



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 23, 2024

Elisabeth Towers
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Shasta County Resource Management
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**SUBJECT: REVIEW OF USE PERMIT 23-0010, STATE CLEARINGHOUSE NUMBER:
2024120279, SHASTA COUNTY**

Dear Elisabeth Towers:

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

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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 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 is described in the IS/MND as follows:

“The project is a use permit for a contractor’s equipment storage yard and industrial development to be constructed in three phases. Phase 1 consists of the construction of a 9,800-square-foot warehouse, a 50,000-square-foot screened outdoor storage area to be used for log and chip storage, and an 80,500-square-foot screened outdoor boat and RV storage area. Phase 2 consists of three additional 9,800-square-foot warehouse buildings to be occupied by uses allowed outright in the General Industrial – Design Review – Interim Mineral Resource (M-DR-IMR) Zone District. Phase 3 will consist of 49,850 square-feet of mini-storage. The project includes the installation of landscaping, a paved parking area, stormwater detention basin, upgrades to an existing encroachment off Clear Creek Road, and other ancillary site improvements. Development of the project would include grading, trenching, paving, striping and general construction activities. Excavators, backhoes, bulldozers, trenchers, dump trucks, and similar equipment could all be used to pour foundations, extend and install utilities, erect the proposed buildings, and construct and/or install the proposed stormwater detention basin, graveled outdoor storage area, asphalt paved parking area, fencing, landscaping, and other proposed improvements.

The 10.17-acre project site is vacant and has history of use for mining dating back to the 1850’s. The property was originally impacted by the discovery of gold within Clear Creek and subsequent placer and dredger mining within the creek and its surrounding floodplain. The mining resulted in complete disturbance of the original contours, soil structure, and vegetation of the area and left dredger tailings onsite. The tailing were subsequently leveled with the exception of a gravel berm on the western property line. The project site was previously part of a larger aggregate mining operation which has since been reclaimed. Vegetation onsite includes grasses and forbs with few trees or shrubs onsite. Several cottonwoods, scattered gray

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pine, and canyon live oaks exist along the western property line. Existing improvements onsite include a fence along Clear Creek Road, a gravel service road leading through the center of the parcel, and several bee yards (apiaries)."

Comments and Recommendations

In March 2024, CDFW responded to an early consultation solicitation from Shasta County (Lead Agency). CDFW staff are pleased to see that much of our earlier recommendations were incorporated into the IS/MND including avoidance and minimization measures for migratory birds, bats, bumble bees, rare plants, and water quality. However, 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.

Native Vegetation in Landscaping

The IS/MND indicates landscaping is planned throughout the Project area. The typical landscaping palette, common throughout Shasta County, 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 approve a landscaping palette 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](https://calscape.org/)² 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](https://www.cnps.org/wp-content/uploads/2018/04/landscaping.pdf)³.

² <https://calscape.org/>

³ <https://www.cnps.org/wp-content/uploads/2018/04/landscaping.pdf>

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Lake and Streambed Alteration Agreement

The IS/MND indicates a drainage feature which flows along the eastern property boundary and is acknowledged as a feature under the jurisdiction of the State of California Regional Water Quality Control Board (RWQCB). It is unclear from the information provided in the IS/MND if this drainage feature would require notification pursuant to Fish and Game Code section 1602, which 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.

CDFW recommends further coordinating with our staff in order to determine applicability of section 1602 to this feature. Lake and Streambed Alteration Program staff are available to assist and can be contacted at r1saredding@wildlife.ca.gov. To obtain information about the 1602 Notification process, please consult the [Lake and Streambed Alteration Program](#)⁴.

California Endangered Species Act

While this Project's potential for impact to CESA-listed species is unlikely based on the information provided, please be advised that a [CESA Incidental Take Permit](#)⁵ must be obtained if the Project has the potential to result in "take" (hunt, pursue, catch, capture, kill, or attempt thereof) of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project has the potential to result in take of a CESA-listed species, early consultation is encouraged, as significant modification to the Project may be necessary to minimize and fully mitigate impacts as required by Fish and Game Code section 2081 (b)(2).

⁴ <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>

⁵ <https://wildlife.ca.gov/Conservation/CESA/Permitting>

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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](#)⁶ (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.

Conclusion

CDFW appreciates the opportunity to comment on the ISMND 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

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

Jacqueline Matthews, Erika Iacona
California Department of Fish and Wildlife

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