



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



May 2, 2025

Danny Castro
Associate Planner
City of Redding
777 Cypress Avenue
Redding, CA 96001
dcastro@cityofredding.org

SUBJECT: REVIEW OF ZINCO SUBDIVISION S-202202416 AND REZONING RZ-2024-00156, CITY OF REDDING, STATE CLEARING HOUSE NUMBER 2025040223

Dear Danny Castro:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (ISMND), dated March 28, 2025, 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 activities are described in the ISMND including the following:

The Project, as described in the ISMND, is proposing to rezone approximately 4.66 acres spanning two parcels in the City of Redding from “RS-3” Residential Single-Family, 3-units per acre, to “RS-3.5” Residential Single-Family, 3.5-units per acre and subdivide into 16 residential lots with supporting infrastructure including new roadways. The Project area primarily consists of blue oak woodland habitat.

Comments and Recommendations

In June 2023, CDFW responded to an early scoping solicitation from the City of Redding (Lead Agency). CDFW staff have since reviewed the ISMND with updated attachments and proposed avoidance and minimization measures (AMMs). CDFW staff supports the inclusion of MM-BIO-1 conditioning pre-construction rare plant surveys to be performed by a qualified biologist in accordance with CDFW’s [Protocols for Surveying and Evaluating Impacts to Special Status Plant Species Native Plant Populations and Natural Communities](#)².

Crotch’s Bumble Bee

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). Additionally, CBB has a state ranking of S2, which means it is imperiled and extremely rare (often five or fewer populations) and is listed as an invertebrate of conservation priority under the Terrestrial and Vernal Pool Invertebrates of Conservation Priority.

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

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This Project bisects this species' distribution range and has potentially suitable nesting, foraging and overwintering habitat. The Biological Resource Assessment (BRA) and ISMND include a habitat assessment or protocol level survey results for CESA-listed bumble bees. Without appropriate AMMs, direct mortality and potentially significant indirect impacts associated with ground and vegetation-disturbing activities may occur as a result of Project activities. Due to potentially suitable habitat throughout the Project site and the potential for significant impacts to CBB with the implementation of this Project, protocol level surveys should be performed by a qualified biologist in accordance with [June 2023 Survey Considerations for California Endangered Species Act \(CESA\) Candidate Bumble Bee Species](#)³. For further clarification, Section 4 on Page 3 recommends at least 3 surveys, spaced 2-4 weeks apart during the colony active period, located in Table 1.

Please note, conducting protocol-level surveys for CESA-listed species before finalizing an environmental document is important to ensure an accurate environmental assessment is performed, avoid inadequate mitigation decisions, and accurately comply with CESA regulatory requirements. Surveys will help to identify species presence, preventing potentially costly Project modifications, delays, or the need for CESA permitting. Conducting these surveys prior to Project approval supports a comprehensive approval process and minimizes the likelihood of potentially costly Project revisions. Therefore, CDFW strongly recommends performing bumble bee surveys prior to Project approval.

Protection of Nesting Birds

The Project area contains suitable habitat for nesting birds. The ISMND offers MM-BIO-2 for the protection of nesting birds; however, the measure is not written to prioritize avoidance and is not adequate in the protection of nesting birds. To adequately avoid impacts to nesting birds protected under Fish and Game Code sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act, please include the following AMMs in the ISMND.

- a) Vegetation removal and other ground-disturbing activities should occur between September 1 and January 31, when birds are not anticipated to be nesting.
- b) If vegetation removal or ground disturbing activities occur during the nesting season, a pre-construction nesting bird survey should be conducted

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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by a qualified biologist to identify active nests in and adjacent to the Project area.

Surveys should begin prior to sunrise and continue until vegetation and nests have been sufficiently observed. The survey should consider acoustic impacts and line of sight Project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators).

If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and U.S. Fish and Wildlife Service to comply with Fish and Game Code sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists.

Nesting bird surveys should be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction nesting bird survey, the site should be resurveyed.

Protection of Roosting 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 activities leading to increased noise levels may have direct and/or indirect impacts on bats and bat roosts. As stated in the BRA bats typically utilize woodland stand structures for roosting or maternal denning, and the blue oak woodland throughout the Project area contain numerous roosting opportunities in the form of cavities, heart rot openings, defoliating bark and broken limbs. While the BRA acknowledges roosting habitat for bats in the Project area, the BRA only analyzes Townsend's big-eared bat. Several other tree-roosting bats have the potential to occur on site including but not

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limited to pallid bat (*Antrozous pallidus*) and silver-haired bat (*Lasionycteris noctivagans*).

The ISMND does not include AMMs for potential impacts to roosting bats. To adequately avoid impacts to bats protected under Fish and Game Code section 4150, please include the following AMMs in the ISMND.

- a) A qualified biologist shall clearly mark the snags and trees that have potential for roosting bats.
- b) 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 bat 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.
- c) Marked trees shall be removed using a two-step process to allow bats the opportunity to abandon the roost prior to removal. The two-step removal process is as follows:
 - Day 1: Remove small-diameter trees, brush, and non-habitat features of large trees (branches without cavities, crevices, or exfoliating bark) to create noise and vibration disturbance on the tree and to alter the air flow and temperature around the roost feature, thus encouraging bats to vacate roost features on their own. The tree shall then be left for 24 hours to allow the bats to move to another roost site. No excavators, grinders, or other heavy equipment should be used for the first day trimming of bat habitat trees.
 - Day 2: If bats may be in branches that can be removed from the tree 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.

This two-step process changes the microhabitat of the area, causing bats to vacate under their own volition, therefore minimizing direct and indirect impacts to bat species.

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Blue Oak Woodland

As discussed in the BRA, the Project area contains approximately 4.66 acres of blue oak woodland habitat. Blue oak woodland is classified as a State Rank 4 [Sensitive Natural Community](#)⁴, which are at moderate risk of extinction due to restricted range, relatively few populations, low regeneration, overall ecological benefits and their susceptibility to long term climatic changes. While State Rank 4 communities are less rare, they are still of ecological importance and the impacts to State Rank 4 communities can still be significant under certain circumstances, especially when considering local ecological contexts and cumulative environmental impacts, such as those ongoing with continued development throughout the City of Redding.

The ongoing loss of oak woodlands throughout Shasta County without adequate mitigation is resulting in a cumulative total loss of oak woodlands in our region. This impact not only equates to loss of oak habitat, but also cumulatively impacts the numerous and abundant wildlife and botanical resources reliant on this natural community. The Redding checkerbloom, for example, is listed as California Native Plant Society Rare Plant Rank 3 with a limited known range and distribution. The Redding checkerbloom is directly associated with blue oak woodland habitats within the City of Redding.

The ISMND does not offer AMMs for the permanent removal of blue oak woodland and only discusses removal of oaks from the City of Redding Tree Management Ordinance perspective, not from a CEQA level of significance perspective. While CDFW staff are pleased to see four oak trees to be potentially preserved, four trees do not adequately address the loss of the whole habitat type. While CDFW staff understand this Project area occurs in an otherwise urban landscape, the 4.66 acres (80+ individual trees) of oak woodland habitat that remains provides ecosystem services to local botanical and wildlife species.

CDFW strongly recommends the Lead Agency consult the [Oak Woodland Impact Decision Matrix](#)⁵ for most appropriate mitigation considerations for this Project's oak woodland impacts and includes the analysis in the final ISMND.

⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities#sensitive%20natural%20communities>

⁵ https://docs.vcrma.org/images/pdf/planning/bio/Oak_Impact_Matrix.pdf

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This matrix considers partially disturbed habitats such as those present in the Project area.

Since comprehensive onsite oak woodland habitat establishment appears infeasible, offsite oak woodland mitigation strategies should be considered as a condition of this Project's approval by the Lead Agency. Such mitigation could benefit both the oak woodland habitat and Redding checkerbloom from impacts of this Project. Oak woodlands may be mitigated by establishing a conservation easement to offset impacts to oak woodlands (acres protected to acres affected at a minimum 3:1 ratio) or contributions to an appropriate compensation fee to an Oak Woodlands Conservation Fund, such as those managed by the [California Wildlife Conservation Board](#)⁶. The goal of mitigation should be to effectively attain no net loss of oak woodland habitat.

If mitigation for the direct and indirect impacts of oak woodland habitat includes onsite/offsite establishment and/or restoration, the Lead Agency should condition the formulation of a Habitat Restoration Plan, or similar, prior to the approval of land modification, which would explicitly quantify the number of trees to be removed, acres of habitat impacted, trees to be planted, monitoring and success criteria, and any additional onsite/offsite mitigation strategies, to be reviewed and approved by CDFW.

Native Vegetation in Landscaping

The ISMND indicates landscaping but does not include landscape plans. CDFW recommends the Lead Agency condition the landscaping of this Project with vegetation native to the local area. Benefits of utilizing native vegetation in landscaping are numerous and include providing vital resources for native beneficial pollinators, conserving water, reducing pesticide use, and reducing landscaping maintenance. 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](#)⁷ 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.

⁶ <https://wcb.ca.gov/Programs/Oaks>

⁷ <https://calscape.org/>

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California Endangered Species Act

This Project has the potential to impact CESA-listed species, including CBB. Please be advised that a [CESA permit](#)⁸ 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 the 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).

Submitting Data

CEQA requires that information developed in environmental documents is 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 observation of special status species to the California Natural Diversity Database (CNDDDB). Use this link to access the [CNNDDB field survey form](#)⁹ and this link for additional information on the type of [information reported to CNDDDB](#)¹⁰. Additionally, a copy of the form should be sent to the Northern Region office at R1CEQARedding@wildlife.ca.gov.

Promoting Collaboration

CDFW is charged with preserving and protecting the state's diverse ecosystems and wildlife; therefore, CDFW maintains a strong commitment to collaborating with local government entities. CDFW looks forward to continuing collaboration with the Lead Agency to implement comprehensive avoidance and minimization for the benefit of California's sensitive resources and aligning our regulatory frameworks.

Conclusion

CDFW appreciates the opportunity to comment on the ISMND to assist the Lead Agency in identifying and mitigating Project impacts on biological

⁸ <https://wildlife.ca.gov/Conservation/CESA/Permitting>

⁹ <https://nrm.dfg.ca.gov/fieldSurvey/default.aspx>

¹⁰ <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

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resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist (Specialist) by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:

BE359DC694B14AE...

acting for
Tina Bartlett, Regional Manager
Northern Region

ec: Vinnie Coletti, Zinco Holding LLC
vac96002@gmail.com

Josh Miller, Horrocks Engineering
Josh.miller@horrocks.com

State Clearing House
State.Clearinghouse@opr.ca.gov

Department of Fish and Wildlife
Erika Iacona
R1CEQARedding@wildlife.ca.gov