



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Region 1 – Northern
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 6, 2019

Governor's Office of Planning & Research

Stefano Richichi, Associate Planner
County of Lassen
Department of Planning and Building Services
707 Nevada Street, Suite 5
Susanville, CA 96130

NOV 06 2019

STATE CLEARINGHOUSE

Subject: Review of the Early Consultation Request for Parcel Map 2019-001. Initial Study 2018-006 (Plog, Aboussleman, Stringer), Assessor Parcel Numbers 013-070-41, State Clearinghouse Number 2019100508, Near the Communities of Pittville and McArthur, Lassen County

Dear Mr. Richichi:

The California Department of Fish and Wildlife (Department) has reviewed the early consultation Agency Referral dated October 21, 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 (FGC) 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 (CEQA), California Public Resources Code §21000 et seq. The following are informal comments intended to assist the Lead Agency in making informed decisions early in the Project development and review process.

Project Description

The Project as proposed is *"to divide a 111-acre parcel into four parcels: Proposed Parcel 1 would be 20.22 acres in size, Proposed Parcel 2 would be 21.11 acres in size, Proposed Parcel 3 would be 21.37 acres in size and Proposed Parcel 4 would be 48.08 acres in size."*

The Project is located approximately 3.5 miles south of the intersection of Highway 299 and Old Highway Road at 545-100 Kaufenberg Road.

Comments and Recommendations

The Department has the following recommendations and comments as they

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pertain to biological resources.

Biological Resources

Since the Project is proposed in wildlife habitat, the Department will require a basic botanical, wildlife, and habitat assessment (conducted at the appropriate time of the year) to determine whether focused or protocol-level surveys are warranted. The Department recommends all plant and wildlife species identified in the California Natural Diversity Database (CNDDDB) and other biological resource databases (U.S. Fish and Wildlife Service, California Native Plant Society, or other pertinent references) be analyzed for the potential to occur within the Project area.

All surveys should be conducted prior to approval of the Project and survey results should be sent to the Department at the following address: Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA 96001 or submitted via email to R1CEQARedding@wildlife.ca.gov. A thorough assessment of rare plants and rare natural communities should be conducted following the Department's March 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (<https://www.wildlife.ca.gov/conservation/survey-protocols#377281280-plants>). If any special-status species are found during surveys, the Department requests that CNDDDB forms be filled out and sent to Sacramento and a copy of the form be sent to the Regional office at the above address. Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Critical Wintering Deer Range

The proposed Project is in critical deer winter range. The Department recommends any new construction occur along the road frontage, clustered near one another allowing the larger portions of the parcels to remain open for the deer, or other design configurations as appropriate.

Wildlife Friendly Fencing

The Department recommends using wildlife friendly fencing, if fencing is needed. Ideally, this type of fencing is visible to ungulates and birds, allows wildlife to jump over or crawl under and provides access to important habitats (water sources) and migration corridors. The Department recommends using four-strand, high tension wire fencing where the first strand is smooth and is 16 inches off the ground, the second and third strand are barbed, with the fourth strand measures 12 inches from the third strand for a total maximum of 42 inches in height.

Wetlands

The Google Earth view shows ponding in the northeast corner of the parcel. If

wetlands and/or streams are observed onsite, a wetland delineation should be conducted by a qualified professional.

Mitigation

Avoidance and mitigation measures for impacts to special-status species and sensitive habitats, if found, should be proposed in subsequent environmental review to avoid any significant effects the Project would have on the species or its habitat. Examples of mitigation measures for special-status species and habitat include, but are not limited to, project modification to avoid the species and its habitat, enhancement of existing onsite habitat, offsite restoration or enhancement of habitat, or onsite/offsite preservation of habitat.

Nesting Bird Mitigation

In order to avoid impacts to nesting birds and/or raptors protected under FGC sections 3503 and 3503.5, one of the following shall be implemented:

- a) Conduct vegetation removal and other ground-disturbance activities associated with construction from September 1 through January 31, when birds are not nesting; or
- b) Conduct pre-construction surveys for nesting birds if vegetation removal or ground disturbing activities are to take place during the nesting season (February 1 through August 31). These surveys shall be conducted by a qualified biologist no more than one week prior to vegetation removal or construction activities during the nesting season. If an active nest is located during the preconstruction surveys, a non-disturbance buffer shall be established around the nest by a qualified biologist in consultation with the Department. No vegetation removal or construction activities shall occur within this non-disturbance buffer until the young have fledged, as determined through additional monitoring by the qualified biologist. The results of the pre-construction surveys should be sent to the Department at: California Department of Fish and Wildlife, Attn: CEQA, 601 Locust Street, Redding, CA, 96001 or emailed to R1CEQARedding@wildlife.ca.gov.

Lighting

The Department recognizes the adverse effects that artificial lighting has on birds and other nocturnal species. The effects are numerous and include impacts to singing and foraging behavior, reproductive behavior, navigation, and altered migration patterns. To minimize adverse effects of artificial light on wildlife, the Department recommends that lighting fixtures associated with the Project be downward facing, fully-shielded and designed and installed to minimize photo-pollution and spillover of light onto adjacent wildlife habitat.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam McKannay', with a long horizontal flourish extending to the right.

Adam McKannay
Interior Cannabis and Conservation Planning Supervisor

ec: Stefano Richichi, Associate Planner
County of Lassen
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State Clearinghouse
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