



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



March 23, 2023

Venton Trotter, LS
Shasta County Public Works Department
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Redding, CA 96001
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**SUBJECT: REVIEW OF CASTELLA WATER INTAKE REPLACEMENT PROJECT,
STATE CLEARINGHOUSE NUMBER 2023020554, SHASTA COUNTY**

Dear Venton Trotter:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (ISMND) dated December 2022, for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines¹.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. Likewise, "take" authorization, as outlined by the applicable Fish and Game code. may be required if the Project as proposed may result in "take", as defined by state law, of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, §

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.

Venton Trotter
March 23, 2023
Page 2

2050 et seq.), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish and G. Code § 1900 et seq.). authorization as provided by the applicable Fish and Game Code will be required.

Project Description

The Project, as described in the ISMND, is as follows:

“The proposed project includes improvements to the Shasta County Service Area No. 3 Water Treatment Plant (WTP). Improvements include replacing an existing water intake structure within Castle Creek with an instream infiltration gallery, rehabilitation of an existing clearwell, installation of a new chemical injection vault, and replacing the existing electrical control system equipment with new efficient models. A new post-filter chlorination metering pump and day tank would be installed inside the WTP building, along with a new air compressor, new grating, and new filter and backwash control valves; a new post-filter chlorination vault and appurtenances would be installed to the north of the WTP building. A new surge tank would be installed on the east side of the building, and a new emergency generator and automatic transfer switch would be installed to the south of the WTP building. The purpose of the proposed project is to replace aging infrastructure and ensure a safe and reliable potable water supply for residents within Shasta County Service Area No. 3.”

Comments and Recommendations

CDFW recognizes that Shasta County has taken the appropriate steps to identify and assess potential impacts to biological resources. CDFW offers the following comments and recommendations as they pertain to biological resources.

Special-Status Frogs

As described in the ISMND, the Project area contains suitable habitat for Species of Special Concern (SSC) including foothill yellow-legged frog, north coast DPS (*Rana boylei*, SSC) and Pacific tailed frog (*Ascaphus truei*, SSC). As described in the ISMND, these species have the potential to be present in Castle Creek during the time of Project activities, and Project activities are proposed to occur within the known breeding season for both species.

Potential impacts to SSC warrants implementing appropriate avoidance and minimization measures (AMMs). CDFW does not believe Mitigation Measure 4.4.1 adequately avoids and minimizes potential Project impacts to special-status frogs. To reduce impacts to special-status frogs to less-than-significant, CDFW recommends incorporating the following AMMs into the ISMND:

- Prior to the commencement of onsite Project activities, and thereafter as needed, an environmental awareness training shall be conducted by a qualified biologist to ensure all on-site Project personnel can identify and

Venton Trotter
March 23, 2023
Page 3

avoid special-status frogs.

- Prior to the commencement of daily Project activities, a qualified biologist, experienced in the identification of special-status frogs and their life-stages, shall conduct pre-construction surveys, every day for the duration Project implementation.
- Pre-construction survey methodology shall target all life stages and shall have an adaptive management approach based on the stream conditions at the time of surveys (i.e., whether ponded or flowing water is present, or whether the stream has been completely dry for less than 30 days). Surveys shall occur within and adjacent to the Project area and shall include, but are not limited to, cavities, under rocks, clumped vegetation, and beneath undercut banks, no less than 50 feet from the streambed and 500 feet upstream and downstream of the Project area. Surveys should be conducted at different times of day and under variable weather conditions if possible.
- If special-status frogs are observed, construction shall not occur until appropriate relocation efforts have been implemented. If foothill yellow-legged frog egg masses are observed in a stream that is scheduled for dewatering, or in an area proposed for disturbance, Project activities shall not occur until the area is appropriately flagged and avoided, or an egg mass relocation plan is approved by CDFW and implemented.
- In the event egg masses are observed avoidance is feasible, a qualified biologist shall flag and monitor the area for the duration of Project implementation.
- In the event adult frogs are observed, temporary wildlife exclusion fence may be installed to prevent frogs and/or other special-status species from entering the work site.
- If the stream has been completely dry for greater than 30 days prior to starting Project activities, and no water or moist areas within the streambed exist within 500 feet upstream and downstream of the Project, then the Project may request CDFW approval that survey methodology and surveys for foothill yellow-legged frogs are not necessary.
- Erosion control materials used throughout the Project site (e.g., geotextiles, fiber rolls) shall be made of loose-weave mesh, such as jute, hemp, coconut (coir) fiber, or other products without welded weaves. Synthetic (plastic or nylon) materials should not be used.

Venton Trotter
March 23, 2023
Page 4

Please note, to relocate SSC, a scientific collecting permit is required. This link will provide additional details: <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

Submitting Data

CEQA requires that information developed in environmental documents be incorporated into a database, which may be used to make subsequent or supplemental environmental determinations. (Public Resources Code section 21003(e)). Please report any special status species observations and natural communities detected during Project surveys to the CNDDDB. The CNNDDB field survey form can be found at the following link:

<https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

Sensitive Natural Communities

As detailed in the ISMND, three sensitive natural communities are present in the Project area including stream/riverine, seasonal wetlands, and montane riparian habitat. The ISMND states *“An estimated 0.30 acres of Castle Creek would be disturbed during the installation of the new water infiltration gallery. These direct, temporary impacts would result from implementation of a water diversion and dewatering system, and excavation for intake pipe installation. Additionally, indirect temporary downstream impacts could result from increased turbidity due to bed and bank work.”* and *“Approximately 0.09 acres of riparian habitat are present along the southern bank of Castle Creek; it is conservatively assumed that all the on-site riparian habitat may be temporarily impacted due to project implementation.”*

CDFW concurs with some components of Mitigation Measure 4.4.2, 4.4.3 and 4.4.4, aimed to reduce potential impacts to water quality, seasonal wetlands, and riparian habitat however, CDFW discourages the use of high visibility fencing around the above-mentioned sensitive natural communities, as they are challenging to maintain, may cause inadvertent wildlife entrapment and may cause inadvertent obstruction to wildlife movement. CDFW encourages a buffer and avoidance mechanism that is easily identifiable, easily maintained and can be feasibly replaced over time such as high visibility indicators, marking whiskers, pin flags or stakes with flagging tape.

While the ISMND offers Mitigation Measure 4.4.5, as a means for unavoidable loss of riparian habitat, this measure does not adequately offset impacts to riparian habitat, and CDFW does not concur with the 1:1 mitigation ratio. To adequately offset temporary and/or permanent loss of riparian habitat, CDFW strongly recommends prioritizing the re-planting of riparian habitat onsite at a minimum 3:1 ratio. If onsite revegetation is not feasible, CDFW recommends contributing funds, at a minimum 2:1 ratio, to a CDFW-approved mitigation bank, contributing funds to a conservation easement for the protection of riparian habitat in perpetuity, or contributing funds to a conservation fund aimed to restore and/or enhancement of

Venton Trotter
March 23, 2023
Page 5

riparian habitats within Shasta County.

CDFW strongly discourages disturbance, staging and/or development in wetlands. Avoidance of Project activities within or adjacent to wetlands, should be avoided to the maximum extent possible. Due to severe decline of wetlands throughout the state, CDFW has established a “no net loss” policy regarding wetland habitat². For unavoidable impacts to seasonal wetlands, the ISMND offers Mitigation Measure 4.4.3, which proposes a mitigation ratio of 1:1 for seasonal wetland impacts. CDFW does not concur with the proposed 1:1 mitigation ratio. Additionally, the ISMND indicates temporary and permanent impacts to stream/riverine habitat, however, does not provide mitigation considerations for these impacts. To adequately minimize impacts to less than significant for both seasonal wetlands and riverine habitat, CDFW recommends restoring and/or enhancing these habitats onsite at a 3:1 ratio. If onsite habitat restoration and/or enhancement is not feasible, CDFW recommends contributing funds, at a 3:1 ratio, to a CDFW-approved mitigation bank, contributing funds to a conservation easement for the protection of these habitats in perpetuity, or contributing funds to a conservation fund aimed to restore and/or enhance these habitats within Shasta County. A 3:1 ratio would adequately mitigate for the ecological function, value and temporal elements of these habitats.

The Project proponent should determine final mitigation and initiate coordination with the appropriate entity to enable prerequisite mitigation implementation, including securing and contributing the required funds, prior to Project approval. If onsite revegetation and/or habitat restoration/enhancement is determined final mitigation for impacts to the above mentioned habitats, a mitigation and monitoring plan should be prepared by a qualified individual familiar with Shasta County ecology. The mitigation and monitoring plan should clearly define how the Project proponent plans to offset and mitigate for proposed impacts to riparian habitat, riverine habitat, and/or wetland habitat, include conceptual mapping, and include concise monitoring plans to assess for criteria of success. The mitigation and monitoring plan should be formulated and approved by CDFW prior to Project approval and attached to the ISMND.

Lake and Streambed Alteration Agreement

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

1. substantially divert or obstruct the natural flow of the bed, channel, or bank of any river, stream, or lake; or
2. substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
3. deposit or dispose of debris, waste, or other material containing crumbled, flaked,

² Fish and Game Commission Wetlands Resources Policy; Amended 08/18/05

Venton Trotter
March 23, 2023
Page 6

or ground pavement where it may pass into any river, stream, or lake.


To obtain information about the 1600 Notification process, please access CDFW's website at: <https://www.wildlife.ca.gov/Conservation/LSA>

Trenching, Excavation and Pipe Staging

If trenching and excavation will be included in Project activities, any open trench and excavation areas should be covered securely prior to stopping work each day and/or a wildlife exit ramp should be provided in the trench to prevent wildlife entrapment. If pipes are left out onsite, they should be inspected for wildlife prior to burying, capping, moving, or filling.

We appreciate the opportunity to offer comments and recommendations that may assist Shasta County in adequately analyzing and minimizing impacts to biological resources. If you have any questions, please contact Erika Iacona, Environmental Scientist, by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B5D12ECE94324AF...

Rebecca Garwood for
Tina Bartlett, Regional Manager
Northern Region

cc: State Clearinghouse
State.Clearinghouse@opr.ca.gov

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