



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Central Region  
1234 East Shaw Avenue  
Fresno, California 93710  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



November 14, 2024

Matt Fowler, Senior Environmental Planner  
California Department of Transportation (District 5)  
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**Subject: US 101 South of Salinas Corridor Improvement Project (Project)  
Notice of Preparation (NOP)  
SCH No.: 2024100485**

Dear Matt Fowler:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the California Department of Transportation (Caltrans) District 5 for the above-listed Project, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may impact California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the California Fish and Game Code (Fish & G. 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)). In its trustee capacity, CDFW 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 (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may

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<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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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.

**Nesting Birds:** CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession, or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

**Federally Listed Species:** CDFW recommends consulting with the United States Fish and Wildlife Service (USFWS) and/or National Marine Fisheries Service (NMFS) on potential impacts to Federally listed species. Take under the Federal Endangered Species Act (ESA) is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS to comply with ESA is advised well in advance of any ground disturbing activities.

**Unlisted Species:** Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened on any State or Federal list to be considered Endangered, Rare, or Threatened under CEQA. If a species can be shown to meet the criteria for Endangered, Rare, or Threatened, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

## **PROJECT DESCRIPTION SUMMARY**

**Proponent:** Caltrans District 5

**Objective:** The purpose of this Project is to reduce vehicle conflict points to enhance safety along US-101 by improving the existing transportation network. The proposed Project includes and is not limited to, construction of new interchanges, modification of access control within the project limits, construction of new local roads, removal of on-ramps and off-ramps, removal of at-grade railroad crossings, median access removal, utility relocation, vegetation clearing, and earthwork.

**Location:** The Project is located along a 9-mile length of the United States Highway 101 (US-101) corridor between post mile (PM) 76.5 and PM 85.6 near the community of Salinas, in Monterey County, California.

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**COMMENTS AND RECOMMENDATIONS**

CDFW offers the comments and recommendations below to assist Caltrans District 5 in adequately identifying and/or 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 DEIR prepared for this Project. The Project area is bordered by open space, residences, and coastal dune scrub and open beach habitat.

Based on a review of the Project description, California Natural Diversity Database (CNDDDB) records and CDFW’s experience with the resources in the Project Area, CDFW is concerned about potential Project impacts to the following special status species (CDFW 2024, CNPS 2024):

Common Name	Scientific Name	Listing*		
		State	Federal	CDFW/CRPR
<b>Animals</b>				
<b>Amphibians</b>				
California tiger salamander	<i>Ambystoma californiense pop. 1</i>	T	T	--
<b>Birds</b>				
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	C	--	SSC
Tricolored blackbird	<i>Agelaius tricolor</i>	T	--	SSC
<b>Mammals</b>				
Pallid bat	<i>Antrozous pallidus</i>	--	--	SSC
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	--	--	SSC
Western mastiff bat	<i>Eumops perotis californicus</i>	--	--	SSC
<b>Plants</b>				
Congdon’s tarplant	<i>Centromadia parryi spp. congdonii</i>	--	--	1B.1

\*Status: C = candidate, CE = candidate endangered, E = endangered, PT = petitioned threatened, SSC = species of special concern, CRPR = California Rare Plant Rank.

**I. ENVIRONMENTAL SETTING AND RELATED IMPACTS**

**California Tiger Salamander (CTS)**

The Project area is within the known geographic range of CTS and there are multiple historical occurrences documented near the Project area (CDFW 2024). CTS breed and develop in vernal and seasonal pools and stock ponds in grassland, woodland, and scrub habitat types and have been determined to be physiologically capable of dispersing up to approximately 1.5-miles from seasonally flooded wetlands (Searcy and Shaffer 2011). These habitat features are present within the Project vicinity.

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Without appropriate pre-construction surveys and mitigation measures for CTS, potentially significant Project related impacts include burrow collapse, inadvertent entrapment, reduced reproductive success and health and vigor of individuals, and direct mortality of individuals.:

### **Recommended Mitigation Measure 1: CTS Protocol-level Surveys**

CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the USFWS “Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander” (USFWS 2003) at the appropriate time of year as part of the biological studies conducted in support of the DEIR to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

### **Recommended Mitigation Measure 2: CTS Avoidance**

If CTS protocol-level surveys are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project area. In addition, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project area be avoided by at least a 250-foot no-disturbance buffer. Both upland burrow and wetland breeding no-disturbance buffers are intended to minimize impacts to CTS and CTS habitat, though CTS are known to inhabit upland habitat at greater distances than 250 feet from potential breeding habitat. Alternatively, the applicant can assume presence of CTS within the Project area and obtain a State Incidental Take Permit (ITP) from CDFW in accordance with Fish and Game Code section 2081, subdivision (b).

### **Recommended Mitigation Measure 3: CTS Take Authorization**

If through surveys it is determined that CTS are occupying or have the potential to occupy the Project area, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA. As stated above, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and obtain an ITP from CDFW.

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### **Burrowing Owl (BUOW)**

The California Fish and Game Commission (FGC) approved BUOW as a candidate for potential listing as a protected species under CESA on October 10, 2024 and published these findings in the California Regulatory Notice Register (Notice Register) on October 25, 2024. As such, BUOW is now considered a candidate under CESA and receives the same legal protection afforded to an endangered or threatened species (Fish & Game Code, Sections 2074.2 & 2085). CDFW recommends that the DEIR be updated to reflect the candidacy and recommends the measures listed below be incorporated to avoid unauthorized take.

The Project area is within the known geographic range of the BUOW. BUOW inhabit open grasslands containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. Based on aerial imagery and recent occurrences reported on the California Natural Diversity Database (CDFW 2024), the Project area contains suitable habitat for BUOW nesting and foraging. Without appropriate avoidance and minimization measures for BUOW, potentially significant impacts associated with ground-disturbing activities include burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs and/or young, and direct mortality.

#### **Recommended Mitigation Measure 4: BUOW Surveys**

CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's (CBOC) "Burrowing Owl Survey Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's "Staff Report on Burrowing Owl Mitigation" (CDFG 2012) as part of the biological studies conducted in support of the DEIR to evaluate presence/absence of overwintering or roosting BUOW in proximity to Project activities and to evaluate potential Project-related impacts.

#### **Recommended Mitigation Measure 5: BUOW Take Authorization**

If BUOW or known BUOW burrows (active or inactive) are observed in the Project area, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities would be warranted. Take authorization would occur through the issuance of an ITP, pursuant to Fish and Game Code section 2081(b).

### **Tricolored Blackbird (TRBL)**

The Project area is within the known geographic range of TRBL and multiple occurrences of TRBL were documented within 3 miles of the Project area (CDFW 2024). TRBL may breed within the vicinity of fresh water such as in marshy areas

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with sturdy vegetation (Grinnell and Miller 1944), but they are also known to breed in alfalfa, wheat, and other low agricultural crop fields, and these fields are becoming an increasingly important nesting habitat type (Beedy et al. 2023). Based on aerial imagery, there are several agricultural fields and marshy fields within the vicinity of the Project area that could contain habitat suitable for TRBL nesting and foraging. Without appropriate avoidance and minimization measures for TRBL, potentially significant impacts associated with the Project's activities include reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

#### **Recommended Mitigation Measure 6: TRBL Surveys**

CDFW recommends that a qualified wildlife biologist conduct surveys for nesting TRBL as part of the biological studies conducted in support of the DEIR to evaluate presence/absence of TRBL nesting colonies in proximity to Project activities and to evaluate potential Project-related impacts.

#### **Recommended Mitigation Measure 7: TRBL Avoidance**

If an active TRBL nesting colony is found, CDFW recommends implementation of a minimum 300-foot no-disturbance buffer around the colony in accordance with CDFW's "Staff Guidance Regarding Avoidance of Impacts to Tricolored Blackbird Breeding Colonies on Agricultural Fields in 2015" (California Department of Fish and Wildlife 2015). CDFW advises that this buffer remain in place until the breeding season (February 1 through September 15) has ended or until a qualified biologist has determined that nesting has ceased, the birds have fledged and are no longer reliant upon the colony or parental care for survival.

#### **Recommended Mitigation Measure 8: TRBL Take Authorization**

It is important to note that TRBL colonies can expand over time. If at any time a TRBL nesting colony is detected, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization prior to any ground disturbing activities would be warranted. Take authorization would occur through issuance of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b).

### **Special Status Bat Species**

The Project is within the geographic range of the pallid bat, Townsend's big-eared bat, and Western mastiff bat. Known roosting habitats include mines, caves, rocky outcrops, bridges, trees, and buildings that provide the required localized climatic conditions and surrounding foraging opportunities needed. Multiple bat species can co-occur in roosts, and they may have similar life histories, although it is important to note that in many instances bat species do not have the same habitat requirements

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and life histories. Migratory patterns and winter roosts can vary significantly from species to species. Without appropriate avoidance and minimization measures for roosting bats potentially significant impacts associated with the Project's activities could include roost abandonment which may result in reduced health or vigor of adults or pups and/or direct mortality.

#### **Recommended Mitigation Measure 9: Roosting Bat Habitat Assessment.**

CDFW recommends that a qualified wildlife biologist conduct a habitat assessment within the Project area and a 100 foot buffer as part of the biological studies conducted in support of the DEIR. This assessment would help determine if bats are currently or could utilize the potential roosting habitat in proximity to proposed Project activities and to evaluate potential Project-related impacts.

#### **Recommended Mitigation Measure 10: Roosting Bat Surveys**

If a potential roosting site is confirmed to support bat species within 100 feet of Project activities, CDFW recommends the Project proponent conduct focused surveys to establish species usage and seasonal usage. Focused survey methodology is advised to include visual surveys of bats (observation of presence of bats during foraging period), inspection for suitable habitat or bat sign (guano), and use of ultrasonic detectors (Anabat, Sonobat, etc.) during all dusk emergence and pre-dawn re-entry. To maximize detectability, each survey needs to be conducted within one 24-hour period.

#### **Recommended Mitigation Measure 11: Roosting Bat Avoidance**

If bats are found to occupy the Project area, CDFW recommends the Project proponent implement general bat avoidance, minimization and mitigation measures, including but are not limited to, establishing a minimum 100-foot no-disturbance buffer around roost sites and installing new roost sites to be in place prior to the initiation of Project related activities to allow enough time for bats to relocate. Greater buffer distances are recommended for maternal colonies.

### **Special-Status Plants**

The Project area is within the known geographic range of Congdon's tarplant (*Centromadia parryi* spp. *congdonii*) and there are multiple occurrences within Caltran's right of way (CDFW 2024, CNPS 2024). Special-status plant species are threatened with habitat loss and habitat fragmentation resulting from development, vehicle and foot traffic, and introduction of non-native plant species (CNPS 2018), all of which may be Project related impacts.

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### **Recommended Mitigation Measure 12: Special Status Plant Habitat Assessment.**

CDFW recommends that a special status plant habitat assessment be performed as part of the biological studies conducted in support of the DEIR. This assessment would help determine whether there is suitable habitat for special status plants within the Project area, and to evaluate any associated potential Project-related impacts to those resources.

### **Recommended Mitigation Measure 13: Special Status Plant Surveys.**

If there is suitable special status plant habitat, CDFW recommends the Project area be surveyed for special status plants by a qualified botanist following the “Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities” (CDFW 2018) as part of the biological technical studies conducted in support of the DEIR and potentially also the year prior to construction if Project activities may occur more than 3 years after the initial survey or if seasonal habitat conditions limited the likelihood of prior detection. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. If surveys indicate the presence or potential presence of special status plants, consultation with CDFW is recommended for guidance on mitigation measures such as avoidance, minimization, and mitigation.

## **Artificial Lighting**

Installation of outdoor artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication, determining when to begin foraging, thermoregulation behavior, and migration (Longcore and Rich 2004, Miller 2006, Nightingale et al. 2006, Perry et al. 2008, Stone et al. 2009). Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004). Project activities could result in disruption of wildlife behavior, inadvertent injury, or mortality.

### **Recommended Mitigation Measure 15: Artificial Lighting**

CDFW recommends that the DEIR for the Project include an analysis of the impacts of artificial lighting on biological resources and incorporate mitigation measures to decrease the impacts of artificial outdoor lighting on wildlife species, as applicable. Potentially feasible mitigation measures include motion sensitive lighting; mounting light fixtures as low as possible to minimize light trespass; use of light fittings that direct and confine the spread of light downward; and use of long-wavelength light sources. In addition, CDFW recommends that lighting not be installed in ecologically



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sensitive areas (e.g., streams, wetlands, and habitat used by special status species, such as nesting/roosting sites and riparian corridors) and the use of the white/blue wavelengths of the light spectrum be avoided.

## II. EDITORIAL COMMENTS AND/OR SUGGESTIONS

CDFW requests that the DEIR fully identify potential impacts to biological resources, including the above-mentioned species. To adequately assess any potential impacts to biological resources, focused biological surveys should be conducted by qualified wildlife biologists/botanists during the appropriate survey period(s) for each species to determine whether any special-status species and/or suitable habitat features may be present within the Project area. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol level surveys, and to identify any Project-related impacts under CESA and other species of concern. CDFW recommends the DEIR address potential impacts to these species and provide measurable mitigation measures that, as needed, will reduce impacts to less than significant levels. Information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/SurveyProtocols>).

**Nesting Birds:** CDFW encourages Project implementation occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the breeding season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of

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non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist counsel and support any variance from these buffers and notify CDFW in advance of implementing a variance.

**Federally Listed Species:** If any federally listed species are identified within the Project vicinity, CDFW recommends consulting with USFWS and/or NMFS regarding potential impacts to federally listed species. The ESA is more broadly defined than CESA; take under the ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS and NMFS to comply with the ESA is advised well in advance of any Project activities.

**California Natural Diversity Database:** Please note that the CNDDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDDB does not mean that a species is not present. To adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted to determine if any special status species are present.

**Lake and Stream Alteration:** Project activities may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Several streams bisect and flow parallel to US-101 within the Project limits. These drainages include and are not limited to the Salinas River, Alisal Creek, Quail Creek, Chualar Creek, and one unnamed drainage.

Fish and Game Code section 1602 requires entities to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For additional information on notification requirements, please contact our staff in the Caltrans Liaison Unit at [RRR.R4@wildlife.ca.gov](mailto:RRR.R4@wildlife.ca.gov). CDFW therefore recommends that the DEIR prepared for this Project include information related to these requirements of Fish and Game Code and determine if activities in streams may require notification as required by Fish and Game Code.

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**Project Alternatives Analysis:** CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analysis conducted in support of the Project's DEIR be used to develop and modify the Project's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. When efforts to avoid and minimize have been exhausted, CDFW advises that remaining impacts to sensitive biological resources be mitigated to reduce impacts to a less than significant level, if feasible.

**Cumulative Impacts:** CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts are recommended to be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area should also be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW recommends closely evaluating the need for a cumulative impacts analysis for the following species as part of the DEIR due to these species being in poor or declining health or at risk: CTS, BUOW, TRBL, pallid bat, Townsend's big-eared bat, Western mastiff bat, Congdon's tarplant, and any potentially impacted migratory or non-migratory nesting bird species. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

## **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, section 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## **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.

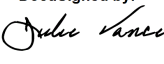
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(Cal. Code Regs, tit. 14, section 753.5; Fish & G. Code, section 711.4; Pub. Resources Code, section 21089).

## CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist Caltrans District 5 in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please see the enclosed Mitigation Monitoring and Reporting Program (MMRP) table which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Dylan Burkey, Environmental Scientist, at (559) 767-0923 or [dylan.burkey@wildlife.ca.gov](mailto:dylan.burkey@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...  
Julie A. Vance  
Regional Manager

ec: Ventura Fish and Wildlife Office

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**Attachment 1**  
**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**  
**RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM**  
**(MMRP)**  
**PROJECT: US 101 South of Salinas Corridor Improvement Project (Project)**  
**SCH No.: 2024100485**

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
California Tiger Salamander (CTS) Protocol-Level Surveys	
CTS Avoidance	
CTS Take Authorization	
Burrowing Owl (BUOW) Surveys	
BUOW Take Authorization	
Tricolored Blackbird (TRBL) Surveys	
TRBL Avoidance	
TRBL Take Authorization	
Roosting Bat Habitat Assessment	
Roosting Bat Surveys	
Roosting Bat Avoidance and Minimization	
Special Status Plant Habitat Assessment	
Special Status Plant Surveys.	
Special Status Plant Avoidance and Minimization	
Artificial Lighting	