



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
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GAVIN NEWSOM, Governor
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April 17, 2025

Ben Ransom
Environmental Services Manager
Placer County Water Agency
P.O. Box 6570
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bransom@pcwa.net

Subject: Hell Hole Worker Campground, Potable Water Supply System, and
Communications Upgrade Project
MITIGATED NEGATIVE DECLARATION (MND)
SCH No. 2025030931

Dear Ben Ransom:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Intent to Adopt an MND from the Placer County Water Agency (PCWA) for the Hell Hole Worker Campground, Potable Water Supply System, and Communications Upgrade Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise its own regulatory authority under the Fish and Game 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).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, 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 may also act 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. As proposed, for example, 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.

PROJECT DESCRIPTION SUMMARY

The Project site is located 22 miles northeast of Foresthill, Placer County, California in Township 14N, Range 14E, Sections 9 and 16 on the U.S. Geological Survey Bunker Hill 7.5-minute quad, Mount Diablo Meridan.

The Project includes constructing a new 1.7-acre Hell Hole Worker Campground with recreational vehicle (RV) stalls and picnic sites for PCWA personnel or other approved workers in the Middle Fork American Project area. Additional improvements required by the Federal Energy Regulatory Commission Project (License No. 2079) include a potable water system and other minor improvements to the nearby Hell Hole Boat Ramp General Parking Area. PCWA will drill a new well to serve the campground, the existing Hell Hole Dormitory, operator cottages and shop, and the Hell Hole Boat Ramp General Parking Area. Communications infrastructure will also be installed to provide improved internet and data services to these same locations.

Ground disturbance associated with the proposed Project will include clearing and grubbing of vegetation and equipment staging within a 2.4-acre disturbance area. Because the new well will be installed on previously disturbed land, and both the potable water system and communication lines will be installed along existing road shoulders, additional site preparation is not needed for those components.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist PCWA in adequately identifying and, where appropriate, mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT 1: Mitigation For Bats

Issue: The IS/MND identifies the potential presence of Pallid bat (*Antrozous pallidus*), Townsend’s big-eared bat (*Corynorhinus townsendii*), and Fringed myotis bat (*Myotis thysanodes*), all California Species of Special Concern, with Townsend’s big-eared bat also a candidate for state CESA listing. Even with the proposed biological mitigation measures – BIO-2, which specifies environmental training; BIO-3, which requires species reporting protocols; and BIO-7, which is intended to reduce the maximum number of trees removed, especially mature trees, via finalization of design plans, on-site consultation with the contractor, and prioritization of tree retention for trees greater than 36 inches diameter

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at breast height (DBH) – CDFW believes that “take” of bats is still possible due to the absence of survey requirements and corresponding avoidance actions.

Evidence: According to the IS/MND, three species of bats have the potential to occur within the Project area. While Townsend’s big-eared bats typically roost in caves, mines, and buildings, Pallid bats and Fringed myotis prefer large trees and snags. The Project calls for the removal of up to 267 trees, including 30 trees larger than 36 inches DBH. As stated on page 60 of the IS/MND, removal of trees could result in mortality of non-volant young, and day-roosting bats may be flushed from tree roosts due to noise and human presence during tree removal or other project activities involving mechanical equipment.

On March 11, 2025, CDFW issued a Lake and Streambed Alteration Agreement (LSAA) (EPIMS-PLA-54850-R2) to the Placer County Water Agency for the Hell Hole Seasonal Storage Increase Improvement project. The Hell Hole Seasonal Storage Increase Improvement project is immediately adjacent to this Project, yet includes different mitigation requirements including surveying for bats. Within the signed LSAA that PCWA agreed to, Measure 2.15 requires a bat habitat assessment, pre-construction surveys for bats, and a bat avoidance or exclusion plan.

CDFW finds that while the combination of Mitigation Measures BIO-2, BIO-3, and BIO-7 within the IS/MND may help limit the impacts to bat species, they alone do not provide enough protection for the species, and the Project may still result in “take” of a species absent additional protective measures such as those agreed to by PCWA in the aforementioned LSAA. Given the proximity of the LSAA project to this Project and PCWA’s plans for significant tree removal in Project areas with potential bat presence, parity in bat mitigation measures between the two projects to collectively mitigate potential impacts to, and avoid take of, these three species, including California Species of Special Concern and a candidate CESA species, is imperative.

Recommendations: CDFW recommends that the IS/MND include an additional mitigation measure consistent with Measure 2.15 of the LSAA issued to PCWA (EPIMS-PLA-54850-R2). The mitigation measure should include the following:

Bat Habitat Assessment. Within six (6) months prior to the start of construction, a Designated Biologist with education and experience in bat biology and identification (Designated Bat Biologist) shall survey the project area for potentially suitable bat roosting habitat. The habitat assessment shall include a visual inspection of suitable habitat features (e.g., trees, bridges, and other structures) for suitable bat roosting habitat within the project area and a minimum of a 500-foot radius adjacent to these areas that may be impacted by Project activities. Results of the bat habitat assessment shall be made available to CDFW upon request. If no suitable bat roosting habitat is identified, no further action by the Permittee is required. If bat roosting habitat is present, and activities are scheduled during the maternity season (April 15 to August 31) or the hibernation season (October 15 to March 1), the Permittee shall: 1) conduct pre-construction surveys and 2) develop a Bat Avoidance and Exclusion Plan, if applicable. If a lapse in project activities of six (6)

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months or longer occurs, the Designated Bat Biologist shall complete another habitat assessment before Project activities can be reinitiated.

Bat Pre-Construction Surveys. The Designated Bat Biologist shall develop a Bat Survey Plan (BSP) and submit it to CDFW for review and approval within 30 days of completing the bat habitat assessment. The BSP shall include a list of potential bat species present, survey method(s), and timing of survey(s). The BSP shall provide justification for timing and methodology of survey design (e.g., habitat characteristics, day length, average ambient air temperatures, local and seasonal conditions). The survey results shall identify: 1) the exact location of all roosting sites (location shall be adequately described and shown on a digital map with GPS coordinates), 2) the number of bats present at the time of visit (count or estimate), 3) species of bat detected, if known (include how the species was identified), and 4) the type of roost(s) [i.e., maternity, hibernaculum, night roost (rest at night while out feeding), or day roost (resting during the day)]. Results of the survey shall be submitted to CDFW within 14 business days of survey completion. If bats are detected during any survey, the Designated Bat Biologist shall develop a Bat Avoidance and Exclusion Plan and submit to CDFW for review and approval.

Bat Avoidance or Exclusion Plan (BAEP). If an active bat roost is found in a tree or structure that must be impacted, the Designated Bat Biologist shall develop and submit to CDFW for review and approval a BAEP. The BAEP shall include, at minimum, the following:

Bat Roost Buffer. The Permittee shall establish an appropriate no-disturbance buffer around bat roosts, in coordination with CDFW, during maternity (April 15 to August 31) or hibernation (October 15 to March 1) seasons. The Permittee shall maintain the buffer until the Designated Bat Biologist determines the roost is no longer occupied. The Permittee shall clearly delineate habitat and bat roosts within the project area with posted signs demarking the avoidance areas using stakes, flags, and/or rope or cord. The Permittee shall delineate bat roosts with different materials than those used to delineate the project area. The Permittee shall remove all materials used for delineation upon completion of the Project.

Exclusion Devices. Exclusion devices shall be installed either (1) between approximately March 1 (or when evening temperatures are above 45°F and rainfall less than ½-inch in 24 hours occurs) and April 15, prior to parturition of pups; or (2) between September 1 and October 15 (or prior to evening temperatures dropping below 45°F and onset of rainfall greater than ½-inch in 24 hours). Specific exclusion devices may include one-way doors, lights and fans, foam or steel wool, or other site-specific methods determined in coordination with CDFW. The Designated Bat Biologist shall monitor the roost prior to

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exclusion to confirm that it does not support a maternity colony. If a maternity colony is or may be present, the roost shall be avoided until it is no longer active, or until the Designated Bat Biologist can confirm that no maternity colony is present.

Tree Trimming and/or Removal. Tree trimming and/or tree removal shall be scheduled either (1) between approximately February 15, when evening temperatures are above 45°F and rainfall less than ½-inch in 24 hours occurs, and April 15, prior to parturition of pups; or (2) between September 1 and October 15 (or prior to evening temperatures dropping below 45°F and onset of rainfall greater than ½-inch in 24 hours). Additionally, trees shall be removed in two steps over a period of two (2) days. On the first day, all branches that do not contain roosting habitat shall be removed. The remaining portion of the tree shall be removed on the second day. All branch removal will be conducted using chainsaws or similar handheld equipment. Tree trimming and/or tree removal may occur outside of this work window only after consultation with CDFW and after confirmation that the suitable habitat is not occupied.

CDFW also recommends a qualified biologist be present on-site during all tree removal activities to better identify and avoid potential impacts to nesting birds and roosting bats.

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, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

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

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CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the MND for the Hell Hole Worker Campground, Potable Water System, and Communications Upgrade Project to assist the Placer County Water Agency in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Will Kanz, Environmental Scientist at Will.Kanz@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Morgan Kilgour
Regional Manager

ec: Briana Seapy, Senior Environmental Scientist (Supervisor)
Will Kanz, Environmental Scientist
Department of Fish and Wildlife

Office of Planning and Research, State Clearinghouse, Sacramento