



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**



August 2, 2024

David Schlegel  
Senior Planner  
Shasta County Resource Management  
1855 Placer Street Suite 103  
Redding, CA 96001  
[scplanning@shastacounty.gov](mailto:scplanning@shastacounty.gov)

**SUBJECT: REVIEW OF USE PERMIT 24-0001 VERTICAL BRIDGE, SHASTA COUNTY,  
STATE CLEARINGHOUSE NUMBER: 2024070227**

Dear David Schlegel:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (MND), dated July 2024, 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 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.

---

<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.

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 plants 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 may be required.

**Project Description:** The Project includes construction, operation, and maintenance of a commercial wireless telecommunication facility within a 40-foot by 60-foot ground lease area. The lease area would be graded and improved with a weed barrier covered with gravel and be enclosed by 6-foot-tall chain link fence with a 12-foot-wide access gate and topped with a three-strand barbed wire anti-climb barrier for security. Improvements proposed within the lease area include a 160-foot-tall monopine tower with three tri-sector antenna mounts designed to accommodate up to nine antennas per sector. Additional mounts and ancillary equipment such as remote radio units (RRUs) and backhaul antennas would be installed on the antenna arrays.

Improvements outside the fenced area would include a PG&E transformer, utility trenching, and the installation of a 16-foot-wide gravel driveway to provide access to Emigrant Trail. Grading and excavation of footings will be necessary to construct the tower. Construction equipment will include a concrete mixer, grading equipment, a crane to install the tower, and common equipment used for building construction. Construction of the project would include removal of approximately four pine trees. The Project site is currently undeveloped.

### **Comments and Recommendations**

In March 2024, CDFW responded to an early consultation solicitation from Shasta County (Lead Agency). On June 26<sup>th</sup> CDFW met with the Lead Agency at the Project site. The Project site was confirmed to have suitable overwintering, nesting, and foraging habitat for western bumble bee (*Bombus occidentalis*; CESA Candidate). CDFW offers the following comments and recommendations to further assist the Lead Agency in adequately identifying, avoiding, and minimizing potentially significant, direct, and indirect impacts on biological resources with the implementation of the Project.

### Western Bumble Bee

While it may be assumed that avoiding the “colony active period” for western bumble bee would ensure greatest probability of impact minimization, even more sensitive periods in a bumble bee's annual lifecycle are during the overwintering period for queens, the periods after queens emerge from overwintering in the spring, early stages of colony growth in late spring and early summer, and the production of reproductive individuals (future queens, known as gynes, and males) in late summer and early fall . Throughout each of these stages, bumble bees are sensitive to changes in their environment, including fluctuations in temperature, availability of floral resources, exposure to pesticides and/or pathogens, and habitat disturbances.

If proposing an avoidance window is found to be essential for Project feasibility, then for the reasons listed above CDFW recommends conducting construction activities just after mating and before gynes locate overwintering sites. The specific timing is challenging to identify and can vary annually depending on the local weather patterns. Based on past floral bloom observations, photoperiods and temperatures in Shingletown, this window would generally occur between mid-September and mid-October.

Section IV.a.3) of the MND proposes measures for western bumble bee. Since the Project site has suitable habitat for overwintering queens, foraging, and nesting, CDFW strongly recommends revising measure IV.a.3) A to better avoid and minimize potentially significant impacts to western bumble bee. Measure A currently states “*Conduct construction activities outside of the peak months of the western bumble bee colony flight season (October 1 to May 31).*” CDFW recommends revising Measure A to state:

**A. Conduct land alteration, vegetation removal and construction activities outside of the most sensitive annual life stages of the western bumble bee, between September 15<sup>th</sup> and October 15<sup>th</sup>.**

CDFW concurs with measure IV.a.3.) B however, with consideration to the avoidance window above, the first sentence should be revised to state:

***“If land alteration, vegetation removal and construction activities cannot occur between September 15<sup>th</sup> and October 15<sup>th</sup>...”***

Please note that the recommended measures are formulated for this specific Project area and should not be used in other Project contexts.

### Maintenance

The MND references “infrequent maintenance visits” several times, however, does not list and/or discuss the activities to be performed during these visits. CDFW recommends including a discussion of maintenance activities and an assessment of their potential to impact biological resources in the final MND.

If maintenance activities include land disturbance and/or vegetation removal, all measures listed in Section IV.a.3 of the MND would apply throughout the life of the Project to avoid and minimize impacts to potentially occurring sensitive biological resources. Additionally, if maintenance activities include the use of pesticides to control emergent vegetation and/or weeds, CDFW recommends including specific methods of herbicide use in the MND to avoid and minimize impacts to potentially occurring pollinators. Such methods may include, but are not limited to, restricting the amount of pesticide use, avoiding broadcast applications, training staff in plant identification to avoid spraying native flowering plants (especially native thistles), and only applying pesticides outside of the known blooming season.

In addition, CDFW recommends the preparation and implementation of an emergent vegetation/weed prevention and control plan. When applying pesticides please consider:

- Following the best management practices described by the [Guidance to Protect Habitat from Pesticide Contamination<sup>2</sup>](#).
- Avoid using pesticides marked with the US Environmental Protection Agency's bee hazard icon.
- Avoid spraying pesticides onto any flowering plant.
- Use pesticides with a short residual toxicity to bees; bee pesticide toxicity can be checked via UC ANR's [Bee Precaution Database<sup>3</sup>](#).
- Use targeted application instead of broadcast spraying whenever possible.
- Avoid mixtures of pesticides as they are only evaluated in scenarios in which they are not mixed; thus, potentially harmful synergies are unknown.
- All pesticide applications must be conducted by a Licensed and Certified Pesticide Applicator and should be used as directed by the manufacturer.

---

<sup>2</sup> [https://xerces.org/sites/default/files/2019-10/16-024\\_01\\_XercesSoc\\_Guidance-to-Protect-Habitat-from-Pesticides\\_web.pdf](https://xerces.org/sites/default/files/2019-10/16-024_01_XercesSoc_Guidance-to-Protect-Habitat-from-Pesticides_web.pdf)

<sup>3</sup> <https://ipm.ucanr.edu/bee-precaution-pesticide-ratings/>

David Schlegel, Senior Planner  
Shasta County Resource Management  
August 2, 2024  
Page 5

Additional guidance on this topic is offered by [Xerces Smarter Pest Management: Protecting Pollinators](#)<sup>4</sup>, the [United States Environmental Protection Agency](#)<sup>5</sup> and the [California Department of Pesticide Regulation](#)<sup>6</sup>.

### **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 government entities. CDFW is enthusiastic to continue assisting the Lead Agency in implementing comprehensive avoidance and minimization for the benefit of California's sensitive resources and aligning regulatory frameworks and appreciates the collaboration thus far.

### **Conclusion**

CDFW appreciates the opportunity to comment on the MND 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](mailto:R1CEQARedding@wildlife.ca.gov).

Sincerely,

Tina Bartlett, Regional Manager  
Northern Region

ec: David Schlegel  
Shasta County Resource Management  
[scplanning@shastacounty.gov](mailto:scplanning@shastacounty.gov)

State Clearinghouse  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

Erika Iacona  
California Department of Fish and Wildlife  
[R1CEQARedding@wildlife.ca.gov](mailto:R1CEQARedding@wildlife.ca.gov)

---

<sup>4</sup> <https://xerces.org/publications/fact-sheets/smarter-pest-management-protecting-pollinators-at-home>

<sup>5</sup> <https://www.epa.gov/pollinator-protection/epa-actions-protect-pollinators>

<sup>6</sup> <https://www.cdpr.ca.gov/docs/enforce/pollinators/>