



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
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Governor's Office of Planning & Research

April 9, 2021

Apr 13 2021

STATE CLEARINGHOUSE

Mr. Jackson Ford
Sonoma County
2550 Ventura Avenue
Santa Rosa, CA95403
jackson.ford@sonoma-county.org

Dear Mr. Ford:

Subject: Bohemian Highway Bridge Over Russian River Replacement, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2021030538, Monte Rio, Sonoma County

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) provided for the Bohemian Highway Bridge over Russian River Replacement (Project) located where Bohemian Highway crosses the Russian River, in Monte Rio, Sonoma County.

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal Code Regs., tit 14, § 15386). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as the California Endangered Species Act (CESA) Permit, the Native Plant Protection Act, a Lake and Streambed Alteration (LSA) Agreement and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The Project includes replacement of the existing Monte Rio Bridge over the Russian River in the community of Monte Rio, on Bohemian Highway, in western Sonoma County. The new bridge will be an approximately 846-foot-long steel-tied steel arch bridge, which will cross the Russian River downstream of the existing bridge. The new bridge will require new bridge approaches and abutments. The existing bridge will remain in place during construction and be demolished once the new bridge is completed.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the draft EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, and that it contain sufficient information to evaluate and review

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the Project's environmental impact. Please include a complete description of the following Project components in the Project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes
- Scope of in-water work, dewatering plan, species protection measures
- Area and plans for any proposed buildings/structures, rock slope protection, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise and greenhouse gas generation, traffic generation, and other features
- Construction schedule, activities, equipment and crew sizes

ENVIRONMENTAL SETTING

The draft EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the Project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§15125 and 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including but not limited to all rare, threatened, or endangered species (CEQA Guidelines, §15380). The draft EIR should describe aquatic habitats, such as wetlands and/or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site. Fully protected, threatened or endangered, candidate, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include, but are not limited to:

- Coho salmon south of Punta Gorda (*Oncorhynchus kisutch*), State and Federal Endangered
- steelhead trout, Central California Coast Distinct Population Segment (*Oncorhynchus mykiss irideus*), Federal Threatened
- California freshwater shrimp (*Syncaris pacifica*), State and Federal Endangered
- California red-legged frog (*Rana draytonii*), Federal Threatened and California Species of Special Concern (SSC)

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- western pond turtle (*Emys marmorata*), SSC
- foothill yellow-legged frog, Northwest/North Coast clade (*Rana boylei*), SSC
- California giant salamander (*Dicamptodon ensatus*), SSC
- bank swallow (*Riparia riapria*), State Threatened
- Townsend's big-eared bat (*Corynorhinus townsendii*), SSC
- Sonoma tree vole (*Arborimus pomo*), SSC
- western bumble bee (*Bombus occidentalis*), California Terrestrial and Vernal Pool Invertebrate of Conservation Priority¹
- Sonoma Alopecurus (*Alopecurus aequalis* var. *sonomensis*), Federal Endangered
- Baker's Larkspur (*Delphinium bakeri*), State and Federal Endangered
- Pennell's bird's-beak (*Cordylanthus tenuis* ssp. *capillaris*), Federal Endangered

Habitat descriptions and the potential for species occurrence should include information from multiple sources, such as aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, the U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, and findings from positive occurrence databases such as the California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the draft EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>.

Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (<http://www.cnps.org/cnps/rareplants/inventory/>), must be conducted during the blooming period for all sensitive plant species potentially occurring within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrology, and require the identification of reference populations. Please refer to CDFW

¹ The list of California Terrestrial and Vernal Pool Invertebrates of Conservation Priority was collated during CDFW's Scientific Collecting Permit rulemaking process: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

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protocols for surveying and evaluating impacts to rare plants, and survey report requirements available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

IMPACT ANALYSIS AND MITIGATION MEASURES

The draft EIR should discuss all direct and indirect impacts (temporary and permanent), including reasonably foreseeable impacts, that may occur with implementation of the Project (CEQA Guidelines, §§ 15126, 15126.2, and 15358). This includes evaluating and describing impacts such as:

- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alteration of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

The draft EIR should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, §15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR and mitigate potentially significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4, and 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with USFWS, the National Marine Fisheries Service and CDFW. These measures should be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

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Fully protected species may not be taken or possessed at any time (Fish and Game Code, §§ 3511, 4700, 5050, and 5515). Therefore, the draft EIR should include measures to ensure complete take avoidance of these fully protected species.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. The Project includes work in a Coho-bearing stream, and Project activities may have the potential for take of Coho and California freshwater shrimp, both protected under CESA. 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 will impact CESA listed species, such as Coho or California freshwater shrimp, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce of the population of a threatened or endangered species (Pub. Resources Code, §§ 21002, subd. (c), and 21083; CEQA Guidelines §§ 15380, 15064, and 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency’s FOC does not eliminate the Project proponent’s obligation to comply with CESA.

Lake and Streambed Alteration Agreement

CDFW will require an LSA Agreement, pursuant to Fish and Game Code section 1600 et seq. for Project-related activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as the responsible agency.

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FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, § 711.4; Pub. Resources Code, § 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

If you have any questions, please contact Mr. James Hansen, Environmental Scientist, by e-mail at James.Hansen@Wildlife.ca.gov, or Ms. Melanie Day, Senior Environmental Scientist (Supervisory), by e-mail at Melanie.Day@Wildlife.ca.gov.

Sincerely,

DocuSigned by:

Gregg Erickson

BE74D4C93C604EA...
Gregg Erickson
Regional Manager
Bay Delta Region

cc: State Clearinghouse