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From: Huffer, Benjamin@Wildlife
Sent: Friday, December 15, 2023 3:50 PM
To: CEQA@saccounty.net
Cc: Wood, Dylan@Wildlife; Sheya, Tanya@Wildlife; Kilgour, Morgan@Wildlife; Wildlife R2
CEQA
Subject: Orange Meadow Estates at Santa Juanita, Control Number: NMD-2022-00221



Dear Julie Newton:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Mitigated Negative Declaration from the County of Sacramento for the Orange Meadow Estates at Santa Juanita (Project) pursuant to the California Environmental Quality Act (CEQA) statute and guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game Code.

CDFW 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. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, 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. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) 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 & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project site is located on the west side of Santa Juanita Avenue, approximately 750 feet north of Central Avenue, in the Orangevale community of unincorporated Sacramento County.

The Project will divide the parcel into six (6) residential lots. Access will be provided from Santa Juanita Avenue, via a proposed 28-foot wide cul-de-sac. The applicant has requested an exception to the installation of Class A street improvements as this would most likely trigger a relocation of a utility pole. The property maintains unimproved street frontage along Santa Juanita Avenue, a two-lane roadway without frontage improvements. Additionally, the development of the property proposes to increase the imperviousness of the site which leads to an increase in flows leaving the property. Proposed grading will be done so as not to cause any upstream backup of water to the properties to the north and not to impact proposed single-family homes on lots 2 and 5. The intent of the design is to channelize the flow, increasing the buildable area and implementing improvements for the adjacent property to the south. In order to mitigate the increase in flows, a detention facility is proposed consisting of a 11-foot wide drainage easement

adjacent to the proposed cul-de-sac. In addition, a proposed 15-foot to 18-foot wide drainage easement will be installed along the proposed property lines of proposed lots 2, 5 and 6. The proposed design includes installing a culvert at the road crossing. The 100-year flow overtops the road with less than 12" of depth, following Sacramento County standards.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Sacramento in adequately identifying and, where appropriate, 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, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

CDFW is primarily concerned with the project impacts to the associated watershed and drainage improvements to convey flow to the creek approximately 700 feet southeast of the project.

COMMENT 1: Drainage, Floodplain and Flooding, 13

Issue: The Mitigated Negative Declaration discusses drainage improvements at the site to convey flow from the north and west to the southeast corner, where it leaves the property and after crossing Santa Juanita Avenue, and releases to the creek approximately 700 feet southeast from the project. The MND does not discuss notifying for or obtaining a Streambed Alteration Agreement from CDFW, which may be required based on project activities.

Recommendation or Recommended Mitigation Measure: Based on available information and the described project activities, CDFW recommends the project applicant submit a Notification for a Streambed Alteration Agreement for CDFW review. Further information on CDFW's Streambed Alteration Program and our online permitting portal can be found at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

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 California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

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 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.)

CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the MND for the Orange Meadow Estates at Santa Juanita to assist the County of Sacramento in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Ben Huffer, Environmental Scientist at (916) 216-6253 or benjamin.huffer@wildlife.ca.gov.

Best regards,
Ben

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