



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

March 17, 2022

Mar 18 2022

STATE CLEARINGHOUSE

Mr. Immanuel Bereket
Marin County Community Development Agency Planning Division
3501 Civic Center Drive
San Rafael, CA 94903
envplanning@marincounty.org

Subject: Gee Bridge Design Review Project, Mitigated Negative Declaration,
SCH No. 2022020245, County of Marin

Dear Mr. Bereket:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the County of Marin (County) for the Gee Bridge Design Review Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is submitting comments on the MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA) or Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Timothy Gee

Objective: The Project would gravel and widen an existing 250-foot-long dirt access road and install a prefabricated, 12-foot-wide, 40-foot-long steel girder bridge over an unnamed tributary to San Antonio Creek. The Project would provide vehicular access to the southern portion of the property. Primary Project activities include grading,

¹ CEQA is codified in the California Public Resources Code in Section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with Section 15000.

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 2

excavating, trenching, installing gravel, pouring concrete, installing a prefabricated bridge, and removing non-native ornamental trees.

Location: The Project is located at 135 Wilson Hill Road, approximately 5 miles west of the City of Petaluma, in unincorporated Marin County. The approximate centroid of the Project is Latitude 38.19056°N, Longitude 122.70937°W and the Assessor's Parcel Number is 106-170-022.

Timeframe: The Project would take 4 to 6 weeks and work is planned for summer 2022.

ENVIRONMENTAL SETTING

The Project area covers approximately 0.06 acres of existing dirt road and a lowwater crossing. The Project is adjacent to a landscaped residential area and valley oak (*Quercus lobata*) woodland; crosses an intermittent, unnamed tributary to San Antonio Creek; and includes and is adjacent to non-native annual grassland dominated by slender wild oat (*Avena barbata*), annual blue grass (*Poa annua*), rough dog's-tail (*Cynosurus echinatus*) and field bindweed (*Convolvulus arvensis*). The residential, landscaped portion of the property includes non-native ornamental trees such as Aleppo pine (*Pinus halepensis*), olive (*Olea europaea*), and cedar (*Cedrus* sp.). The surrounding area consists of rural residences, grassland, valley oak woodland, and riparian corridors. Another unnamed tributary to San Antonio Creek flows along the northern boundary of the property and will not be impacted by the Project. Special-status species with the potential to occur in or near the Project area include, but are not limited to, wintering burrowing owl (*Athene cunicularia*), a California Species of Special Concern (SSC); California red-legged frog (*Rana draytonii*), federally listed as threatened and SSC; western pond turtle (*Emys marmorata*), SSC; Northwest/North coast clade foothill yellow-legged frog (*Rana boylei*), SSC; pallid bat (*Antrozous pallidus*), SSC; western red bat (*Lasiurus blossevillei*), SSC; American badger (*Taxidea taxus*), SSC; and white-tailed kite (*Elanus leucurus*), a Fully Protected species.

REGULATORY REQUIREMENTS

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may 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. **The MND identifies that the Project would install a prefabricated bridge over an unnamed tributary to San Antonio Creek; this activity would require an LSA Notification as further described below.** In this case, CDFW would consider the CEQA document for the Project and may issue an LSA

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 3

Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

Fully Protected Species

Fully Protected species, such as white-tailed kite, may not be taken or possessed at any time (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those recommended by CDFW below, CDFW concludes that an MND is appropriate for the Project.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

Project Description and Related Impact Shortcoming

As noted above, the Project would install a new bridge over an unnamed tributary (MND page 3, Figures 2 and 3). Thank you for identifying that this activity falls under CDFW's LSA authority (MND page 25). CDFW recommends that the MND clarify the Project description, which identifies that the bridge abutments would be located "just outside of the top-of-bank" (MND page 6). However, the MND notes that the unnamed tributary is highly incised, and the bridge cross-section drawing shows abutments located on an apparently sloped bank (MND page 23 and Figure 3). Based on Figure 3, it appears the abutments should be moved an additional 10 to 20 feet upland outside of the top-of-bank and the bridge appropriately lengthened. This could reduce the potential for continued incision potentially threatening the bridge abutments. In addition, this would reduce the likelihood of erosion and better protect stream biological resources. The

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 4

MND identifies that “additional erosion protection along the creek bank, both upstream and downstream of the planned bridge, may be needed in the future to prevent damage to the bridge footings” (MND page 34). CDFW recommends avoiding this outcome by locating the bridge abutments farther from the channel, as stated above. In addition, bank stabilization activities would require LSA Notification. To comply with Fish and Game Code section 1600 et seq. and reduce impacts to stream and riparian habitat to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Mitigation Measure BIO-2: Notification of Lake and Streambed Alteration

For Project activities that may substantially alter the bed, bank, or channel of the unnamed tributary, including but not limited to installation of the new bridge or bank stabilization activities, an LSA Notification shall be submitted to CDFW pursuant to Fish and Game Code section 1602 prior to Project construction. If CDFW determines that an LSA Agreement is warranted, the Project shall comply with all required measures in the LSA Agreement, including but not limited to requirements to mitigate impacts to the unnamed tributary and riparian habitat. Permanent impacts to the stream and associated riparian habitat shall be mitigated by restoration of riparian habitat at a 3:1 mitigation to impact ratio based on acreage and linear distance as close to the Project area as possible and within the same watershed and year as the impact. Temporary impacts shall be restored on-site in the same year as the impact.

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?

Environmental Setting and Related Impact Shortcoming

Burrowing Owl

The MND identifies that burrowing owl, an SSC, has the potential to occur in and near the Project (MND page 24 and Appendix A). The Project is within the winter range of burrowing owl and the grassland adjacent to the Project may provide suitable wintering and foraging habitat. There is a documented occurrence of burrowing owl approximately 1.7 miles north of the Project according to the California Natural Diversity Database (CNDDDB). In addition, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the property is High and Medium Suitability for burrowing owls. The MND states that there is no habitat available within the Project footprint due to a lack of observed “large burrow complexes” (MND page 24). However, Project activities that occur within 500 meters (1,640 feet) of a burrow could impact wintering burrowing owls. In addition, burrowing owls may utilize burrow surrogates such as pipes and concrete

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 5

piles and are not limited to mammal burrows. Finally, as discussed further below, burrowing mammals may create burrow habitat in a single night (Ministry of Environment Ecosystems 2007 as cited in Brehme et al. 2015).

The Project could result in burrowing owl burrow abandonment, injury or mortality of adults, or loss of wintering owls. Burrowing owls are an SSC due to population decline and breeding range retraction. Based on the above, if wintering burrowing owl is present adjacent to the Project area, Project impacts to burrowing owl would be potentially significant. To reduce impacts to burrowing owl to less-than-significant CDFW recommends that the MND incorporate the following mitigation measures.

Mitigation Measure BIO-3A: Burrowing Owl Habitat Assessment, Surveys, and Avoidance

Prior to Project activities, a habitat assessment shall be performed following Appendix C: Habitat Assessment and Reporting Details of the CDFW *Staff Report on Burrowing Owl Mitigation*² (CDFW 2012 Staff Report). The habitat assessment shall extend at least 492 feet (150 meters) from the Project area boundary or more where direct or indirect effects could potentially extend off-site (up to 500 meters or 1,640 feet) and include burrows and burrow surrogates. If the habitat assessment identifies potentially suitable burrowing owl habitat, then a qualified biologist shall conduct surveys following the CDFW 2012 Staff Report survey methodology. Surveys shall encompass the Project area and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated, as outlined in the CDFW 2012 Staff Report, and include burrow surrogates such as culverts, piles of concrete or rubble, and other non-natural features, in addition to burrows and mounds. Time lapses between surveys or Project activities shall trigger subsequent surveys, as determined by a qualified biologist, including but not limited to a final survey within 24 hours prior to ground disturbance. The qualified biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report survey methodology resulting in detections. Detected burrowing owls shall be avoided pursuant to the buffer zone prescribed in the CDFW 2012 Staff Report, unless otherwise approved in writing by CDFW, or an eviction plan for non-nesting owls shall be prepared and subject to CDFW review.

Please be advised that CDFW does not consider eviction of burrowing owls (i.e., passive removal of an owl from its burrow or other shelter) as a “take” avoidance, minimization, or mitigation measure for the reasons outlined below. Therefore, to mitigate the impacts of potentially evicting burrowing owls to less than significant, Mitigation Measure BIO-4B outlined below requires habitat compensation with the

² CDFW, then Department of Fish and Game, 2012.
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 6

acreage amount identified in any eviction plan. The long-term demographic consequences of exclusion techniques have not been thoroughly evaluated, and the survival rate of excluded owls is unknown. Burrowing owls are dependent on burrows at all times of the year for survival or reproduction, therefore eviction from nesting, roosting, overwintering, and satellite burrows or other sheltering features may lead to indirect impacts or “take” which is prohibited under Fish and Game Code section 3503.5. All possible avoidance and minimization measures should be considered before temporary or permanent exclusion and closure of burrows is implemented to avoid “take.”

Mitigation Measure BIO-3B: Burrowing Owl Wintering Habitat Mitigation

If the Project would impact an occupied burrow (where a non-nesting wintering owl would be evicted as described above), the following habitat mitigation shall be implemented prior to Project construction and shall be included in the CDFW-reviewed eviction plan described above:

Impacts to each burrow site shall be mitigated by permanent preservation of two occupied burrow sites with appropriate foraging habitat within Marin County, unless otherwise approved in writing by CDFW, through a conservation easement and implementing and funding a long-term management plan in perpetuity.

The Project may implement alternative methods for preserving habitat with written acceptance from CDFW.

American Badger

The MND identifies that American badger, an SSC, has the potential to occur in and near the Project (MND page 24 and Appendix A). The Project is adjacent to grassland habitat and oak woodland habitat that may be suitable for American badger. The MND states that no habitat is present at the Project area due to a lack of observed burrows (MND page 24). However, badgers range throughout most of California and can dig burrows in a single night as described above; therefore, the species may occupy the Project area and adjacent habitat prior to Project construction. Additionally, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the property is Medium Suitability.

The Project may result in injury or mortality to adult or young badgers, or burrow abandonment. Therefore, if American badger is present on or adjacent to the Project area, Project impacts to American badger would be potentially significant.

To reduce impacts to American badger to less-than-significant, CDFW recommends that the MND: (1) further analyze the potential for American badger to occur on and adjacent to the Project area, and (2) include mitigation measures to ensure impacts are

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 7

reduced to less-than-significant. These measures may include a qualified biologist surveying for the species including adjacent habitat prior to construction, avoiding occupied burrows including a sufficient buffer approved by CDFW, and preparing and implementing a CDFW-approved relocation plan if badgers are found on or adjacent to the Project area and cannot be avoided.

Western Pond Turtle

The MND states that the Project is within the range of western pond turtle and identifies that western pond turtles could use the unnamed tributary in the Project as dispersal habitat (MND page 24, Appendix A). The CNDDDB identifies occurrences of western pond turtle within five miles of the Project, with the closest occurrence approximately 1.4 miles to the east. Western pond turtles can move more than four miles up or down stream, therefore the Project area is within the mobility range of western pond turtle observations (Holland 1994). The species may also survive outside of aquatic habitat for several months in uplands up to several hundred feet from aquatic habitat (Purcell et al. 2017; Zaragoza et al. 2015). The Project would result in impacts adjacent to a stream. The Project could impact upland dispersal habitat, upland refugia, or nesting habitat for western pond turtle through grading activities, potentially injuring or killing western pond turtles. Based on the above, if western pond turtle is present in the Project area, Project impacts to western pond turtle would be potentially significant. To reduce potential impacts to western pond turtle to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Mitigation Measure BIO-4: Western Pond Turtle Survey

For Project activities that occur within 500 feet of stream or wetland habitat, prior to ground-disturbing activities, a qualified biologist shall conduct a pre-construction survey within 48 hours prior to the start of Project activities, focusing on the presence of western pond turtle and their nests. If western pond turtles are discovered during the survey, Project activities shall not begin until CDFW has been consulted and approved in writing measures to avoid and minimize impacts to western pond turtle, and the measures have been implemented.

California Red-Legged Frog

The MND states that the Project is within the range of California red-legged frog and identifies that they could use the unnamed tributary in the Project as dispersal habitat (MND page 24, Appendix A). The nearest CNDDDB occurrence is approximately 1.4 miles east of the Project. California red-legged frogs require a variety of habitats, including aquatic breeding habitats and upland dispersal habitats. Breeding sites of the species are in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds and lagoons. Additionally,

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 8

California red-legged frogs frequently breed in artificial impoundments such as stock ponds (USFWS 2002). Breeding sites are generally found in deep, still, or slow-moving water (>2.5 feet) and can have a wide range of edge and emergent cover amounts. California red-legged frogs can breed at sites with dense shrubby riparian or emergent vegetation, such as cattails (*Typha* sp.) or overhanging willows (*Salix* sp.), or can proliferate in ponds devoid of emergent vegetation (i.e., stock ponds). Based on aerial imagery, the Project is within 1.5 miles of at least seven stock ponds that could provide breeding habitat. California red-legged frog habitat includes nearly any area within one to two miles of a breeding site that stays moist and cool through the summer; this includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and even man-made structures (i.e., culverts, livestock troughs, spring-boxes, and abandoned sheds) (USFWS 2017). Therefore, even if activities occur when the unnamed tributary is dry, California red-legged frogs could be present. California red-legged frog populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thompson et al. 2016). Habitat loss from growth of cities and suburbs, mining, overgrazing by cattle, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to the species (Thompson et al. 2016; USFWS 2017).

The Project could injure or kill California red-legged frogs if they occur on-site. Therefore, if California red-legged frog is present in the Project area, Project impacts to California red-legged frog would be potentially significant. To reduce impacts to California red-legged frog to less-than-significant, CDFW recommends that the MND incorporate the following mitigation measure.

Mitigation Measure BIO-5: California Red-legged Frog Habitat Assessment and Surveys

Within 48 hours prior to the commencement of ground-disturbing activities, the Project area and nearby vicinity, including a minimum 500-foot radius surrounding the Project area, shall be assessed by a qualified biologist for the presence of California red-legged frog individuals and habitat features. Habitat features include both aquatic habitat such as plunge pools and ponds and terrestrial habitat such as burrows. The results of the habitat feature assessment shall be submitted to CDFW for written acceptance prior to starting Project activities. Habitat features shall be flagged for avoidance to the extent feasible. If California red-legged frogs are encountered during the assessment or Project activities, the Project shall not proceed or all work shall cease, and CDFW shall immediately be notified. Work shall not proceed until the frog, through its own volition, moves out of harm's way and CDFW has provided permission in writing to proceed with the Project. If California red-legged frog is encountered or the qualified biologist believes that California red-legged frog is likely to occur in the Project area, the Project shall consult with USFWS pursuant to the federal Endangered Species Act.

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 9

Foothill Yellow-Legged Frog

The MND identifies that the Northwest/North Coast clade of foothill yellow-legged frog has the potential to occur in and near the Project, and CNDDDB occurrences exist within five miles to the south and west of the Project. Different life stages of the species use a variety of habitat types for development, foraging, and overwintering (Thompson et al. 2016). The species utilizes upland habitats adjacent to streams and have been observed 164 feet away from streams under rocks or other refugia (Nussbaum et al. 1983; Thompson et al. 2016; Zweifel 1955). Little information is known about foothill yellow-legged frog terrestrial movements and the species may travel farther from streams. The species also occur in swales or other moist areas.

The Northwest/North Coast genetic clade of foothill yellow-legged frog has been extirpated from much of the southern segment of its range in the San Francisco Bay Area and is at risk from urbanization, severe wildland fires, and climate change (*ibid.*). The Project may result in injury or mortality to foothill yellow-legged frog through crushing, killing, or injuring individuals from vehicles, equipment, and workers during Project activities. Therefore, if foothill yellow-legged frog is present in the Project area, Project impacts to foothill yellow-legged frog would be potentially significant. To reduce impacts to foothill yellow-legged frog to less-than-significant, CDFW recommends that the MND incorporate the below mitigation measure.

Mitigation Measure BIO-6: Foothill Yellow Legged Frog Surveys and Relocation

Within 48 hours prior to ground-disturbing activities, the Project area and nearby vicinity, including a minimum 500 feet upstream and downstream, shall be surveyed for foothill yellow-legged frogs by a qualified biologist, including searching cavities under rocks, within vegetation such as sedges and other clumped vegetation, and under undercut banks. The results of the survey shall be submitted to CDFW for written acceptance prior to starting Project activities. If foothill yellow-legged frogs are encountered during the surveys or Project activities, the Project shall not proceed or all work shall cease until the frog, through its own volition, moves out of harm's way or CDFW has provided permission in writing to proceed with the Project. If foothill yellow-legged frog is found, the Permittee shall install exclusionary fencing around the work area to limit frogs entering this area, at the discretion of CDFW. The qualified biologist shall have a minimum of two years conducting habitat assessments and surveys for foothill yellow-legged frog, with detections. If any foothill yellow-legged frogs are found, the biologist shall prepare an avoidance, minimization, and relocation plan and submit it to CDFW for written approval, and then implement the plan.

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 10

Bat Species of Special Concern and Roosting Bat Habitat

As identified above, the Project is within the range of SSC bat species including pallid bat and western red bat³. In addition, the California Wildlife Habitat Relationships model predicts medium suitability for pallid bat habitat at the Project site. Furthermore, the California Bay Area Linkage Network identifies the habitat surrounding the Project area as a core area for pallid bats capable of supporting at least 50 individuals and notes that these bats can use orchards, cropland, and vineyards for invertebrate foraging (Penrod et al. 2013). Two mature trees scheduled for removal could provide suitable roosting habitat for SSC bats. These bats are experiencing population declines in California (Brylski et al. 1998). Removal of habitat could result in injury or mortality of these special-status bats, a potentially significant impact. To reduce potential impacts to special-status bats to less-than-significant, CDFW recommends that the MND disclose the potential for these bats to occur in the Project area and incorporate the following mitigation measure.

Mitigation Measure BIO-7: Bat Tree Habitat Assessment and Surveys

Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, and suitable canopy for foliage roosting species). If suitable habitat trees are found, they shall be flagged or otherwise clearly marked and tree trimming or removal shall not proceed unless the following occurs: a) in trees with suitable habitat, presence of bats is presumed, or documented during the surveys described below, and removal using the two-step removal process detailed below occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, or b) after a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establish absence of roosting bats.

Two-step tree removal shall be conducted over two consecutive days, as follows: 1) the first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided; and 2) the second day the entire tree shall be removed.

Would the Project Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

³ CDFW maintains range maps for all terrestrial wildlife species in California, available at <https://wildlife.ca.gov/Data/CWHR/Life-History-and-Range>.

Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 11

Mitigation Measures and Related Impact Shortcoming

Nesting Birds

The MND identifies Mitigation Measure BIO-1 to avoid potentially significant impacts to nesting birds (MND page 26). This measure identifies that a 50-foot buffer would be provided for any active nests identified in the Project area. A 50-foot buffer may not be protective of all bird species, particularly raptors. CDFW recommends that Mitigation Measure BIO-1 be revised to require a qualified biologist to survey within a minimum of 500 feet from the Project area for nesting birds and implement a minimum 500-foot avoidance buffer or another buffer distance appropriate for the species and nest location. The buffer must protect the bird species' normal behavior and prevent nesting failure or abandonment from Project activities. In addition, if a period of more than seven days elapses between the survey date and start of or resuming Project activities, then an additional survey should be required.

Please be advised that an LSA Agreement obtained for this Project would likely require the above recommended mitigation measures, as applicable.

GENERAL SUGGESTIONS

CDFW recommends that the Geotechnical Investigation prepared by Bauer and Associates, Inc., dated May 8, 2020, and the Hydraulic Study prepared by CSW/Stuber-Stroeh Engineering Group, Inc., dated August 31, 2020, are made available for review as appendices to the MND.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form, online field survey form, and contact information for CNDDDB staff can be found at the following link: <https://wildlife.ca.gov/data/CNDDDB/submitting-data>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. 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. Payment of the fee is required for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).


Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 12

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Ms. Amanda Culpepper, Environmental Scientist, at (707) 428-2075 or Amanda.Culpepper@wildlife.ca.gov, or Ms. Melanie Day, Senior Environmental Scientist (Supervisory), at Melanie.Day@wildlife.ca.gov or (707) 210-4415.

Sincerely,

DocuSigned by:

Erin Chappell
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2022020245)

Nicole Fairley, San Francisco Bay Regional Water Quality Control Board,
nicole.fairley@waterboards.ca.gov

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Mr. Immanuel Bereket
County of Marin
March 17, 2022
Page 13

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