



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 24, 2020

Governor's Office of Planning & Research

APR 24 2020

STATE CLEARINGHOUSE

Linda Burke, Senior Planner
City of Redding
Community Services Department
777 Cypress Avenue
Redding, CA 96001

Subject: Review of the Mitigated Negative Declaration for Use Permit Application UP-2020-00350 for the Northeast Crossing Trail, State Clearinghouse Number 2020039071, Shasta County

Dear Linda Burke:

The California Department of Fish and Wildlife (Department) has reviewed the Initial Study/Mitigated Negative Declaration (MND) dated March 24, 2020, 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 (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project proposes "to construct a permeable paved trail in the open space corridor along Boulder Creek, generally located west of I-5. The project will connect the existing State Route (SR) 299 bike path through the Caltrans right-of-way with the Highland Park neighborhood subdivision at the northern terminus of Mill Valley Parkway. The scope of work includes the construction of 2,900 linear feet of paved trail, a single-span pedestrian bridge over Boulder Creek, LED safety lighting, 0.40 acres of native restorative planting. Work will involve vegetation removal, vegetation trimming, earthwork (cut and fill), and trenching. A use permit is required to allow encroachment into the regulatory 100-year floodplain of Boulder Creek for trail construction."

The Project is located at 901 College View Drive and 500 Davis Ridge Road on Assessor's Parcel Numbers 116-180-006 and 117-070-028. The Project will span over and occur alongside Boulder Creek.

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Comments and Recommendations

The Department commented on this Project via electronic mail on March 27, 2020, during the Early Consultation review period. The Department has the following comment and recommendations:

Western pond turtle (*Emys marmorata*)

Mitigation Measure BIO-2 states, “*Within 7 days prior to the onset of construction activities, a qualified biologist shall conduct pre-construction surveys for western pond turtle and turtle nests.*” This measure should be modified with language with how to respond, should western pond turtles be detected within the Project site, for example:

The Project Applicant should have a qualified biologist familiar with the ecology of western pond turtle conduct pre-construction surveys immediately prior to the start of construction. Any western pond turtles that are found during surveys shall be relocated to a safe location outside of the work area and away from indirect project impacts. An appropriate relocation site shall be designated prior to the start of construction. This location must be free of predators, non-native turtles, and conspecifics which may compete for resources.

Western pond turtles have a high site fidelity meaning that if you found a pond turtle seven days prior to construction starting and relocated it, it could very well be back at the site when you want to start work. It is best to have a qualified biologist look the first day of construction for the species and then train the workers to look before starting construction each day. If western pond turtles are subsequently observed, the qualified biologist could then be called back to relocate it.

Mitigation Measure BIO-3 is adequate as written but it could be combined with BIO-2.

Bat Surveys

Mitigation Measure BIO-5 states if removal of large trees occurs during the maternity season (and non-volant period) a qualified professional will conduct pre-construction surveys. The qualified professional shall be a qualified bat biologist who is familiar with the ecology and life history of local bat species. Currently, there are local environmental consultants doing bat work that are not experienced with the implementation of effective bat survey methods and mitigation strategies. The measure should read as follows with the new wording in bold:

If construction (including the removal of large trees) occurs during the bat non-volant season (March 1 through August 15), a qualified **bat biologist** shall conduct a pre-construction survey of the study area to locate maternity colonies and identify measures to protect colonies from disturbance. The preconstruction survey will be performed no more than **seven (7)** days prior to the implementation of construction activities. If a maternity colony is located within or adjacent to the study

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area, a disturbance free buffer shall be established by a qualified **bat biologist** to ensure the colony is protected from project activities.

Survey Results

All survey results should be sent to the Department either electronically at R1CEQARedding@wildlife.ca.gov or by mail at California Department of Fish and Wildlife, ATTN: CEQA, 601 Locust Street, Redding, California 96001.

California Natural Diversity Database

If special status species are observed, the Department would appreciate the observation be put into the California Natural Diversity Database (CNDDDB). Instructions for providing data to the CNDDDB can be found at: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

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

Sincerely,

DocuSigned by:

Curt Babcock

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Curt Babcock

Habitat Conservation Program Manager

ec: Linda Burke, Senior Planner
City of Redding
lburke@cityofredding.org

State Clearinghouse
state.clearinghouse@opr.ca.gov

Amy Henderson
California Department of Fish and Wildlife
Amy.Henderson@wildlife.ca.gov