



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
619 2nd Street
Eureka, CA 95501
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Governor's Office of Planning & Research

April 15, 2024

April 15 2024

STATE CLEARINGHOUSE

Beth Lindauer
Community Development Director
555 Washington Street
Red Bluff, CA 96080
blindauer@cityofredbluff.org

SUBJECT: CITY OF RED BLUFF GENERAL PLAN UPDATE, NOTICE OF PREPARATION OF DRAFT ENVIRONMENTAL IMPACT REPORT, STATE CLEARING HOUSE NUMBER [2024030525](#)¹

Dear Beth Lindauer:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines².

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 G. Code, §§ 711.7, subd. (a) & 1802; Public Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its Trustee Agency 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

¹ <https://ceqanet.opr.ca.gov/2024030525>

² 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.

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 2

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 G. Code, § 2050 et seq.) or state listed rare plants 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 SUMMARY

Proponent: City of Red Bluff

Objective: The City of Red Bluff (Lead Agency) is proposing to prepare a comprehensive update to its existing General Plan.

Biological Setting: The NOP states, "*The City of Red Bluff was incorporated in 1876 and is within the central portion of Tehama County. The City is located within the northern Central Valley along the Sacramento River and I-5 corridors.*"

The City of Red Bluff (City, Project area) is situated in the northern Sacramento Valley along the Sacramento River and is primarily comprised of riparian, oak woodland and grassland habitats. The Sacramento River fosters a rich biological mosaic, comprising of numerous diverse ecosystems. Such ecosystems host a variety of CESA-listed and other state special status aquatic and terrestrial species. Among these special status species are anadromous salmonids, including the Chinook salmon (*Oncorhynchus tshawytscha*) and Central Valley steelhead (*Oncorhynchus mykiss irideus*), whose migrations to spawn in tributaries throughout Red Bluff epitomize the upper Sacramento River watershed. The rivers riparian habitat supports countless migrant and resident birds, including the bald eagle (*Haliaeetus leucocephalus*) and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*); while reptiles, such as the western pond turtle (*Emys Marmorata*), find refuge in the riparian corridor and nest throughout the terrestrial landscapes adjacent to the river. The grassland and oak woodland habitat throughout the City provide foraging and nesting for raptors, like the Swainson's hawk (*Buteo swainsoni*) and burrowing owl (*Athene cunicularia*); and hosts unique seasonal vernal pool wetlands which support specialized wildlife and botanical communities, including rare and endemic species adapted to this habitat, including the western spadefoot (*Spea hammondi*) and the Red Bluff dwarf rush (*Juncus bufonius* var.

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 3

congestus). According to the [California Natural Diversity Database](#)³ (CNDDDB) the Project area has the potential to support over 17 state special-status species.

Specific Comments and Recommendations

CDFW offers the following comments and recommendations below to assist the Lead Agency in adequately identifying, avoiding, minimizing and/or mitigating potentially significant, direct, and indirect impacts on biological resources with the implementation of the City of Red Bluff's General Plan update.

1) Sensitive Habitats and Open Space Sites

Sensitive habitats/open space are present throughout the Project area.

- a) CDFW recommends the Lead Agency analyze and discuss sensitive habitats, and other open space throughout the Project area. The Lead Agency should consider future direct and indirect impacts on sensitive habitats and other areas of open space within the Project area that may be associated with a general plan update. The DEIR should disclose the acreage of sensitive habitats and open space that would be proposed to be modified or lost as a result of any subsequent development from future proposed Projects, including all areas subject to fuel modifications and development. CDFW also recommends the analysis and discussion of the Project's potential impacts on conserved lands occurring within or adjacent to the Project area.
- b) CDFW recommends avoiding the development of and encroachment into sensitive habitats and open space areas. Encroachment creates an abrupt transition between two different land uses. Encroachment onto sensitive habitats and open space may pose significant changes in environmental and biological conditions and may increase the magnitude of edge effects on biological resources. CDFW recommends the DEIR provide alternatives that would not result in conversion of, or encroachment upon, sensitive habitats and/or open space, particularly conserved lands. Pursuant to CEQA Guidelines section 15126.6, an EIR "shall describe a range of reasonable alternatives to the project, or to the

³ <https://wildlife.ca.gov/Data/CNDDDB>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 4

location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives.” Furthermore, a DEIR “shall include sufficient information about alternatives to allow meaningful evaluation, analysis, and comparison with the proposed project.”

- c) If avoidance is not feasible, CDFW recommends the DEIR provide measures to minimize and/or mitigate impacts to sensitive habitats/open space to ensure a no-net-loss of these areas. CDFW recommends the DEIR provide measures to ensure future development, facilitated by this Project, mitigates (avoids first, if feasible) for project-level impacts on sensitive habitats/open space not previously identified in the DEIR. CDFW recommends the DEIR provide a measure to establish unobstructed native-vegetated buffers and setbacks from these areas. The DEIR should provide standards for an effective buffer and setback; however, the buffer and setback distance should be increased at a project-level as needed. The DEIR should provide justifications for the effectiveness of all proposed avoidance, minimization, and mitigation measures. The DEIR should provide sufficient information and disclosure to facilitate meaningful public review and analysis.

- 2) Impacts on Wildlife Corridors and Habitat Connectivity According to the California Essential Habitat Connectivity dataset available in CDFW's [Biogeographic Information System](#)⁴ (BIOS), the Project area bisects an Essential Connectivity Area (ECA) that spans the entire length of the Project area north to south. Similarly, the [California Fish Passage Assessment Database](#)⁵, available in BIOS, indicates 15 unassessed potential fish passage barriers. ECA's support native biodiversity and areas essential for ecological connectivity between them. If future Project facilitation has the potential to impact the ecological integrity and function of wildlife corridors supporting resident and transient wildlife movement, such habitat fragmentation could threaten the viability of remaining natural resources. Maintaining, evaluating, and remediating wildlife corridors and habitat connectivity is essential in evaluating longevity of species and remains increasingly

⁴ <https://wildlife.ca.gov/Data/BIOS>

⁵ <https://nrm.dfg.ca.gov/PAD/>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 5

important with consideration to California's existing and continued habitat loss and climate change. For more information regarding the importance of habitat connectivity, framework for local analyses and implementation, the [California Essential Habitat Connectivity Project⁶](#) may be a useful resource:

- a) CDFW recommends an analysis of future project impacts to wildlife corridors and aquatic barriers. Impacts may include habitat loss and fragmentation, narrowing of wildlife corridors, and introduction of barriers to wildlife movement. CDFW recommends such an analysis be supported by studies to document wildlife activity and movement throughout the Project area where development is proposed. Technical detail such as data, maps, diagrams, and similar relevant information should be provided to permit full assessment of significant environmental impacts by reviewing agencies and members of the public (CEQA Guidelines, §15147).
 - b) [CDFW's Areas of Conservation Emphasis⁷](#) (ACE) viewer is a decision support tool used in conjunction with species-specific information and local-scale conservation prioritization analyses that can be used during DEIR preparation. The ACE maps show the relative biological value of an area compared with all other areas across the state. The ACE maps do not replace the need for site-specific evaluation of biological resources, and it is not recommended for use as the sole measure of conservation priority during planning.
- 3) California Special Status Species
Based species occurrence records from the CNDDDB, the Project area is known to and/or has the potential to support several state special status species. Such species should be identified, evaluated, and addressed in the DEIR, with specific regard to the potentially significant direct and indirect impacts to special-status species and their habitats.

Special status species known to occur within and adjacent to the Project area include, but are not limited to, least Bell's vireo (*Vireo bellii pusillus*, Endangered), bank swallow (*Riparia riparian*, Threatened), pallid bat

⁶ <https://wildlife.ca.gov/Conservation/Planning/Connectivity/CEHC>

⁷ <https://wildlife.ca.gov/Data/Analysis/Ace>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 6

(*Antrozous pallidus*, Species of Special Concern), tricolored blackbird (*Agelaius tricolor*, Threatened), Red Bluff dwarf rush (*Juncus leiospermus* var. *leiospermus*, California Rare Plant Rank 1B.1), western spadefoot (*Spea hammondi*, Species of Special Concern), Crotch's bumble bee (*Bomus crotchii*, Candidate Endangered), Swainson's hawk (*Buteo swainsoni*, Threatened), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*, Endangered), Chinook salmon (*Oncorhynchus tshawytscha*, Threatened), adobe-lily (*Fritillaria pluriflora*, California Rare Plant Rank 1B.2), dwarf downingia (*Downingia pusilla*, California Rare Plant Rank 2B.2), burrowing owl (*Athene cunicularia*, Species of Special Concern), white-tailed kite (*Elanus leucurus*, Fully Protected) and silky cryptantha (*Cryptantha crinita*, California Rare Plant Rank 1B.2).

CDFW recommends the DEIR discuss the Project's potentially significant impacts on these species and their associated habitats and include if applicable, avoidance, minimization, and mitigation strategies for reducing impacts to less than significant.

4) Bats

Several bat species are known to utilize habitat throughout the Project area. Accordingly, CDFW recommends the DEIR include measures where future development avoids potential impacts to bats.

Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs., § 251.1). Construction and activities, including ground disturbance, vegetation removal, and any activities leading to increased noise levels may have direct and/or indirect impacts on bats and roosts.

CDFW recommends a biological resources survey provide a thorough discussion and adequate disclosure of potential impacts to bats and roosts from planned future development and/or encroachment upon habitat. If applicable, avoidance and minimization measures should be included to reduce impacts to less than significant.

5) Nesting Birds

CDFW recommends the DEIR include measures where future development avoids potential impacts to nesting birds. Future project activities occurring during the breeding and nesting season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment.

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 7

Migratory nongame native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor.

CDFW recommends integrating avoidance and minimization measures in the DEIR to avoid potential impacts to nesting birds. Ground-disturbing activities (e.g., mobilizing, staging, drilling, and excavating) and vegetation/tree trimming and/or removal are recommended to occur outside of the nesting bird breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds or their eggs.

If impacts to nesting birds cannot be avoided, CDFW recommends the DEIR include minimization measures that reduce potential impacts, such as employing a qualified biologist with experience conducting nesting bird surveys, to conduct surveys prior to disturbance.

6) Jurisdictional Waters

The Sacramento River, and some of its major tributaries, occur within the Project area and have the potential to be significantly impacted by future development, mining activities, and encroachment. As a Responsible Agency under CEQA, CDFW has authority over activities in rivers, lakes, and streams or any such activities, the project proponent (or "entity") must provide written notification to CDFW pursuant to Fish and Game Code Section 1602 et seq.

- a) CDFW recommends including a delineation of all aquatic resources, and associated riparian habitat, to be included in the DEIR. In areas which may support ephemeral or episodic streams, herbaceous vegetation, woody vegetation, and woodlands also serve to protect the integrity of these resources and help maintain natural sedimentation processes. Therefore, CDFW recommends implementing effective setbacks to maintain appropriately sized vegetated buffer areas adjoining ephemeral drainages. The DEIR should provide a justification for the effectiveness of the chosen distance for the setback.

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 8

- b) CDFW recommends including future Project-related changes in upstream and downstream drainage patterns, runoff, and sedimentation should be included and evaluated in the environmental document.

General Comments and Recommendations

To enable CDFW to provide adequate and meaningful CEQA review, please ensure the DEIR provides the follows:

1. Detailed disclosure about potentially significant impacts which a proposed project is likely to have on the environment so CDFW may provide comments on the adequacy and feasibility of proposed avoidance, minimization and/or mitigation measures.
2. Feasible, effective, and fully enforceable avoidance, minimization and mitigation measures imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, §§ 15126.4, 15041). CDFW recommends the Lead Agency prepare mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear, in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6).
3. A complete biological resource assessment and impact analysis of the flora and fauna within the Project area, with an emphasis on identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to a project. CDFW also considers impacts to Species of Special Concern a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures. A project-level environmental document should include the following information:
 - a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. An environmental document should include measures to fully avoid and otherwise protect Sensitive Natural Communities from project-related impacts. CDFW considers these communities as threatened

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 9

habitats having both regional and local significance. Plant communities, alliances, and associations with a state-wide ranking of S1, S2, S3 and S4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting [Vegetation Classification and Mapping Program](#)⁸ - Natural Communities webpage.

- b) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#)⁹. Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at a project site and within the neighboring vicinity. The [Manual of California Vegetation](#)¹⁰, should also be used to inform this mapping and assessment. Adjoining habitat areas should be included where project construction and activities could lead to direct or indirect impacts off site;
- c) A complete, recent assessment of the biological resources associated with each habitat type on site and within adjacent areas. CDFW's CNDDDB, and other public databases such as iNaturalist and eBird, should be consulted to obtain current information on any previously reported sensitive species and habitat. An assessment should include a nine-quadrangle search of the CNDDDB to determine a list of species potentially present at a project site. Please note that a lack of observation records does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review [CEQA Guidelines, § 15003(i)];
- d) A complete, recent assessment of rare, threatened, and endangered, and other sensitive species within the Project area, including California Species of Special Concern, and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of a project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species- specific surveys, conducted at

⁸ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

⁹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

¹⁰ <https://vegetation.cnps.org/>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 10

the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's [Survey and Monitoring Protocols and Guidelines](#)¹¹ for established survey protocol for select species. Acceptable species-specific survey procedures may be developed in consultation with CDFW and the U.S. Fish and Wildlife Service; and,

4. CEQA requires that information developed in an environmental impact report is 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 by completing and submitting [CNDDDB Field Survey Forms](#)¹². The Lead Agency should ensure data collected at a project level has been properly submitted, with all data fields applicable filled out. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred.
5. CDFW recommends providing a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The DEIR should address the following:
 - a) A discussion regarding Project-related impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (NCCP, Fish & G. Code, § 2800 et. seq.)]. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DEIR;
 - b) A discussion of both the short-term and long-term effects to species population distribution and concentration and alterations of the ecosystem supporting the species impacted [CEQA Guidelines, § 15126.2(a)];
 - c) A discussion of potential adverse impacts from lighting, noise, temporary and permanent human activity, human-wildlife conflict, non-native/invasive species;

¹¹ <https://wildlife.ca.gov/Conservation/Survey-Protocols>

¹² <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 11

- d) A discussion on future Project-related changes of drainage patterns; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and, post-Project fate of runoff from the Project sites. The discussion should also address the potential water extraction activities and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;
- e) An analysis of impacts from proposed future changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR; and
- f) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant and wildlife species, habitat, and vegetation communities. If the Lead Agency determines that the Project would not have a cumulative impact, the environmental document should indicate why the cumulative impact is not significant. The Lead Agencies conclusion should be supported by facts and analyses [CEQA Guidelines, § 15130(a)(2)].

Compensatory Mitigation. An environmental document should include mitigation measures for adverse Project related direct or indirect impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 12

manage and steward land, water, or natural resources on mitigation lands it approves.

Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, an environmental document should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.

California Endangered Species Act. Reasonably foreseeable future projects may be subject to CDFW's regulatory authority pursuant to CESA. CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and candidate plant and animal species, pursuant to [CESA](#)¹³. listed species that a CESA Incidental Take Permit (ITP) be obtained if future proposed Projects have the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of state-listed species, either through construction or over the life of the project.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. CDFW must comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to CESA-listed species and specify a mitigation monitoring and reporting program that will meet the requirements of CESA. Based on review of CNDDDB, the NOP and local knowledge of the Project area, CESA-listed species have the potential to occur onsite.

Fully Protected Species. Fully protected species may not be taken or possessed at any time and authorization may not be issued for their take except as follows: The take is for necessary scientific research, efforts are to recover a fully protected, endangered, or threatened species, live capture and relocation of a bird species for the protection of livestock, if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, &

¹³ <https://wildlife.ca.gov/Conservation/CESA>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 13

5515) and/or qualify for CDFW authorization pursuant to Senate Bill 147. Specified types of infrastructure Projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met pursuant to Senate Bill 147 (see Fish & G. Code §2081.15).

Lake and Streambed Alteration Program. Future project implementation associated with the General Plan update may require notification under Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a discretionary action subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. Please visit [CDFW's Lake and Streambed Alteration Program](#)¹⁴ for additional information.

Development and Conservation. CDFW encourages the preservation of open space and natural areas within city limits. CDFW recommends the Lead Agency consider regional and state-wide natural resource conservation strategies outlined in the following reports when updating the general plan: [Safeguarding California Plan](#); [California State Wildlife Action Plan: A](#)

¹⁴ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 14

[Conservation Legacy for Californians](#); and [California 2030 Natural and Working Lands Climate Change Implementation Plan](#). CDFW staff are available to assist the Lead Agency in identifying appropriate conservation strategies that support the implementation of General Plan policies and those that may result in improved conservation outcomes for fish and wildlife species.

CEQA Filing Fees. If the Project has an impact on fish, wildlife, or habitat, filing fees are required. 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. Additionally, payment of a filing fee may be required for each 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.)


Promoting Collaboration

CDFW is charged with preserving and protecting the state's diverse ecosystems and wildlife therefore, CDFW maintains a strong commitment to collaborate with local governments in the development and implementation of local policies and ordinances that encompass biological resources. CDFW is enthusiastic for the possibility to assist the Lead Agency in fostering a harmonious coexistence between human development and preservation of Red Bluff's unique and invaluable biological resources through local policy and ordinance. The Lead Agency is encouraged to engage with CDFW if/when collaboration is warranted.

Conclusion

CDFW appreciates the opportunity to comment on the NOP to assist the Lead Agency in identifying and mitigating Project impacts on biological resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist, Specialist by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:

B5D12ECE94324AF...

Rebecca Garwood, Environmental Program Manager
Northern Region

Beth Lindauer, Community Development Director
City of Red Bluff
April 15, 2024
Page 15

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

Erika Iacona
California Department of Fish and Wildlife
R1CEQARedding@wildlife.ca.gov