

From: [OPR State Clearinghouse](#)
To: [Christine Asiata](#)
Subject: FW: CDFW's comments on the IS/MND for the Leave It To Us Self Storage Project (SCH No. 2019089029)
Date: Wednesday, September 4, 2019 1:14:00 PM

Governor's Office of Planning & Research

From: Quillman, Gabriele@Wildlife <Gabriele.Quillman@wildlife.ca.gov>

SEP 04 2019

Sent: Wednesday, September 4, 2019 12:49 PM

STATE CLEARINGHOUSE

To: efren.sanchez@edcgov.us

Cc: Wildlife R2 CEQA <R2CEQA@wildlife.ca.gov>; OPR State Clearinghouse <State.Clearinghouse@opr.ca.gov>

Subject: CDFW's comments on the IS/MND for the Leave It To Us Self Storage Project (SCH No. 2019089029)

Dear Mr. Sanchez:

The California Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Initial Study and Mitigated Negative Declaration (IS/MND) for the Leave It To Us Self Storage Project (project) [SCH No. 2019089029]. The Department is responding to the MND as a Trustee Agency for fish and wildlife resources (California Fish and Game Code sections 711.7 and 1802, and the California Environmental Quality Act [CEQA] Guidelines section 15386), and as a potential Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (Fish and Game Code sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (Fish and Game Code sections 2080 and 2080.1).

Project Location and Description

The approximately 7.21 acre project site is located on the southeast side of Business Drive, approximately 0.63 miles south of the intersection with Durock Road in the Burnett Business Park Area of Shingle Springs in El Dorado County, California; Assessor's Parcel Number (APN) 109-480-07; at latitude 38.6470°, longitude -120.9490°.

The project proposes to develop a new self-storage facility consisting of nine new storage buildings, two employee housing units, a parking lot, and associated site improvements such as landscaping, perimeter fencing, and on-site signs.

Comments and Recommendations

The Department offers the comments and recommendations presented below to assist the County of El Dorado (County; the CEQA Lead Agency) in adequately identifying and mitigating the project's significant, or potentially significant, impacts on biological resources.

California Endangered Species Act and Native Plant Protection Act

-

The Department is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, rare, and/or candidate plant and animal species, pursuant to the California Endangered Species Act (CESA) and Native Plant Protection Act (NPPA). The Department recommends that an Incidental Take Permit (ITP) be obtained if the project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of state-listed Threatened, Endangered, Rare, and/or Candidate species, either through construction or over the life of the project. ITPs are issued to conserve, protect, enhance, and restore State-listed species and their habitats. The Department encourages early consultation, as significant modification to the proposed project and avoidance, minimization, and mitigation measures may be necessary to obtain an ITP.

Pine Hill Plants

-

The only mapped soil unit in the project site is Rescue very stony sandy loam, 3-15% slopes. This soil has the potential to support several state-listed Rare and Endangered plants, including Stebbins’ morning glory (*Calystegia stebbinsii*) [state Endangered], Pine Hill ceanothus (*Ceanothus roderickii*) [state Rare], Pine Hill flannelbush (*Fremontodendron californicum* ssp. *decumbens*) [state Rare], El Dorado bedstraw (*Galium californicum* ssp. *sierrae*) [state Rare], and Layne’s butterweed (*Packera layneae*) [state Rare]. These plants, as well as a few other species that are special-status but not state listed as Rare or Endangered, are collectively known as the Pine Hill Plants. Habitat for all of these species exists on the project site, and 36 Layne’s butterweed plants were documented on-site in 2009. However, subsequent surveys in 2015 and 2017 did not identify any special-status plant species on-site during those years.

The Pine Hill Plants occur as understory species in chaparral and are adapted to natural wildfire cycles that open habitat by clearing out dense larger shrubs such as manzanita and chamise. This disturbance triggers germination and resprouting of understory species, including the Pine Hill Plants. As larger shrubs regrow, they crowd out understory plants until the next disturbance opens the habitat again. During these periods, the understory plants are present in the form of a persistent seedbank that remains dormant until germination is triggered. Because the Pine Hill Plants are adapted to these cycles of disturbance and dormancy, they may appear unexpectedly even after several years of absence. Because artificial disturbance, such as grading or clearing, may trigger germination, Pine Hill Plants may sprout on the project site during construction, especially if there is a long period of inactivity after the initial ground disturbance.

Mitigation Measure BIO-2 states that “a qualified biologist shall conduct a pre-construction survey within 14 days prior to clearing or grading operations to look for potential Layne’s butterweed (*Packera Layneae*) plants or other rare plants species. If no Layne’s butterweed plants or rare plants are observed, a letter report shall be prepared to document the results of the survey, and no additional measures are recommended. If Layne’s butterweed plants or rare plants are present, then the applicant shall coordinate with the Pine Hill Ecological Preserve Manager and staff to facilitate collection of seeds and plants on site. The collected material shall be transplanted under the discretion of the Pine Hill Ecological Preserve Manager or a qualified professional to the Pine Hill Ecological Preserve land.” While seed collection and transplantation may be used to help minimize project impacts, the Department typically does not support the use of relocation, salvage, and/or

transplantation as the primary mitigation for impacts to rare, threatened, or endangered plant species as these efforts are often experimental in nature and largely unsuccessful. Instead, the Department recommends acquisition, preservation, and management in perpetuity of occupied habitat.

If Layne's butterweed, or any other state listed Rare or Endangered plant species is found on-site, the Department recommends that an ITP be obtained prior to the start of project activities. In order to facilitate issuance of an ITP, if necessary, the Department recommends that the IS/MND be revised to include a discussion of the avoidance, minimization, and mitigation measures that may be implemented should an ITP be necessary. The Department also recommends that Mitigation Measure BIO-2 be revised to require periodic monitoring of the project site by a qualified biologist should a period of inactivity occur following initial ground disturbance, in case the ground disturbance triggers germination of state listed Pine Hill Plants.

-

Further Coordination

The Department appreciates the opportunity to comment on the IS/MND for the Leave It To Us Self Storage Project (SCH No. 2019089029), and requests that the County address the Department's comments prior to adopting the IS/MND. If you have any questions pertaining to these comments, please contact me at (916) 358-2955 or gabriele.quillman@wildlife.ca.gov.

Sincerely,

Gabriele (Gabe) Quillman
California Department of Fish and Wildlife – North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95816
(916) 358-2955