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To: [General, Plan@Parks](mailto:General_Plan@Parks)
Cc: [OPR State Clearinghouse](#); [Wildlife R2 CEQA](#)
Subject: CDFW's comments on the DEIR/DEIS Auburn State Recreation Area and Auburn Project Lands GP/RMP (State Clearinghouse No. 2017112065)
Date: Thursday, September 19, 2019 9:28:27 AM

STATE CLEARINGHOUSE

Dear Mr. Green:

The Department of Fish and Wildlife (Department) appreciates the opportunity to comment on the Draft Environmental Impact Report/Environmental Impact Statement (DEIR/DEIS) for the Auburn State Recreation Area and Auburn Project Lands General Plan and Resource Management Plan (GP/RMP) (State Clearinghouse No. 2017112065). The Department is responding to the DEIR/DEIS as a Trustee Agency for fish and wildlife resources (California Fish and Game Code sections 711.7 and 1802, and the California Environmental Quality Act (CEQA) Guidelines section 15386), and as a Responsible Agency regarding any future discretionary actions (CEQA Guidelines section 15381), such as the issuance of a Lake or Streambed Alteration Agreement (California Fish and Game Code sections 1600 *et seq.*) and/or a California Endangered Species Act (CESA) Permit for Incidental Take of Endangered, Threatened, and/or Candidate species (California Fish and Game Code sections 2080.1 and 2081).

The GP/RMP has been prepared by California State Parks and the United States Bureau of Reclamation to guide the long-term management of the Auburn State Recreation Area and Auburn Project Lands, which includes approximately 30,600 acres of state and federal land along 40 miles of river canyon on the North and Middle Forks of the American River. It replaces the 1979 General Plan and the 1992 Interim Regional Management Plan. It proposes to allow construction of new facilities, including parking, picnic sites, campsites, restrooms, boat launches, interpretive facilities, trailheads, and others, allowing for an increase in visitor capacity of approximately 35%. It would allow changes in land use, including increases in OHV – High, Recreation – Medium, and Recreation – High, and decreases in OHV – Medium and Resources – Low Recreation.

Comments and Recommendations

Following review of the DEIR/DEIS, the Department offers the comments and recommendations presented below to assist the California Department of Parks and Recreation (CSP; the CEQA lead agency) in adequately identifying and/or mitigating the project's significant, or potentially significant, impacts on biological resources:

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Mitigation

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The DEIR/DEIS discusses a number of potential impacts to biological resources, including loss of special-status plants, loss of special-status animals or habitat, loss of nests of common raptors and other nesting birds, loss or degradation of waters of the United States, waters of the state, and sensitive habitats, and disruption of movement corridors for terrestrial and aquatic species. For each of these potential impacts, CSP has determined that compliance with the Guidelines included in the GP/RMP, CSP Standard Project Requirements (SPRs), and Best Management Practices (BMPs) would reduce the potential impacts to less than significance. However, the DEIR/DEIS does not provide enough detail to allow the Department to concur with its findings, for the following reasons:

1. The DEIR/DEIS does not include a complete list of mitigation measures. While the discussion of each potential impact contains a list of specific Guidelines from the GP/RMP that help to mitigate the impact, the impact discussions also refer to SPRs and BMPs without specifying which SPRs and BMPs are relevant to which impact. Without access to a complete list of mitigation measures, the Department cannot determine whether the mitigation will reduce the severity of the potential impacts to less than significance.

The Department recommends that the DEIR/DEIS be revised to include a complete list of mitigation measures, and that each specific potential impact discussion specify which specific mitigation measures will be implemented to mitigate that potential impact. For measures that will only be applied as needed or in certain circumstances, the discussion should clarify the circumstances in which they will be applied. In order to facilitate public review, the Department recommends that all of the mitigation measures be included in full in the DEIR/DEIS, rather than referring to other documents.

2. The SPRs are presented in an incomplete form. While a general list of SPRs is included with the DEIR/DEIS as Appendix A, they are written in the form of a template with many essential details not yet filled in. For example, one SPR states that “All project activities that could spread **[insert organism]** to new locations will be subject to Best Management Practices developed by **[insert group name]** and available online at **[insert location – i.e. web address]**”. With so much of the substance of these measures left out, the Department cannot evaluate their effectiveness.

The Department recommends that CSP identify which SPRs will be applied to mitigate each potential impact, and that the missing portions of these SPRs be filled in with as much specific detail as is available at this stage in the planning process. SPRs cited to mitigate particular impacts should be customized to those impacts. In cases where certain details are not yet known, mitigation measures should clarify how and when those details will be determined. For example, a measure to avoid impacts to nesting birds may specify that a non-disturbance buffer will be applied around active nests, and that the width of the buffer will be determined by a qualified biologist based on the species of bird, the topography of the nest’s surroundings, and the nature of the project activities.

3. The Guidelines included in the GP/RMP are not specific to the potential impacts, and do not include timing information. While specific potential impacts are described, it is not clear which measures will be applied when. The measures are significantly more vague than the descriptions of the potential impacts. For example, page 4.3-12 of the DEIR/DEIS describes potential injury, death, loss of habitat, and destruction of the nests

and eggs of special-status reptiles and amphibians that may result from construction. It states that “GP/RMP Guidelines RES 3.1, RES 3.4, RES 3.5, RES 3.6, and RES 3.9 and CSP SPRs (Appendix A) would require Reclamation and CSP to conduct pre-construction surveys throughout ASRA/APL...” However, the GP/RMP Guidelines do not include a measure requiring pre-construction surveys for special-status reptiles and amphibians. Guideline RES 3.1 consists of “Survey, identify, and map sensitive plant and animal species in order to better protect them,” which may include pre-construction surveys but does not specify that they are required. Similarly, the CSP SPR relating to pre-construction surveys is written as “Prior to the start of on-site construction activities, **[insert who]** will conduct a survey of the project area for **[insert what]**.”

The Department recommends that either the GP/RMP Guidelines be revised to include enough specificity to address the specific potential impacts described in the DEIR/DEIS, or that additional impact-specific mitigation measures be added to the DEIR/DEIS.

4. The Guidelines included in the GP/RMP often specify that impacts will be avoided “where feasible” but don’t include alternative mitigation strategies for when avoidance is not feasible. For example, Guideline RES 3.4 consists of “Locate new trails, facilities, and ground- or vegetation-disturbing activities outside of occupied habitat for special-status plant and animal species, where feasible.” A significant impact may occur if a new facility were located, for example, on top of a population of special-status plants, and locating it elsewhere was determined to be infeasible.

The Department recommends that the DEIR/DEIS be revised to include alternative mitigation strategies to be applied in cases where the preferred mitigation is infeasible. For example, if significant impacts may occur because locating new facilities outside of occupied habitat is not feasible, then enhancement of nearby habitat, restoration of disturbed habitat, or other activities to benefit the impacted species may be sufficient to reduce the impacts to less than significant.

In conclusion, the Department recommends that the DEIR/DEIS be revised to include a full list of complete, impact-specific mitigation measures, including specific detail wherever possible, an explanation of how and when the details will be determined when specific detail is not possible, and alternative mitigation strategies that may be used if preferred mitigation is not feasible. The Department recommends that the revised DEIR/DEIS be recirculated to allow public review of the revised mitigation measures.

Further Coordination

The Department appreciates the opportunity to comment on the DEIR/DEIS for the Auburn State Recreation Area and Auburn Project Lands General Plan and Resource Management Plan (State Clearinghouse No. 2017112065), and requests that the County address the Department’s

comments and concerns prior to circulating the final EIR/EIS. If you should have any questions pertaining to these comments, please contact Gabriele Quillman at (916) 358-2955 or gabriele.quillman@wildlife.ca.gov.

Sincerely,

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