



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



September 27, 2024

Tara Petti
Senior Planner
Shasta County Resource Management
1855 Placer Street, Suite 103
Redding, CA 96001
scplanning@shastacounty.gov

**SUBJECT: REVIEW OF ZONE AMENDMENT 22-0012, SHASTA COUNTY,
STATE CLEARINGHOUSE NUMBER: 2024090169**

Dear Tara Petti:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (ISMND), dated September 2024, 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 and G. Code, §§ 711.7, subd. (a) & 1802; Pub. 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.

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.

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 2

CDFW is also submitting comments 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, 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 may be required.

Project Description:

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

“The Project includes changing the zoning for a 4.96-acre parcel from the Highway Commercial combined with Design Review (C-H-DR) zone district to the Commercial Recreation (C-R) zone district for the expansion of a recreational vehicle and boat storage facility. The Project site is located on 1.77 acres of the 4.96-acre parcel and consists of 30 recreational vehicle and boat storage spaces totaling approximately 17,220 square feet.

Vegetative cover is characterized as Blue Oak-Foothill Pine and Montane Hardwood habitats with blue oaks and interior live oaks on the eastern portion of the property and grasslands on the western portion. Tree cover is increasingly dense toward the east end of the property. A low ridge runs east to west through the center of the property. Runoff sheet flows to either side of this ridge in a northerly or southerly direction. Both the northern and southern hillslopes drain to an ephemeral stream along the south property line. Runoff from the project site and the hillslope to the east drains to this stream then to a culvert that transports water under and west of Interstate 5 to a tributary of Moody Creek. This stream flattens out near the southwest corner of the property resulting in a small wetland area.”

Comments and Recommendations

In December 2022 and December 2023, CDFW responded to early consultation solicitations from Shasta County (Lead Agency). CDFW staff are pleased to see that our previous recommendations were considered when analyzing this Projects impacts to biological resources in the ISMND. However, CDFW offers the following comments and recommendations to further assist the Lead Agency in adequately identifying, avoiding, and minimizing potentially

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 3

significant, direct, and indirect impacts on biological resources with the implementation of the Project.

Mitigation for Oak Woodlands

While CDFW supports the Lead Agency to condition a 3:1 mitigation ratio for the permanent loss of 38 oak trees, the ISMND lacks pertinent information to consider the planting of acorns as an adequate mitigation approach.

Measure IV.b.2)-b states *“Blue Oak and Live Oak shall be planted from seed at a 3:1 ratio to replace the 38 trees proposed to be removed. Viable acorns shall be planted in the fall after the first rains using the following protocol: Scalp a circle two feet in radius around each planting spot to remove other vegetation. Plant acorns in pairs, placed on their sides in approximately 2-inch holes, cover with soil, and cover the scalped area and planting sites with mulch such as oak leaves or weed free straw.”*

To enhance this mitigation approach and ensure this Projects impacts to oak woodlands are less than significant, CDFW recommends the Lead Agency address the following considerations:

1. Acorn Handling: Clearly specify the responsible party for acorn collection, source acorns from nearby stands to ensure genetic similarity and regional/climatic compatibility, store acorns in a refrigerated environment if they are not able to be planted immediately following harvest, inspect acorns for holes and place them in water prior to planting (discarding any floaters), and plant acorns in winter or early spring to ensure moist environmental conditions.
2. Planting: Consider site-specific soil conditions, with consideration to soil compaction and the potential for planting holes to fill with water. Soil supplementation is not required but can generally improve survival. Consider locating planting holes in areas that will have afternoon shade or the installation of shade structures to provide afternoon reprieve. Protective cages are not required but reduce deer browse and significantly improve growth rates and survival. Shade cloth can be attached to the protective cages to ensure optimal conditions. Supplemental irrigation is often warranted to help ensure deep rooting and increase the chances of survival.

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 4

3. Mitigation and Monitoring: Develop and submit a Mitigation and Monitoring Plan for CDFW approval prior to any land modification. The Plan should include:

- Description of the restoration effort, including final site layout and planting locations.
- Outline of the success criteria, including survival rates, growth benchmarks, and duration of monitoring and maintenance efforts.
- Contingency measures should the success criteria not be met, including additional planting or remedial actions.
- Long-term management and maintenance goals, specifying how the oak woodlands will be managed post-monitoring.
- A funding mechanism to ensure resources are available for long-term management and maintenance.

As mentioned above, CDFW urges the inclusion of a watering schedule in the Mitigation and Monitoring Plan for newly planted acorns. While mature oak trees are drought-tolerant, young seedlings require consistent moisture for successful germination and establishment. Specifically:

- Watering Protocol: Establish a watering schedule that ensures the seedlings get regular and adequate watering during the germination phase and throughout the first year of growth and avoiding waterlogged conditions which can reduce survival.
- Watering Adjustment: After the first year, gradually reduce watering frequency, allowing the seedlings to adapt, with the overall goal of eliminating supplemental irrigation prior to the end of the maintenance and monitoring phase.
- Monitoring Period: CDFW recommends a post-construction monitoring period of five years to ensure long-term success, with adaptive management strategies extending beyond the initial five-year period if survival rates fall below acceptable levels.

Incorporating these recommendations into the ISMND will strengthen the mitigation strategy and increase the likelihood of successful oak woodland restoration.

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 5

Low Impact Development

This Project includes an increase in impervious surfaces. The ISMND did not include [Low Impact Development](#)² (LID) strategies such as stormwater detention basins/bioswales to be employed for the avoidance and reduction in potentially harmful stormwater runoff. CDFW recommends the implementation of LID strategies, specifically bio-retention basins, to prevent a net-increase in potentially toxic stormwater runoff from an increase in impervious surfaces that may occur during the life of the Project.

LID strategies aim to protect water quality and manage stormwater as close to its source as possible, thus mitigating potential flooding and the outflow of toxic pollutants such as 6PPD-quinone, a chemical contaminant derived from vehicle tires, suspected to negatively impact aquatic organisms³, including CESA-listed salmonids occurring downstream of the Project area.

CDFW supports and encourages the use of LID strategies because they have been found to minimize impacts to aquatic habitats by filtering out pollutants, decrease peak flows, minimize erosion, and increase ground water recharge. CDFW recommends including LID strategies into the ISMND. Implementing bio-retention basins will aim to avoid and reduce potentially significant impacts to sensitive aquatic species known to occur locally and throughout the Sacramento River watershed.

Temporary Construction Fencing

CDFW discourages the use of high visibility fencing, as they are challenging to maintain, may cause inadvertent wildlife entrapment and may cause inadvertent obstruction to wildlife movement. CDFW advises 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.

Permanent Fencing

CDFW understands fences are essential for security and the control of trespass; however, inappropriately designed and/or installed fencing may create serious hazards or wildlife. A fence that is friendly to wildlife may allow animals to jump over and crawl under easily without injury and are highly visible for both ungulates and birds. CDFW encourages the Lead Agency to consider designing and constructing perimeter fencing with wildlife friendly fencing

² https://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

³ Tian, Z. et al. 2021. A ubiquitous tire rubber-derived chemical induces acute mortality in coho salmon. *Science* 371: 185-18.

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 6

techniques to reduce the potential of injury or death. Please consult [A Landowners Guide to Wildlife Friendly Fences](#)⁴ for construction recommendations and use of wildlife friendly fencing.

Submitting Data

CEQA requires that information developed in environmental documents is incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Public Resources Code, § 21003, subd. (e).) Accordingly, please report any observation of special status species to the CNDDDB. Use this link to access the [CNDDDB field survey form](#)⁵ and this link for additional information on the type of [information reported to CNDDDB](#)⁶.

Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing 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.)

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.

⁴ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161708>

⁵ <https://nrm.dfg.ca.gov/fieldSurvey/default.aspx>

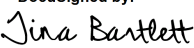
⁶ <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

Tara Petti, Senior Planner
Shasta County Resource Management
September 27, 2024
Page 7

Conclusion

CDFW staff appreciate the opportunity to comment on the ISMND 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:

1D82ADE7303A474...

Tina Bartlett, Regional Manager
Northern Region

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

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