

**State of California
Department of Fish and Wildlife**

Memorandum

Date: April 3, 2020

Governor's Office of Planning & Research

To: Fermina Chavez, Environmental Coordinator
California Department of Transportation

APR 03 2020

STATE CLEARINGHOUSE

From: Curt Babcock
Habitat Conservation Program Manager
Northern Region

DocuSigned by:

Curt Babcock

Subject: Calpella 2 Bridge Replacements, State Clearinghouse Number 2020029075

Dear Fermina Chavez:

On February 24, 2020, California Department of Fish and Wildlife (CDFW) received a Notice of Completion for a draft Initial Study/Mitigated Negative Declaration (ISMND) from the California Department of Transportation (Lead Agency) for the Calpella 2 Bridge Replacements (Project), Mendocino County, California. CDFW understands that the Lead Agency will accept comments on the project through April 6, 2020. As a Trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants and the habitat necessary to sustain their populations. As a Responsible Agency, CDFW 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. CDFW offers the following comments and recommendations in our role as a Trustee and Responsible Agency under the California Environmental Quality Act (CEQA), California Public Resource Code section 21000 et seq.

CDFW has four primary concerns with the ISMND:

1. The ISMND does not include adequate information about on-site wetlands and rare plants, because surveys have not yet been completed.
2. The ISMND defers mitigations for wetland and riparian habitat and does not include performance standards for these mitigations.
3. The ISMND does not propose to mitigate for permanent impacts to 2.7 acres of oak woodlands.
4. The ISMND does not include sufficient detail to determine extent and potential significance of impacts to day-roosting bats on the Russian River bridge, the Redwood Valley Road Undercrossing, and the adjacent railroad bridge.

Project Description

The Lead Agency proposes to perform a complete bridge replacement of the Russian River Bridge (Bridge #10-182) and Redwood Valley Road Undercrossing (Bridge #10-183) on a new alignment, located along SR-20 in Mendocino County near Ukiah between post miles 33.3 to 34.4. To ensure traffic would not be significantly impeded during construction, the existing structures and alignment would remain in place during

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 2 of 7

construction. This would require that the new structure be on a new alignment south of the existing alignment. The alternatives involve additional work such as embankment cut/fill, paving bridge approaches, roadway realignment, and shoulder widening.

Survey Data

The ISMND states that access for surveys was denied to some portions of the Project area, and that as a result, additional wetlands may be present within Project areas that have not been surveyed to date. The ISMND anticipates that that surveys within these areas would be completed in spring 2020. Similarly, the ISMND states:

“...access was denied to some portions of the BSA (Biological Study Area) until late spring/summer 2019, after all sensitive plant species had senesced. As a result, full floristic surveys for special status plant species could not be completed within the BSA during the appropriate times. It is anticipated that access would be granted in 2020 and that surveys within these previously restricted areas would be completed in spring 2020.”

Because this baseline of environmental setting is uncertain, CDFW, other agencies, and the public do not have a basis from which to assess the potential impacts to biological resources, the significance of these potential impacts, or the adequacy of proposed mitigations to reduce the impacts to less than significant.

CDFW recommends that the Lead Agency provide adequate survey results for all locations that may be impacted by the Project. Survey results should be included in the Initial Study and should inform both the Initial Study and Findings of Significance. This should occur prior to notification of intent to adopt this Mitigated Negative Declaration. As needed, specific mitigation and a Mitigation Monitoring Reporting Plan (MMRP) should be provided.

Wetland and Riparian Mitigation

For impacts to wetlands, the ISMND states:

“For impacts that cannot be restored on-site and areas where permanent loss has occurred (i.e., placement of piers and abutments) mitigation for permanent impacts to wetland habitat would be offset by mitigation determined during the permitting phase of this project. If off-site restoration were implemented, the appropriate measures would be identified and coordinated through the USACE, NCRWQCB, CDFW, and any other administering agencies.”

Similarly, the document defers identification of compensatory mitigation for permanent impacts to riparian vegetation to the permitting phase of the Project.

Because the Lead Agency is able to predict impacts to these resources, and the Lead Agency is able to consult with Responsible Agencies to determine the details of

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 3 of 7

adequate and appropriate compensatory mitigation, these impacts and their mitigations should be considered a part of the whole of the action. Because the whole of the action should be available for agency and public review, CDFW recommends the Lead Agency include details of proposed mitigations, including performance standards, such as mitigation ratios of greater than 1:1 in order to achieve a no-net-loss standard, and a draft MMRP in the ISMND prior to notification for adoption.

Impacts to Oak Woodlands

Oak woodland communities in the Project area include coast live oak (*Quercus agrifolia*) woodland alliance and valley oak (*Quercus lobata*) woodland alliance. Many oak woodland habitats are also Sensitive Natural Communities. Natural Communities with State ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the environmental review processes of CEQA and its equivalents. Valley oak woodland is a Sensitive Natural Community with a State Rank of 3. Coast live oak woodlands have a number of associations with State ranks of 3, but the ISMND does not describe Natural Communities in sufficient detail to determine, which, if any of the coast live oak natural community associations impact by the Project may be sensitive.

Regardless of their natural community status, oak woodlands in California have the greatest wildlife species richness of any other habitat in the state, with over 330 species of birds, mammals, and herpetofauna relying upon these habitats at some point during their lives (CalPIF 2002). Oak woodlands have experienced ongoing declines due to conversion to urban and agricultural land uses, and oak woodlands are also impacted by low recruitment, novel pathogens, competition from invasive species, and fire suppression (Whipple et al. 2011). California has lost approximately 1/3 of its of historic oak woodland habitat statewide (CalPIF 2002). Because oaks are slow-growing trees, the substantial habitat and ecosystem value that mature trees provide is difficult to replace.

The ISMND proposes no compensatory mitigation for permanent impacts to 2.7 acres of non-riparian (coast live oak) oak woodlands, but states:

“To address the loss of non-riparian oak woodland communities impacted by project activities, Caltrans proposes to plant areas within the existing Caltrans ROW near the project location, and re-plant areas of the old SR-20 alignment and existing fill prism with oaks that are of the same species impacted by project activities.”

The ISMND determines that impacts to oak woodlands are less than significant based on an evaluation of the estimated entire area of all types of oak woodlands in all of Mendocino County. However, the ISMND states that the environmental study limit contains just over 10 acres of oak woodlands. The Project as proposed will permanently impact over 25 percent of oak woodland habitat in the Project area, which is potentially significant, particularly given the high habitat value and ongoing declines to these habitats throughout northwestern California.

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 4 of 7

CDFW recommends that the ISMND propose mitigation as specified in recommendation 2 below. Mitigation for impacts to oaks should be on-site, if the on-site planting opportunities will result in similar habitat quality and quantity to that which will be lost. If off-site mitigation is necessary, it should emphasize the creation of oak woodland communities rather than the planting of scattered individual trees.

Impacts to Bats

According to the ISMND, surveys conducted on June 20, 2018, October 15, 2018, and July 8, 2019, indicate the presence of day-roosting bats on the Russian River bridge as well as the adjacent railroad bridge. It does not appear that the Redwood Valley Road Undercrossing was surveyed either acoustically or visually, however, the ISMND states that it “...does appear to contain suitable habitat for day roosting and night roosting bats.”

The ISMND states that Lead Agency biologists:

“...observed what appeared to be a potential maternal colony of myotis bats exiting the railroad bridge. The assumption was made based on the large size of the myotis bats, short flight duration and slow speed.”

The Russian River Bridge and the Redwood Valley Road Undercrossing would both be removed and replaced as part of the Project, and the ISMND does not propose to replace existing roosting habitat on either structure. The railroad bridge and associated maternity colony is likely to be impacted by noise and other construction related disturbance due to its proximity to the Project site but may remain available as roosting habitat after construction is complete.

The ISMND states:

“With the removal of the existing Russian River bridge, the project would result in the permanent removal of potential bat habitat. These impacts have the potential to prevent the return of any potential roosting colonies that may inhabit either the Russian River bridge or Redwood Valley Road UC. However, suitable habitat would continue to be available throughout the duration of construction within the railroad bridge and nearby vacant buildings.”

The ISMND does not describe the location, extent, or status of the “suitable habitat” available in nearby vacant buildings. Consequently, CDFW finds that identifying nearby vacant buildings as potential suitable bat roosting habitat, without any specific information on their use and management, renders them of little value in supporting a determination that Project impacts to bat roosting habitat will be less than significant. Specifically, the document lacks information regarding 1) if the vacant buildings are currently used by bats, 2) if the vacant buildings are likely to persist, and 3) if bats are currently or will in the future be excluded from these buildings.

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 5 of 7

The permanent loss of roosting habitat is considered one of the primary conservation issues for bat populations (Johnston et al. 2019). Yuma myotis (*Myotis yumanensis*), one of the myotis species likely to be using the on-site habitat, are considered “...at high risk because a large percentage of their population occurs in bridges and culverts, which, makes them susceptible to habitat loss when bridges are retrofitted or replaced” (Johnston et al. 2019). Without additional information about the extent and type of roosting habitat and current bat use onsite, and without any information about the nearby vacant buildings referenced in the ISMND that may provide habitat, CDFW cannot concur that loss of roosting habitat on the bridge itself is less than significant. Further, given that the Lead Agency will not be able to exclude bats from the railroad bridge, and the proximity of this site to construction, it will be difficult to avoid or minimize impacts to this colony during Project construction.

CDFW therefore recommends incorporating roosting habitat, such as Oregon wedge roosting boxes or other panels as described in Johnson et al. (2019), or other similar structures, in the design for the replacement bridge. Incorporation of roosting habitat would mitigate for potentially significant temporary impacts to bats occurring from both disturbance and exclusion due to construction, and from permanent removal of roosting habitat on the existing bridge. CDFW recommends ensuring that roosts on the existing bridge and adjacent railroad bridge are protected to the greatest extent feasible during construction, or bats are humanely excluded, as recommended by a qualified bat expert and in consultation with CDFW.

Summary of Recommendations

CDFW has several recommendations for the Lead Agency to ensure that potentially significant impacts of the Project are reduced to less than significant:

1. The ISMND should include details of proposed mitigations for wetland and riparian habitat. These details should include performance standards, such as mitigation ratios of greater than 1:1 in order to achieve a no-net-loss standard, and a draft MMRP prior to notification for adoption.
2. The ISMND should report the number, species, and size of oak trees that cannot be avoided and must be taken. Mitigation for impacts to oaks should be on-site to the extent feasible, if the on-site planting opportunities will result in similar habitat quality and quantity to that which will be lost. If off-site mitigation is necessary, it should emphasize the creation of oak woodland communities rather than the planting of scattered individual trees. In order to reduce the significance of impact to oak woodlands, CDFW recommends the following mitigation ratios:
 - a. <1” dbh replaced at a minimum 1:1 mitigation ratio
 - b. 1-11” dbh replaced at a minimum 6:1 mitigation ratio
 - c. 12-18” dbh replaced at a minimum 8:1 mitigation ratio
 - d. 18” dbh replaced at a minimum 10:1 mitigation ratio

These ratios are consistent with prior CDFW recommendations for projects with oak woodland impacts and may be modified upon further consultation with CDFW.

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 6 of 7

3. The ISMND should include a Mitigation Monitoring Plan for oaks. Oak monitoring should include a minimum 80 percent success criteria for plantings over 5 years, and protection of the trees in perpetuity.
4. Bat protection measures should be developed in consultation with CDFW and a qualified bat expert with experience in minimizing construction disturbance to active maternity colonies.
5. Because the extent and type of the bat roosting habitat on the existing Russian River bridge and Redwood Valley Road Undercrossing is not well described, CDFW cannot determine whether the loss of these roost habitats may constitute a significant impact. CDFW therefore recommends incorporating day roosting habitat on the new bridge to replace the habitat in-kind.

These changes are necessary for CDFW to determine that the Project will have a less than significant impact on biological resources.

Thank you for the opportunity to comment on this draft ISMND. CDFW staff are available to meet with you to consult with or address the contents of this letter in greater depth. If you have questions on this matter or would like to discuss these recommendations, please contact Senior Environmental Scientist Specialist Jennifer Olson at (707) 445-5387 or by e-mail at Jennifer.Olson@wildlife.ca.gov.

Ec: Fermina Chavez
California Department of Transportation
Fermina.Chavez@dot.ca.gov

Daniel Breen
U.S. Army Corps of Engineers
Daniel.B.Breen@usace.army.mil

Susan Stewart
North Coast Regional Water Quality Control Board
Susan.Stewart@waterboards.ca.gov

State Clearinghouse, Office of Planning and Research
state.clearinghouse@opr.ca.gov

Gordon Leppig, Jennifer Olson
California Department of Fish and Wildlife
Gordon.Leppig@wildlife.ca.gov, Jennifer.Olson@wildlife.ca.gov

Fermina Chavez
California Department of Transportation
April 3, 2020
Page 7 of 7

References

CalPIF (California Partners in Flight). 2002. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California. Version 2.0. (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. <http://www.prbo.org/calpif/plans.html>.

Johnston, D.S., Briones, K., and Pincetich, C. 2019. California Bat Mitigation: A Guide to Developing Feasible and Effective Solutions. H. T. Harvey & Associates, Los Gatos, CA. Prepared for the California Department of Transportation, Office of Biological Studies, Sacramento, CA. Task Order 7, Agreement No.43A0355.

Whipple A.A., Grossinger R.M., and Davis F.W. 2011. Shifting baselines in a California oak savanna: nineteenth century data to inform restoration scenarios. *Restoration Ecology* 19 (101):88-101.