



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



December 3, 2024

Amber Kelley
Environmental Compliance Manager
City of Redding
777 Cypress Avenue
Redding, CA 96001
akelley@cityofredding.org

SUBJECT: REVIEW OF VICTOR AND CYPRESS AVENUES ACTIVE TRANSPORTATION PROJECT, SHASTA COUNTY, STATE CLEARINGHOUSE NUMBER 2024110090

Dear Amber Kelley:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND), dated November 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 & 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.

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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 & G. Code, § 2050 et seq.) or state listed rare plants pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code § 1900 et seq.), authorization as provided by the applicable Fish and Game Code may be required.

Project Description:

The Project area contains 28.74 acres of roadway and right-of-way generally along Victor Avenue, East Cypress Avenue, Hartnell Avenue, Del Monte Street and Alfreda Way. As described in the IS/MND, the Project includes the following:

“The project includes: shared use pathways; sidewalk improvements; ADA compliant curb, gutter, and ramps; crosswalks, raised concrete pedestrian medians, and rapid flashing beacons; buffered bicycle lanes; lighting improvements; protected intersection improvements; a round-about intersection; wayfinding signage; and a pedestrian bridge. Construction work will consist of earthwork, trenching, vegetation removal, utility relocation, drainage installation and modification, tree planting, installation of irrigation, paving, striping, and sign replacement/installation. Utilities will be relocated as needed to implement the ADA compliant improvements. Drainage improvements include the installation, modification, removal, or replacement of the City storm drain utility infrastructure to ensure positive drainage of the non-motorized improvements. The improvements will be constructed the City right of way and within easement areas. Construction is anticipated to begin in 2025 and continue through 2026”.

Comments and Recommendations

CDFW staff recognize that the City of Redding (Lead Agency) have taken the appropriate steps needed to evaluate this Project’s impacts to biological resources. 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.

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Natural Environment Study

The IS/MND indicates that a Natural Environment Study (NES) was prepared to assess the impact of the Project on biological resources. The NES was not included in the documents available for review to the public. Without attaching the NES or including specific information from the NES into the IS/MND, it is challenging to determine which species and habitats with potential to occur were considered, if any protocol-level biological surveys were performed and overall adequacy of the biological assessment. CDFW recommends re-posting the draft IS/MND for public review with information from the NES, to more adequately disclose this Project's potential impacts to biological resources.

Crotch's Bumble Bee

Without the NES, it's not clear if special-status bumble bees were considered as part of this Project's biological assessment. On September 30, 2022, the California Fish and Game Commission accepted a petition to list Crotch's bumble bee (*Bombus crotchii*; CBB) as endangered under CESA, advancing the species to the candidacy stage of the CESA listing process. Candidate species are granted full protection under CESA during this period. Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9).

CBB may inhabit diverse habitats including woodlands, grasslands, shrublands, agricultural lands and urban landscapes. Without assessment, and appropriate avoidance and minimization measures, potentially significant impacts to CBB may occur with the implementation of this Project.

Since this Project bisects the range of CBB, CDFW recommends a CBB habitat assessment is performed by a qualified biologist and included in an amended NES and/or final IS/MND. If the habitat assessment concludes the Project area has potentially suitable CBB, avoidance and minimization measures should be employed to avoid potential impacts in accordance with CDFW's [June 2023 Survey Considerations for California Endangered Species Act \(CESA\) Candidate Bumble Bee Species](#)².

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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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 activities, including ground disturbance, vegetation removal, and any activities leading to increased noise levels, may have direct and/or indirect impacts on bats and bat roosts. Trees that contain cavities, crevices, or exfoliated bark have high potential to be used by various bat species.

While CDFW staff are pleased to see the IS/MND considers potential impacts to bats, the avoidance and minimization measure, MM-1, appears to only consider impacts to maternity roosts and does not consider impacts to individual roosting bats. CDFW recommends including a pre-construction survey by a qualified biologist to identify and mark trees within the Project area that contain suitable bat roosting habitat features before tree removal occurs, and to include a two-step removal process to further reduce the risk of impacts to bats. CDFW recommends incorporating the following revisions, shown in bold, to MM-1 to more adequately avoid this Projects potential impacts to bats:

MM-1: A qualified biologist shall perform a pre-construction visual inspection of trees larger than 10" diameter at breast height (DBH) to identify and clearly mark trees that have potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark for colonial species, suitable canopy for foliage roosting species). Removal of marked trees should be performed in accordance with the following methods:

- 1. Removal of marked trees should occur only during the following time frames and subject to the following weather conditions, or as otherwise approved/recommended by a qualified biologist:**
 - Between March 15 and April 30, and between August 15 and October 1; and**
 - Between October 2 and March 14 when evening temperatures are above 45°F, and no more than ½" of rainfall within a 24-hour period prior to tree removal.**
- 2. Marked trees shall be removed using a two-step process to allow individually roosting bats the opportunity to abandon the roost prior to removal. The two-step removal process is as follows:**

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- **Day 1: Remove small-diameter trees, brush, and non-habitat features of marked trees (branches without cavities, crevices, or exfoliating bark) to alter existing conditions around the roost thus encouraging bats to vacate the roost on their own. The tree shall then be left for 24 hours to allow the bats to move to another roost site.**
- **Day 2: If bats are thought to be in marked tree branches that can successfully be removed and set aside, cut the branches off intact and set them upright against trees away from the Project area to allow any bats present to passively escape. Then, remove the remainder of the tree.**

If construction (including the removal of large trees) **must occur outside of the above time frames**, a qualified biologist shall conduct a preconstruction survey of the project area to locate maternity colonies and identify measures to protect the colonies from disturbance. The preconstruction survey will be performed no more than seven days prior to the implementation of construction activities. If a lapse in construction activities for seven days or longer occurs between those dates, another preconstruction survey will be performed. If a maternity colony is found a qualified biologist (in consultation with the CDFW) will determine the extent of a construction-free buffer zone to be established around the nest. If practicable, removal of large trees with cavities will occur before maternity colonies form (i.e., prior to March 1) or after young are capable of flying (i.e., after August 15).

Impacts to Waters

The IS/MND indicates "construction of the Project is estimated to permanently impact 0.008 acre of jurisdictional waters, including 0.005 acre of palustrine emergent wetland, 0.002 acre (16 linear feet) of intermittent stream, and 0.001 acre (62 linear feet) of ephemeral stream. Permanent impacts would result from construction of a bike lane, a new pedestrian trail, and paving an existing pedestrian trail." However, the IS/MND does not indicate how these impacts will be mitigated. CDFW recommends including how the Lead Agency plans to mitigate for the permanent loss of the waters, including a mitigation ratio that considers the function and temporal losses of these waters, in the final IS/MND.

Lighting

The IS/MND indicates lighting improvements will occur throughout the Project area. Studies have shown that artificial lighting has adverse effects on wildlife

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and plant species. The effects may include, but are not limited to, alteration of flowering, photosynthesis, foraging, reproduction, navigation (being attracted to or deterred from), migration patterns (including movement barriers of light) and predator-prey dynamics. To minimize adverse effects of artificial light on wildlife, CDFW recommends that lighting fixtures associated with the Project be downward facing, fully shielded, and designed and installed to minimize light-pollution and spillover of light onto adjacent wildlife habitat. [Studies](#)³ have found that it's best to use lower-intensity, warmer-colored lighting that may also be lower on the light spectrum (lower Kelvin values with fewer short-wavelength blue light emissions).

Native Vegetation in Landscaping

The IS/MND indicates landscaping throughout the Project area. The typical landscaping palette, common throughout Redding, includes that of non-native species which are not well suited to the region's drought conditions and generally do not support our local biodiversity. Benefits of utilizing native vegetation in landscaping are numerous and include providing vital resources for native wildlife including beneficial pollinators, conserving water, reducing pesticide use, and reducing vegetation maintenance. CDFW strongly encourages the Lead Agency to landscape with vegetation native to our region from local plant nurseries.

The California Native Plant Society (CNPS) website includes a variety of useful information and tools to help determine which native species occur in a particular area, information on care and maintenance of native species, and contacts for purchasing native plants or seeds. The CNPS tool [Calscape](#)⁴ generates a list of native plants that grow in an area based on a specific address and can be used to develop a planting palette for landscaping plans. For more information regarding the importance of using native species in landscaping, please refer to the [CNPS Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation](#)⁵.

³ https://www.annualreviews.org/content/journals/10.1146/annurev-ecolsys-110316-022745?utm_campaign=shareaholic&utm_medium=copy_link&utm_source=bookmark

⁴ <https://calscape.org/>

⁵ <https://www.cnps.org/wp-content/uploads/2018/04/landscaping.pdf>

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Lake and Streambed Alteration Agreement

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Substantially divert or obstruct the natural flow of the bed, channel, or bank of any river, stream, or lake; or
- Substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
- Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

To obtain information about the 1602 Notification process, please consult the [Lake and Streambed Alteration Program](#)⁶.

Submitting Data

CEQA requires that information collected and developed for 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 special status species and natural communities detected during surveys to the [California Natural Diversity Database](#)⁷ (CNDDDB).

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 agencies. CDFW is enthusiastic to continue assisting the Lead Agency in implementing comprehensive avoidance and minimization strategies for the benefit of California's sensitive resources and aligning regulatory frameworks.

⁶ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>


⁷ <https://wildlife.ca.gov/Data/CNDDDB>

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Conclusion

CDFW appreciates the opportunity to comment on the IS/MND and to assist the Lead Agency in identifying, avoiding, minimizing and mitigating potentially significant Project impacts to 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:

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Tina Bartlett, Regional Manager
Northern Region

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

Erika Iacona
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