



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Northern Region  
601 Locust Street  
Redding, CA 96001  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



October 3, 2023

David Coxey, General Manager  
Bella Vista Water District  
11368 E. Stillwater Way  
Redding, CA 96003  
[dcoxey@bvwd.org](mailto:dcoxey@bvwd.org)

**SUBJECT: REVIEW OF THREE-MILLION-GALLON REGULATING STATION TANK PROJECT, STATE CLEARING HOUSE NUMBER 2023080795, SHASTA COUNTY**

Dear David Coxey:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Initial Study and Mitigated Negative Declaration (ISMND) dated August 2023, for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines<sup>1</sup>.

**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 and Game Code, §§ 711.7, subd. (a) & 1802; Public 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 is also submitting comments as a Responsible Agency under CEQA (Public 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, to the extent implementation of 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 and Game Code, § 2050 et seq.), or state-listed rare plant

<sup>1</sup>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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pursuant to the Native Plant Protection Act (NPPA; Fish and Game Code § 1900 et seq.) authorization as provided by the applicable Fish and Game Code will be required.

### **Comments and Recommendations**

CDFW was pleased that the Bella Vista Water District included a well-informed biological resource section of the ISMND and finds that all of the Avoidance and Minimization, and Mitigation Measures included in the ISMND are adequate in avoiding, minimizing and mitigating Project impacts to biological resources. CDFW offers the following comments and recommendations below to further assist the Bella Vista Water District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources.

#### Mitigation Measure 4.4.2 (MM 4.4.2)

MM 4.4.2 details how the Bella Vista Water District will mitigate for the permanent loss of oak woodland habitat, with either a conservation easement or contribution to a conservation fund for oak woodlands. CDFW greatly supports either option however, CDFW recommends including specific details such as how long the water district has after final construction to choose between these options, formulate the long-term maintenance plan, and/or secure and contribute mitigation funding. Typically, a conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities.

#### Special-Status Bumble Bees

It is unclear from the ISMND if special-status bumble bees were considered in the biological impacts assessment. On September 30, 2022, the candidacy of four California bumble bee species was reinstated under CESA. As such, Crotch's bumble bee (*Bombus crotchii*), whose range bisects the Project area, receives the same legal protection afforded to endangered or threatened species (Fish and Game Code, §§ 2074.2 and 2085). Additionally, Crotch's bumble bee is listed as an invertebrate of conservation priority under the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority<sup>2</sup>. Crotch's bumble bee has a state ranking of S1/S2, meaning the Crotch's bumble bee is considered critically imperiled or imperiled, and is extremely rare (often five or fewer populations). Accordingly, Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance (CEQA Guidelines, § 15065). Crotch's bumble bees are generalist foragers and have been reported

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<sup>2</sup> California Department of Fish and Wildlife. 2017. California Terrestrial and Vernal Pool Invertebrates of Conservation Priority. Accessible at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161422>

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visiting a wide variety of flowering plants<sup>3</sup>. Suitable Crotch's bumble bee habitat includes areas of grasslands and woodlands that contain requisite habitat elements, such as small mammal burrows. Based on habitat and vegetation present within the Project area, suitable habitat for Crotch's bumble bee may be present and the Project may result in temporal and permanent loss of suitable nesting and foraging habitat for Crotch's bumble bee and therefore, should be evaluated.

A qualified biologist should analyze the Project area for potentially suitable habitat for Crotch's Bumble Bee. Such analyses and any appropriate Avoidance and Minimization Measures should be included in the final ISMND.

For bumble bee survey guidelines please visit:  
<https://wildlife.ca.gov/Conservation/Survey-Protocols>

CDFW appreciates the opportunity to offer early consultation recommendations that may assist Bella Vista Water District in adequately analyzing and minimizing impacts to biological resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist (Specialist), by email at [R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
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Jason Roberts for  
Tina Bartlett, Regional Manager  
Northern Region

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<sup>3</sup> Biesmeijer, J. C., S. P. M Roberts, M. Reemer, R. Ohlemiller, M. Edwards, T. Peeters, A. P. Schaffers, S. G. Po/s, R. Kleukers, C. D. Thomas, J. Seele, and W. E. Kunin. 2006. Parallel Declines in Pollinators and Insect-Pollinated Plants in Britain and the Netherlands. *Science* 313(5785): 351-354