



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

Jul 13 2022

July 13, 2022

STATE CLEARINGHOUSE

Ms. Michelle Julene
Regulatory Open Space Planner
Marin County Open Space District
|3501 Civic Center Drive, Suite 260
San Rafael, CA 94903
mjulene@marincounty.org

Subject: Memorial Trail Improvement Project, Mitigated Negative Declaration,
SCH No. 2022060238, Marin County

Dear Ms. Julene:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from Marin County Open Space District (District) for the Memorial Trail Improvement Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

CDFW is submitting comments on the MND to inform the District, 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), 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: Marin County Open Space District

Objective: Improve visitor access to the Terra Linda/Sleepy Hollow Open Space Preserve, reduce trail erosion and sedimentation, and reduce trail density and habitat fragmentation. Project activities include decommissioning approximately 1.77 miles of trail and implementing approximately 1.93 miles in trail improvements. Trail

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.

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improvements include 13 ephemeral stream crossings, seven would be rock armored fords and six would be bridges.

Location: The Project is located within an approximate 4-acre area in the southeast portion of the Terra Linda/Sleepy Hollow Open Space Preserve in the County of Marin, State of California on Assessor's Parcel Numbers 177-220-64 and 175-010-97, and centered at approximately Latitude 37.994692°N, Longitude 122.554462°W.

Timeframe: The Project is planned to occur over two seasons from approximately March to October. The Project implementation year is not provided.

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. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. **Project activities conducted within or adjacent to the ephemeral streams within the Project area would likely be subject to LSA Notification requirements as further described below.** CDFW will consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement (or Incidental Take Permit (ITP)) until it has complied with CEQA as a Responsible Agency.

California Endangered Species Act

Please be advised that a CESA ITP 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 has the potential to impact northern spotted owl (*Strix occidentalis caurina*), a CESA listed as threatened species, as further described below.** Issuance of an ITP 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, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the

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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.

Fully Protected Species

Fully Protected species, such as white-tailed kite (*Elanus leucurus*) and golden eagle (*Aquila chrysaetos*), 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 District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including CDFW's below recommendations, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

Mandatory Findings of Significance: Does the Project have the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

Environmental Setting and Mitigation Measures

Comment 1: Northern Spotted Owl, MND pages 51, 77-78 and 166

Issue: The MND states that northern spotted owl (NSO) is unlikely to utilize the Project area due to habitat composition, proximity to development, and levels of public use (Page 78). However, the Project area and a 0.25-mile radius appears to consist of potentially suitable nesting habitat for NSO, including coast live oak (*Quercus agrifolia*) forest and California bay (*Umbellularia californica* var. *californica*) forest, therefore nesting NSO may occur within the Project area or a 0.25-mile radius and be disturbed (Press et al. 2010). There are California Natural Diversity Database (CNDDDB) documented NSO occurrences approximately 1.8 miles south of the Project area and 2.5 miles to the east, which are well within the dispersal distance of NSO (Hollenbeck et al. 2018) and in close proximity to development and areas of public use.

Given the potential for NSO to occur within the Project area and 0.25-mile radius, Mitigation Measure (MM) BIO-1 (Page 77-78) would likely be insufficient to detect NSO presence. Additionally, the appropriate buffer distance for NSO is 0.25 mile (1,320 feet), as noted on page 51 of the MND, and therefore 100 feet, as proposed in Best

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Management Practice (BMP) Special-Status Wildlife-4: Avoidance and Protection of Northern Spotted Owl (Page 166) would be insufficient to avoid potential impacts to nesting NSO if they are present. Furthermore, CDFW considers the breeding season of NSO to be until August 31, not July 31 (Page 51), as young are still dependent on their parents and do not begin to disperse until September (CDFW 2016). Therefore, the Project should consider the potential for impacts to NSO through August 31.

Specific impacts and why they may occur and be significant: If active NSO nests are not detected by the proposed surveys in MM BIO-1, nesting NSO could be disturbed by Project activities resulting in nest abandonment and loss of eggs or reduced health and vigor and loss of young, thereby substantially reducing the number of the species. NSO is CESA listed as a threatened species and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active NSO nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered to be a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommendation: For an adequate environmental setting and to reduce impacts to NSO to less than significant, CDFW recommends that the MND include the following mitigation measure for NSO.

MM BIO-2: A qualified biologist shall provide an assessment of potential NSO nesting habitat within the Project area and a 0.25-mile radius and obtain CDFW's written acceptance of the assessment. Alternatively, if the assessment is not completed, or if it concludes that NSO nesting habitat is present, then no Project activities within 0.25 miles of potential NSO nesting habitat shall occur between March 15 and August 31 unless a qualified biologist approved in writing by CDFW conducts NSO surveys following the U.S. Fish and Wildlife Service (USFWS) *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding NSO are detected during surveys, a 0.25 mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and August 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

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If take of NSO cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP, and also consult with USFWS pursuant to the federal Endangered Species Act.

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 Mitigation Measures

Comment 2: Burrowing Owl, Pages 20-21, 71, 74, 76

Issue: The MND identifies that western burrowing owl (*Athene cunicularia*) has been documented within the larger Terra Linda/Sleepy Hollow Open Space Preserve (Page 20), the Project area provides suitable habitat for burrowing owl, and there is the potential for burrowing owl to occur there (Page 76). The Project area is within the wintering range of burrowing owl. CDFW appreciates that surveys have been done within the preserve; however, it is unclear if any of the survey locations were within the Project area and a sufficient buffer zone to detect wintering owls that may be disturbed. Furthermore, it appears the last time surveys were conducted was March 2018 (Page 74), which may not accurately reflect current conditions and occupancy.

Specific impacts and why they may occur and be significant: Burrowing owl is a California Species of Special Concern (SSC) because the species' population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from nesting sites without habitat mitigation; wind turbine mortality; human disturbance; and eradication of California ground squirrels (*Spermophilus beecheyi*) resulting in a loss of suitable burrows required by burrowing owls for nesting, protection from predators, and shelter (Shuford and Gardali 2008; CDFW 2012 Staff Report; personal communication, CDFW Statewide Burrowing Owl Coordinator Esther Burkett, May 13, 2022). Preliminary analyses of regional patterns for breeding populations of burrowing owls have detected declines both locally in their central and southern coastal breeding areas, and statewide where the species has experienced breeding range retraction (CDFW 2012 Staff Report; personal communication, Esther Burkett, May 13, 2022).

Historically, the most abundant populations of burrowing owl within the San Francisco Bay Area were in Alameda, Contra Costa, and Santa Clara counties and populations were locally abundant within portions of Solano and San Mateo counties. Burrowing owls are no longer abundant and may be disappearing entirely from western Contra Costa, western Alameda, and Santa Clara counties. Breeding burrowing owls may be extirpated in Marin County, and only use the region on a limited basis in winter

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(Townsend and Lenihan 2007 as cited in Sheffield 2021). Habitat loss caused by development is the most immediate threat to burrowing owls in high growth areas of the San Francisco Bay Area, and loss of burrowing owl habitat will likely continue well into the future (Townsend and Lenihan 2007). As urbanization increases and local burrowing owl populations decline, they become vulnerable to stochastic events (demographic, genetic, and environmental) associated with small population size, creating the potential for an extinction “vortex” (Gilpin and Soulé 1986 as cited in Townsend and Lenihan 2007).

If wintering burrowing owls are not detected by the appropriate surveys, the Project may result in reduced health and vigor, or mortality, of owls resulting from removal of wintering burrows, or wintering burrow abandonment caused by audio and visual disturbances from Project construction activities. Burrowing owl is protected under Fish and Game Code sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act. Therefore, if wintering burrowing owl occupy the Project area or adjacent habitat, Project impacts to burrowing owl would be potentially significant.

Recommendation: For an adequate environmental setting and to reduce impacts to wintering burrowing owl to less-than-significant, CDFW recommends that the MND include the following mitigation measure.

MM BIO-3: Prior to Project activities occurring during the burrowing owl wintering season from September 1 to January 31, a qualified biologist shall conduct a habitat assessment, and if warranted based on the habitat assessment, a survey pursuant to the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFW 2012 Staff Report). The habitat assessment and surveys shall encompass the Project site and a sufficient buffer zone to detect owls nearby that may be impacted commensurate with the type of disturbance anticipated up to 500 meters or 1,640 feet, 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. Surveys shall occur each year of Project construction during burrowing owl wintering season if there is suitable habitat on or adjacent to the Project site (within up to 1,640 feet) where owls could be disturbed, as determined by a qualified biologist. 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, and any passive relocation plan for non-nesting owls shall be 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,

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minimization, or mitigation measure; therefore, off-site habitat compensation shall be included in the eviction plan. Habitat compensation acreages shall be approved by CDFW, as the amount depends on site-specific conditions, and completed before Project construction. It shall also include placement of a conservation easement and preparation and implementation of a long-term management plan.

Comment 3: Special-status Herpetofauna, Page 20

Issue: The Project may impact the following special-status herpetofauna, which the MND identified have a low potential to occur: California giant salamander (*Dicamptodon ensatus*), foothill yellow-legged frog (*Rana boylei*) Northwest/North Coast clade, California red-legged frog (*Rana draytonii*), and western pond turtle (*Actinemys marmorata*). CNDDDB identifies occurrences of all four species within two to five miles of the Project.

The Project would impact streams and surrounding habitat that may be occupied by these species. Foothill yellow-legged frogs have been documented moving up to 500 feet from the wetted channel of a stream across upland habitat (CDFW 2018). California red-legged frogs can use upland habitat one to two miles away from breeding ponds, including 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). 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).

Specific impacts and why they may occur and be significant: The Project could impact stream or upland dispersal habitat or refugia for special-status herpetofauna through vegetation removal and grading activities, potentially injuring or killing them. Based on the above, if these special-status herpetofauna occur within the Project area, Project impacts to special-status herpetofauna would be potentially significant.

Recommendation: To reduce potential impacts to less-than-significant, CDFW recommends including the following mitigation measure in the MND.

MM BIO-4: For all 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 foothill yellow-legged frog, California red-legged frog, California giant salamander and western pond turtle and their nests. If any of these special-status species 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

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special-status species, and the measures have been implemented. If California red-legged frog is encountered, the Project shall consult with USFWS pursuant to the federal Endangered Species Act and obtain any required authorization for impacts.

If an LSA Notification is submitted for Project activities affecting streams, CDFW may include in the LSA Agreement, if issued, additional protection measures for special-status herpetofauna pending further analysis of the potential for their occurrence within the Project area.

Comment 4: American Badger

Issue: The Project is within the range² of the American badger (*Taxidea taxus*). The Project is located within grassland habitat and oak woodland habitat that may be suitable for American badger. Badgers range throughout most of California and can dig burrows in a single day; therefore, the species may occupy the Project site and adjacent habitat prior to Project construction (Ministry of Environment Ecosystems 2007 as cited in Brehme et al. 2015). Additionally, the California Wildlife Habitat Relationships Predicted Habitat Suitability for the grassland portions of the site is High Suitability.

Specific impacts and why they may occur and be significant: American badger is an SSC. The Project may result in injury or mortality to adult or young badgers, or burrow abandonment. Therefore, if American badgers are present on or adjacent to the Project area, Project impacts to American badger would be potentially significant.

Recommendation: For an adequate environmental setting and to reduce impacts to less-than-significant, CDFW recommends that the MND: (1) analyze the potential for American badger to occur on and adjacent to the Project area, and (2) include mitigation measures to ensure impacts are 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 site and cannot be avoided.

Comment 5: Special-Status Plants (Page 19)

Issue: It is unclear whether the Project could impact special-status plants. The MND states that no special-status plants are expected to occur, given negative survey results (Page 19). The MND notes that Prunuske Chatham, Inc. completed a Biological Resources Assessment (BRA) in August 2019, which included botanical surveys that were conducted in spring 2019. The BRA was not included as an appendix of the MND,

² The American badger range map is available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=2598&inline=1>

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and as such, CDFW cannot determine whether the BRA sufficiently addressed potential impacts to special-status plants.

As outlined in CDFW's *Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities*³ failure to locate special-status plants during one field season may not adequately determine presence, and multiple years of surveys may be necessary depending on presence of adverse environmental conditions and species life history.

Recommendation: CDFW recommends including the BRA as an appendix to the MND and including the following mitigation measure.

MM BIO-5: The 2019 botanical survey report documenting absence of special-status plants within areas subject to Project direct and indirect impacts shall be provided to CDFW for written acceptance. If the survey report is not accepted in writing by CDFW, a qualified biologist shall conduct additional botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur prior to the start of construction. The survey area shall include the Project area and adjacent habitat where indirect impacts, for example hydrological modifications, may occur. More than one year of surveys may be necessary. Surveys shall be conducted following CDFW's *Protocol for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>). Survey reports shall be submitted to CDFW for written approval prior to the start of construction. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If the Project cannot avoid impacts to special-status plants, the Project shall prepare and implement a CDFW-approved mitigation plan prior to project construction including: 1) compensatory habitat mitigation at a 3:1 mitigation to impact ratio, and 2) funding for management of mitigation land in perpetuity, unless otherwise approved in writing by CDFW.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

Project Description and Environmental Setting

Comment 6: Lake and Streambed Alteration and Riparian Habitat, MND Pages 13, 19-20, 53, 70, 80

³ See: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>

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Issue: The MND notes that “the proposed trail bridges would be located above the 100-year flood elevation spanning the banks of the ephemeral streams and would not be subject to regulatory permit authorizations.” However, bridges often cause permanent shading of the stream which may result in a substantial adverse impact to stream habitat. Additionally, the MND also notes that the concrete foundations for these bridges will be set at the top of the stream banks. Depending on site-specific characteristics—such as slope of bank and adjacent lands, location and extent of riparian vegetation, and hydrological profile—installation of these bridges may have permanent or temporary impacts to the stream and its associated ecological communities and be subject to an LSA Notification.

Additionally, the MND mentions that multiple unnamed seasonal drainages occur throughout the Project area, but it is unclear what level of impact, if any, the Project will have on these drainages and if they are different than the streams where crossings will be installed. If permanent or temporary impacts to ephemeral drainages may be substantial the impacts would be subject to an LSA Notification.

Furthermore, while the MND states that work will be restricted to the dry season to the extent feasible, it also states work will occur March – May. CDFW considers the dry season to be June 15 to October 15, and an LSA agreement would likely limit work to this window, with the possibility to extend work on a week-to-week basis if conditions remain dry, unless additional justification for working in the wet season is provided.

Specific impacts and why they may occur and be significant: The Project may result in permanent and temporary impacts to stream and riparian habitat. Riparian habitat is of critical importance to protecting and conserving the biotic and abiotic integrity of an entire watershed. When riparian habitat is substantially altered, riparian functions become impaired, thereby likely substantially adversely impacting aquatic and terrestrial species. Substantial removal of vegetation significantly reduces suitable nesting and roosting habitat for many bird and bat species, and causes the loss of important refugia for small mammals. Therefore, if the Project impacts stream and associated riparian habitat, impacts to these resources would be potentially significant.

Recommendation: For an adequate environmental setting, to comply with Fish and Game Code section 1602 et seq., and to reduce impacts to streams to less-than-significant, CDFW recommends including the following mitigation measure in the MND:

MM BIO-5: For Project activities that may substantially alter the bed, bank, or channel of on-site drainages or associated riparian habitat, including but not limited to bridge installation or modification, the Project shall consult with CDFW to determine if an LSA Notification is warranted, including providing CDFW with an aerial based map of aquatic features on the Project area. If CDFW determines that any of the Project impacts are subject to Fish and Game Code section 1600 et seq., the Project shall submit an LSA

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Notification to CDFW 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 streams and riparian habitat. Permanent impacts to the stream and associated riparian habitat shall be mitigated by restoration of riparian habitat at a minimum 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, unless otherwise approved in writing by CDFW. Temporary impacts shall be restored on-site in the same year as the impact at a 1:1 ratio.

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

EDITORIAL COMMENTS

CDFW appreciates that the MND included Appendix A, which includes a list of Best Management Practices (BMP) utilized by the District as part of their Road and Trail Management Plan. However, it is not always clear which BMPs are being implemented for the Project and it appears some BMPs should be designated as enforceable mitigation measures. For clarity, CDFW recommends that BMPs being implemented for the Project that are necessary to reducing impact to less-than-significant be included as a mitigation measure in 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 CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing fee is required in order 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).


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CONCLUSION

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

Questions regarding this letter or further coordination should be directed to Alicia Bird, Environmental Scientist, at (707) 980-5154 or Alicia.Bird@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 at Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Erin Chappell
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2022060238)

Jason Hoorn, Natural Resources Planner, Marin County, JHoorn@marincounty.org

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