Wildlife. November 16, 2017. *Policy and Procedures for Conservation Translocations of Animals and Plants.* Bulletin Number 2017-05.
[3] Fiedler, Peggy L. 1991. Final Report Mitigation-Related Transplantation, Relocation and Reintroduction Projects Involving Endangered and Threatened, and Rare Plant Species in California.

complexity and risk of failure of plant translocations. The most effective way to mitigate for permanent loss of rare plant habitat is therefore to protect and manage existing populations in their natural habitat. As stated previously, this can be done by locating poles outside of special status plant occurrences and constructing temporary fencing prior to the start of construction.

Transmission Line Removal

As proposed in the MND currently, the existing transmission line is scheduled for removal except for five poles located on the Department's Honey Lake Wildlife Area. The Department requests that, if possible, all of the remaining poles be cut at ground level instead of removing the entire pole and backfilling. Removing the pole and backfilling will create more disturbance than just cutting it off at ground level.

California Natural Diversity Database (CNDDB)

In order to keep the CNDDB updated, the Department requests that any observations of special status plants, habitats, or wildlife species found during surveys be sent to CNDDB using our online field survey form at this address: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist, at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,

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