State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
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April 28, 2022

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SUBJECT: City of Fort Bragg Raw Water Line Replacement Project (SCH# 2022030742) Initial Study and Draft Mitigated Negative Declaration

Dear Diane O'Conner:

The California Department of Fish and Wildlife (CDFW) received an Initial Study and Draft Mitigated Negative Declaration (IS/MND) from the City of Fort Bragg (Lead Agency), for the City of Fort Bragg Raw Water Line Replacement Project (Project), dated March 28, 2022. CDFW understands the Lead Agency will accept comments on the Project through May 2, 2022.

The Project is located on Mendocino County Assessor's Parcel Numbers (APNs):

Segment #2 – 020-500-13-00, 020500RW, 020-520-09-00, 020-520-23-00, 020-170-24-00, 020-170-04-00, 019-610-01-00, 019610RW.
Segment #3 – 019-640-01-00, 019-640-04-00.
Segment #4 – 01914221, 019-142-02-00, 019-142-12-00, 019-142-13-00, 019-142-14-00, 019-142-15-00, 019-150-01-00.
Segment #5 – 019-150-04-00.

The Project proposes to replace sections of its primary water transmission line that delivers raw water from sources at Waterfall Gulch and Newman Reservoir to the water treatment plant (WTP). The Project includes four distinct segments (Segment #2, Segment #3, Segment #4, and Segment #5) and is approximately two miles long. The Project involves lining the inside of the pipe crossing the Noyo River and replacing pipeline segments in the Covington Gulch and Hare Creek watersheds. The Project would provide a reliable and resilient water supply system that would provide safe, high quality drinking water to the residents of Fort Bragg.

As the Trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary to sustain their populations. As a Responsible Agency, CDFW 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.

CDFW offers the following comments and recommendations in our role as Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code §21000 *et seq*.). CDFW participates in the regulatory process in its roles as Trustee and Responsible Agency to minimize the Project impacts and avoid potential significant environmental impacts by recommending avoidance and minimization measures. These comments are intended to reduce the Projects impacts on public trust resources.

Mendocino Cypress Woodland Alliances

The IS/MND discloses the presence of Mendocino Cypress Woodlands (MCW) primarily in Segment #3 of the Project (Figure 1). MCW has been designated a Sensitive Natural Community (SNC) for 13 years (Sawyer et al. 2009). Furthermore, in 2018 CDFW's Vegetation Classification and Mapping Program (VegCAMP) completed a three-year vegetation analysis and mapping study of MCW and related natural communities on nutrient-poor (oligotrophic) soils on Mendocino County and northern Sonoma County coastal terraces. The study classified eight natural community associations which have been mapped and are currently viewable in the California Natural Diversity Database (CNDDB). The resulting CNDDB observations illustrate the presence of two rare MCW natural community associations within the Project boundaries.

The Mendocino Cypress-Bolander Pine/Western Labrador Tea association (*Hesperocyparis pygmaea-Pinus contorta ssp. Bolanderi /Rhododendron columbianum*) association is mapped near Segment #3's proposed route and is most likely to be impacted by the Project. It is ranked by the CNDDB as Globally and State critically imperiled—at very high risk of extinction due to extreme rarity as well as critically imperiled in the state because of extreme rarity (G1/S1). It is estimated that only 2,029 acres of this forest type remain in California.

The Mendocino Cypress/ Bolander Pine/ Rhododendron association (*H. pygmaea/ P. contorta ssp. Bolanderi/R. macrophyllum*) is also mapped in close proximity with Segment #3's proposed water line route. This association shares an identical CNDDB designation of Globally and State critically imperiled (G1/S1). It is estimated that only 2,292 acres of this forest type remain in California.

While the IS/MND discloses the presence of Mendocino cypress species and the extent in which they are going to be removed, it does not fully evaluate the impact of the loss of these trees when taken in a broader context of their association. The loss of 108 trees, represents a substantial portion of the remaining habitat when there is less than 4,321 acres estimated to remain in the state.

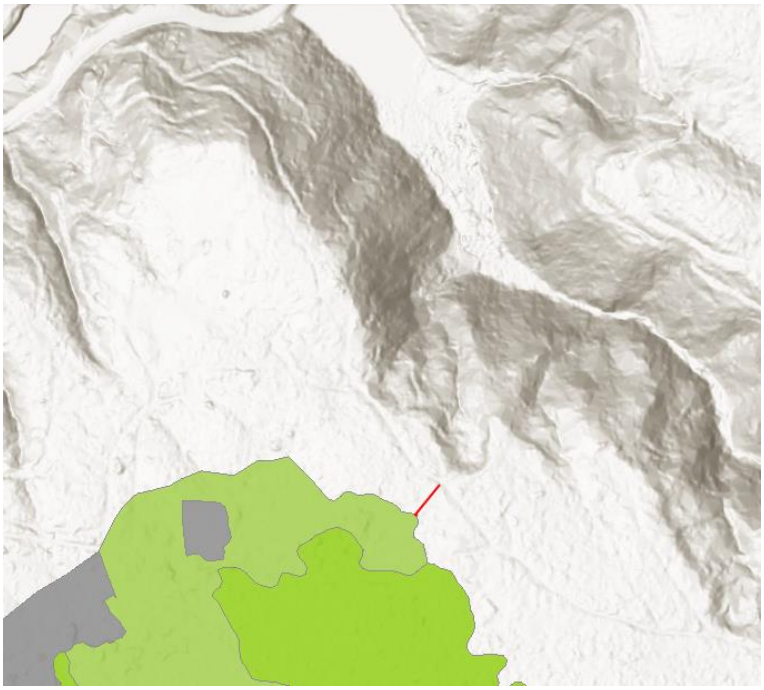

Figure 1. A portion of the Project area in Segment #3 south of Newman Gulch. The global hill shade base layer reveals the existing easement road on the ridge while the green polygons represent the MCW associations mapped in the area. The red line offers an estimated distance to mapped MCW from the easement of roughly 112 feet.

Based on the MCW information discussed above, CDFW recommends the Lead Agency restrict the existing pipeline easements to the greatest extent possible to avoid and minimize any impacts on the adjacent MCW associations in an effort to reduce impacts to less than significant. **(Recommendation #1)**

Additionally, to minimize significant impacts, CDFW recommends the amount of vegetation removed be reduced to the greatest extent possible as the Sensitive Natural Communities likely effected only consist of about 2,000 remaining total acres in the state. (**Recommendation #2**)

Furthermore, the Botanical Survey and its Addendum document the Mendocino Cypress which occur in the old roadbed being the 'non-pygmy' form of the tree. While it is true the Mendocino Cypress will grow to large heights in non-oligotrophic soil types, it is paramount the Lead Agency recognizes that when the road was cut into the location the original soils were disturbed effectively destroying the hard-pan oligotrophic soils in which 'Pygmy' Mendocino Cypress might occur. It should be taken into consideration that soil types which promotes the 'pygmy' forest is also extremely rare and disturbances to it will effectively prevent this rare forest type from existing here in the future. As such, CDFW recommends that caution be used while reopening the existing road with care being taken to prevent further expansion outside of the disturbance footprint into the natural soil types existing on either side of the roadbed. **(Recommendation #3)**

Lake and Streambed Alteration Agreement

The IS/MND discloses the route of the proposed pipeline travels down a slope in Segment #2 which runs along an existing road to reach the Noyo River crossing. The slope is described as "creeping" and prone to failure as past repairs have been required to the existing water line. A drainage ditch on the western side of the road is also described along with two existing crossings beneath the road as it descends to the Noyo River. A large volume of stormwater runoff is described to occur at this site which travels down this drainage ditch and ends up in the river. CDFW recommends these crossings be assessed for appropriate 100-year flood event size to ensure it is appropriate for the site and the volume of water and debris which may pass through the channel. The Lake and Streambed Alteration Agreement mentioned in the IS/MND should consider at least three encroachments, the two existing crossings in Segment #2 described above, as well as the crossing proposed on Hare Creek in Segment #5. **(Recommendation #4)**

Botanical Surveys and Impact Analysis

The IS/MND Mitigation Measures (BIO-8) indicates that transplanting and restoration of rare plant and tree species would occur as mitigation on site. The report indicates that Nodding Semaphore Grass (*Pleuropogon refractus*) seed would be collected by a qualified botanist and then re-sown on-site post-project. The report also suggests that transplanting will be utilized for Bishop pine (*Pinus Muricata*) and Mendocino cypress trees.

Furthermore, as discussed above, the Mendocino Cypress growth form is highly dependent on the soil in which it is established. If a 'pygmy' growth form tree is uprooted and transplanted, it will no longer grow as a pygmy cypress. The soil is an important resource within MCW associations and transplanting is likely an unacceptable mitigation measure for the pygmy form of the tree. In the already disturbed roadbed in which the Mendocino cypress are growing to full size, this method may prove to be successful although CDFW would like to see evidence that demonstrates the feasibility of this strategy.

This process would also require a monitoring plan with success criteria and an invasive plant control strategy to ensure the resown native seed would be successful. CDFW would like to see an example of both strategies to demonstrate the feasibility of the method as a suitable mitigation measure along with the mitigation monitoring plan. **(Recommendation #5)**

The IS/MND also mentions a conversation in February of 2022 in which the California Coastal Commission staff suggested the investigation of the potential to assist with the protection and restoration efforts for Scholar's Bog as a mitigation option. This site could potentially be used for mitigating impacts to both Mendocino cypress and Bishop pine (*Pinus muricata*) trees for this Project.

Scholar's Bog is a viable conservation opportunity the Lead Agency could pursue to offset current and future impacts to MCW and Bishop pine forests. **(Recommendation #6)**

We appreciate the opportunity to comment on this IS/MND. If you have any questions, please contact Environmental Scientist Lee Margadant.

Sincerely,

DocuSigned by:
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Citations

Sawyer, J.O., T. Keeler-Wolf and J.M. Evans (2009). A Manual of California Vegetation. Second Edition. California Native Plant Society, Sacramento, CA. U.S.