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Northern Region
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Governor's Office of Planning & Research

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Lily Toy, Planning Manager
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Development Services
777 Cypress Avenue
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STATE CLEARINGHOUSE

Subject: Review of the Draft Environmental Impact Report for the Dignity Health North State Pavilion Project, State Clearinghouse Number 2017072048, City of Redding, Shasta County

Dear Ms. Toy:

The California Department of Fish and Wildlife (Department) has reviewed the Draft Environmental Impact Report (DEIR) dated June 2019, for the above-referenced project (Project). As a trustee for the State's fish and wildlife resources, the Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and their habitat. As a responsible agency, the Department administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. The Department offers the following comments and recommendations on this Project in our role as a trustee and responsible agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

Project Description

The Project as described in the DEIR states Dignity Health Mercy Medical Center Redding (Dignity) is proposing the development of the North State Pavilion Project in a campus like setting whereby the buildings are compatible with each other from a site planning and architectural design perspective. The proposed Project includes three buildings totaling approximately 129,600 square feet with associated parking, landscaping and infrastructure on the 10.55-acre Project site. Construction of the proposed Project is anticipated to begin by spring 2020 with build-out anticipated over a four-year period.

The Project is currently proposed to be developed in two phases. Phase 1 of the Project includes demolition and removal of an existing 7,500 square-foot building and approximately 64,000 square feet of pavement. Phase 1 also includes mass grading of the entire 10.55-acre Project site, and construction of Building 'A', interior roads and 338 parking spaces. Phase 1 construction would commence in 2020 and be complete by 2022. It is anticipated that Phase 1 construction would occur for 2 years. Phase 2 construction is assumed to commence in 2022, after completion of Phase 1. Phase 2 would include construction of Buildings 'B' and 'C' and the remaining 211 parking spaces. It is anticipated that Phase 2 construction would occur for 2 years. Overall, 549 parking spaces are proposed, including Americans with Disabilities Act (ADA) and van accessible, compact, and motorcycle spaces. Bicycle racks will also be provided. For Phase 1, 338 parking spaces are proposed.

The use permit request is to allow for the development of the Project and for a portion of the parking lot to encroach into the Federal Emergency Management Agency (FEMA) regulated 100-year floodplain of the Sacramento River. The parcel map request is to allow the merging of all the parcels into one. The general plan amendment request is a request to amend the general plan from the existing designations of "General Office," "General Commercial," and "Greenway" to "Public Facilities." Lastly, the rezoning request is to amend the existing zoning from "GO" General Office and "GC" General Commercial to "PF" Public Facilities.

Project implementation would result in the redevelopment of approximately 8.8 acres of existing urban habitat. In addition, approximately 0.4 acres of Sacramento River riparian habitat will be removed from the westernmost extension of the project site.

Comments and Recommendations

The Department previously commented on this Project on January 26 and August 21, 2017, and on July 3, 2018.

The Department reviewed the DEIR as well as the attached appendices and has the following comments and recommendations as they pertain to biological resources.

Great Valley Cottonwood Riparian Forest - Riparian Vegetation Community

The Department's primary Project concern is the impact resulting from the removal of 0.4 acres of Sacramento River floodplain and riparian vegetation, which consists predominantly of Great Valley Cottonwood Riparian Forest. Although the DEIR maintains this is a very small loss of habitat, the Department disagrees due the incremental effects of cumulative impacts in the vicinity of the Project site as well as the greater Sacramento River corridor within the City of Redding.

Between this Project, the adjacent Henderson-Parkview Open Space Restoration, Trail & Kayak Access project, which has already been approved by the City of Redding and is being implemented, and recent vegetation management activities undertaken by the City of Redding for fuel reduction and transient camp abatement, additional riparian habitat is being permanently lost, remaining habitat will be fragmented, and increased human use of the site will further degrade the existing riparian habitat. The environmental documentation for both the Dignity Project and kayak launch project describe the riparian vegetation as "low quality" and disturbed by a high level of human activity. Although this habitat has experienced past impacts, the Sacramento River still accesses this portion of the floodplain, and this area contains the right soils, species and elevations for this area to be enhanced and restored. Portions of the Project site were inundated by the Sacramento River as recently as 2017, and Department staff have noted a resurgence of vegetation in the depositional sediments left behind by the high flows.

Over 95 percent of the State's riparian habitat has been lost, meaning any additional loss could be considered cumulatively significant. The DEIR states this fact but concludes that since this Project would only impact a small portion of what riparian vegetation is remaining, and the proposal to mitigate by planting native trees in an area nearby and within the parking lot, it will have a less than significant impact. The DEIR states the impacts will be mitigated to less than significant with the incorporation of Mitigation Measure 5.3-2b which states that a planting plan and implementation schedule addressing riparian habitat mitigation will be

submitted prior to the issuance of a grading permit. The Department requested that this plan be provided for review in future environmental documents in our January 26, 2017 comment letter, but this coordination has not occurred. The Department highly recommends that the planting plan for this Project be circulated for public review in the Final Environmental Impact Report (FEIR) and not be deferred until a future date. Due to the lack of a planting plan for public review, the Department cannot adequately determine if the impacts to this highly sensitive vegetation community will be less than significant and it does not appear that the DEIR's conclusion that the impacts will be less than significant are supported by evidence.

Planting Plan

Page 5.3-36 of the DEIR states the following:

Under current project plans, trees with a dbh \geq 6-inch that would be removed from the urban habitat consist of 14 valley oaks, nine Fremont cottonwoods, five interior live oaks, five trees of heaven, one Chinese pistache, one California sycamore, one mulberry, and one grey pine. Trees to be retained in the urban habitat consist of eight Fremont cottonwoods, four valley oaks, four black willows, two trees of heaven, one Japanese privet, and one California sycamore.

The Department recommends removing the five tree of heaven and one Chinese pistache and treating them with herbicide, or another appropriate treatment method, to prevent regrowth. These species are invasive and if not removed could adversely affect the remaining native habitat. The City of Redding and a number of community groups have an active invasive plant species management program which targets tree of heaven and Chinese pistache, as well as many other invasive species, for removal and eradication of these species from the Project site would support these community efforts.

Additionally, the DEIR states 20 Fremont cottonwoods will be removed (page 5.3-48) but then the next page states 29 Fremont cottonwoods will be removed. One of these numbers should be updated to reflect the correct number of trees to be removed. The Department recommends that the City review the tree study and provide an updated number and species of each tree being removed in the FEIR. In the Dignity Tree Report Survey, dated September 24, 2018, 15 (fifteen) candidate trees were identified. Twelve of the 15 trees (80 percent) are proposed to be removed. The Department recommends the Project applicant redesign the parking lots to either incorporate these trees into the design or to avoid removal of the trees altogether. The Department also requests that the FEIR describe why the parking lot area cannot accommodate a multi-level parking lot as an alternative to encroaching into the Sacramento River floodplain. This may help to eliminate the need to remove candidate trees and develop the floodplain.

Mitigation Measures

Mitigation Measure 5.3.1a

Mitigation Measure 5.3.1a states a qualified bat biologist with a Memorandum of Understanding with the Department will conduct the bat work. A Memorandum of Understanding is only needed for endangered species. In this instance, there are no threatened or endangered bat species potentially present on the Project, so a Scientific Collection Permit is required in order to implement this measure. A qualified bat biologist is

one that has logged many hours working with bats, is familiar with the ecology and behavior of the potential species located onsite, and has field experience in the humane eviction of bats. The Department is aware that preparing mitigation measures for bat species can be difficult; in large part to the fact that different bat species have different needs, some are here during the maternity season, some only during the winter. Because of the difficult nature of having a one size fits all mitigation measure, the Department strongly recommends a qualified bat biologist, approved by the Department, conduct the initial acoustic studies to determine which species are present onsite, determine when they are present onsite, and develop a plan specific to those species. The timing of humane eviction is difficult, again because methods are species dependent. The two-step tree removal process is recommended by the Department, but the timing will vary depending on which species is present. The Department appreciates the mitigation measures developed by the Project applicant but recommends further refinement of timing.

Mitigation Measure 5.3.1f

Mitigation Measure 5.3.1f suggests “*using only certified weed-free erosion control materials, mulch, and seed.*” The Department requests the opportunity to review and comment on the proposed seed mix prior to use especially since this area is so close to a native riparian area.

Mitigation Measure 5.3.2b

Mitigation 5.3.2b states: *Prior to the issuance of a grading permit the project applicant shall submit to the City of Redding Development Services Director a planting plan and implementation schedule that addresses the following riparian habitat mitigation:*

- *20 Fremont cottonwood trees and one valley oak replaced at no less than a 3:1 ratio for a total of 63 trees. Planting should occur as close to the project site as possible and be in close proximity to the Sacramento River or to a large perennial stream. A vegetation planting and management plan shall be prepared that identifies the planting area size and location, mitigation site protections (e.g., conservation easement or deed restrictions), planting objectives in terms of acreage or number of plant by species, planting and maintenance methods, success criteria, duration of monitoring, corrective actions to be taken if success criteria are not met, and reporting requirements. The plan shall be reviewed and approved by the City of Redding and the applicant shall be responsible for ensuring that the planting plan is fully implemented; or*
- *Purchase riparian habitat credits at the Stillwater Plains Mitigation Bank at a 3:1 ratio*

The Department would like to review and provide comments on the mitigation plan. Mitigation Measure 5.3.2b should be rewritten in the first bullet to read, “*The plan shall be reviewed and approved by the City of Redding, **California Department of Fish and Wildlife** and the applicant shall be responsible for ensuring that the planting plan is fully implemented.*”

As of the writing of this comment letter, Stillwater Plains Mitigation Bank does not have Fremont cottonwood riparian forest available for mitigation credit. Mitigating at Stillwater Plains Mitigation Bank would require a much higher out of kind mitigation ratio versus mitigating onsite or adjacent to the Project, which would fulfill the ecological function of providing shading or introducing coarse woody debris into streams for listed salmonids. If other parcels with conservation value or enhancement opportunities are found to be for sale along the

Sacramento River, those may qualify as mitigation for this Project. If the Project proposes to purchase another parcel in close proximity for purposes of mitigation, the parcel should be placed in a conservation easement and preserved from development in perpetuity.

Listed Salmonid Species – Critical Habitat

Chinook Salmon (*Oncorhynchus tshawytscha*), including fall-run and late fall-run (California Species of Special Concern) and CESA listed winter-run and spring-run are all known to occur in the Sacramento River adjacent to the Project site. Winter-run Chinook Salmon is listed as State endangered and spring-run Chinook Salmon is listed as State threatened. For CEQA purposes, whether there is a federal nexus or not, impacts to critical habitat must be avoided and minimized. By developing the floodplain and removing riparian trees such as Fremont cottonwoods or valley oaks, the Project will affect large woody debris supply and recruitment and otherwise adversely affect critical habitat. This impact should be mitigated at a minimum of 3:1 based on area.

Lighting and Noise

On page 5.3.40, the DEIR discusses “Operational Noise.” The Noise Study for Dignity dated March 20, 2019, analyzes the noise levels for the HVAC systems occurring on the roofs of each building as well as one of the three generators located at each building. The study used three noise measurement sites; two sites in the northern portion of the Project on the east side, and one in the southern portion of the site on the west side of the Project. No measurement sites occurred on the side of the riparian habitat. Of the three generator sites proposed, only one is discussed in the noise study: the southern generator on the outside of Building B, the farthest from the riparian area. The data from this study was then presumably used (no citations) to come to the conclusion that, “birds are more resistant to acoustic overexposure than are humans and other mammals, and are able to recover from acoustic overexposure, and some birds may change their calls to compensate for increased noise levels.” The Department strongly recommends that this conclusion be cited with peer review studies and that it is defined as to exactly which bird species they are referring to. Further, the 110 bird species observed over a 14-month period in Henderson Open Space area, based on data from ebird.org, should be attached as an appendix to the biological report. The Department cannot determine if mitigation is or is not warranted based on this study and the conclusions presented in the DEIR.

Landscaping Plan

Figure 3-11b lists the plant species proposed for the Project. The landscaping trees are intended to serve as mitigation for the removal of native candidate trees, but this is insufficient as mitigation as trees in high-use areas generally do not serve to meet the same habitat values as trees planted in open space areas. The Department appreciates the use of locally native species in urban landscaping; however, our previous comments addressing the landscape plan have not been incorporated into the DEIR. The Department’s comments requested that Chinese pistache and eastern redbud be removed from the landscaping list, but these species are still listed. Chinese pistache is now invading the State’s wildlands and its use should be avoided; additionally, native western redbud should be used in place of eastern redbud. Four species of oaks are known to occur on the Project site, yet the landscape architect has chosen to use three non-native varieties and only one native. The Department

Lily Toy, Planning Manager
City of Redding
August 23, 2019
Page 6

recommends finding native trees that fill the same niche as the proposed non-native varieties. Because the site is currently an oak woodland, native oaks would be the preferred choice. The plant list uses native cultivars which could easily be switched to native species. The Department recommends the landscape plant palette be revised to include native plant species known locally from the area and not nativars (cultivars of native plants). Nativars do not have the same function in the landscape as native plants. Native species are adapted to local soils and climate conditions, are often the preferred food source for specific insects, native birds and mammals. Natives also promote genetic diversity thereby promoting conservation of species and their habitats. Nativars are typically less adapted to the local climate, are generally sterile, and much less beneficial to wildlife.

Lake and Streambed Alteration Agreement

The Project will encroach into the Sacramento River floodplain. For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which includes associated riparian resources) of a river or stream, or use material from a streambed, the Department will require a Lake and Streambed Alteration (LSA) Notification, pursuant to section 1600 et seq. of the Fish and Game Code, from the applicant. Issuance of an LSA Agreement is subject to CEQA. The Department, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSA notification process, please access our website at <https://www.wildlife.ca.gov/Conservation/LSA> or to request a notification package, contact the LSA Program at (530) 225-2367.

If you have any questions, please contact Amy Henderson, Senior Environmental Scientist (Specialist), at (530) 225-2779, or by e-mail at Amy.Henderson@wildlife.ca.gov.

Sincerely,



for

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