



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



February 6, 2025

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SUBJECT: REVIEW OF USE PERMIT 24-0003, SHASTA COUNTY, STATE CLEARING HOUSE NUMBER 2025010323

Dear Tara Petti:

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) 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.

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

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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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 is a use permit application to construct, operate, and maintain an unmanned commercial wireless telecommunications facility within a 45-foot by 45-foot ground lease area on a parcel developed with a single-family residence and associated residential accessory structures. The lease area would be graded, enclosed by a 6-foot-tall chain-link fence with green privacy slats, and would be lit by two L.E.D. work lights, not to exceed 100 watts with motion sensor control. Proposed improvements include a 154-foot-tall monopole tower with three four-sector antenna mounts designed to accommodate up to sixteen (16) antennas and twelve (12) remote radio units (RRU's) per sector.

Improvements outside of the lease area would include utilities to serve the installation, including a small transformer on a 54-inch by 52-inch prefabricated concrete slab, fiber, and electric utility lines; construction of an approximately 450-foot all-weather gravel access driveway within a 15-foot-wide access and utility easement where there is an existing unimproved driveway; an approximately 630-foot underground utility run from an existing power pole and transformer; and an approximately 680-foot fiber-optic cable run to a new point of connection on an existing fiber optic cable at Camino Real.

Comments and Recommendations

In November 2024, CDFW responded to an early consultation solicitation from Shasta County (Lead Agency). 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/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

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stages, bumble bees are more sensitive to changes in their environment, including fluctuations in temperature, availability of floral resources, exposure to pesticides and/or pathogens, and habitat disturbances.

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 15th and October 15th.

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 15th and October 15th...”

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

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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 Contamination²](#).
- 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 Database³](#).
- 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.

Additional guidance on this topic is offered by [Xerces Smarter Pest Management: Protecting Pollinators⁴](#), the [United States Environmental Protection Agency⁵](#) and the [California Department of Pesticide Regulation⁶](#).

Promoting Collaboration

CDFW is charged with preserving and protecting the state's diverse ecosystems and wildlife; therefore, CDFW maintains a strong commitment to

² https://xerces.org/sites/default/files/2019-10/16-024_01_XercesSoc_Guidance-to-Protect-Habitat-from-Pesticides_web.pdf

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

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

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

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


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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.

Sincerely,

DocuSigned by:

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Tina Bartlett, Regional Manager
Northern Region

ec: Erika Iacona, California Department of Fish and Wildlife
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