

ENVIRONMENTAL CHECKLIST FORM

1. Project title: Public Use of Department of Fish and Wildlife Lands
2. Lead agency name and address:

California Fish and Game Commission
P.O. Box 944209
Sacramento, CA 94244-2090
3. Contact person and phone number: Julie Horenstein, 916-373-6607
4. Project location: Statewide
5. Project sponsor's name and address: California Department of Fish and Wildlife

P.O. Box 944209

Sacramento, CA 94244-2090
6. General plan designation: N.A.
7. Zoning: N.A.

8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The California Fish and Game Commission proposes to make changes to Title 14 of the California Code of Regulations that would designate seven properties as Ecological Reserves (as defined in Fish and Code Section 1580) and one property as a State Wildlife Area (as defined in FGC 1525) and remove the designation of four properties; improve public safety, recreational opportunities, and/or regulations that govern public use of lands owned and/or managed by the California Department of Fish and Wildlife. See the attached Regulatory Language.

9. Surrounding land uses and setting: Briefly describe the project's surroundings:

The Department of Fish and Wildlife manages over one million acres in California that represent the variety of undeveloped fish and wildlife habitats present in the state. Surrounding land uses include primarily open space, ranching, farming, timber production, suburban and urban development.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

Office of Administrative Law

Department of Finance

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1. If so, has consultation begun?

The Department and Commission, in concordance with the Tribal Communication and Consultation Policy, sent a letter inviting the tribes listed with NAHC to consult or provide comments concerning the designation of these properties. No reply was received.

Note: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public

Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- ☐ I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- ☐ I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Melissa Miller-Henson, Executive Director, Fish and Game Commission

Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference

to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significant.

Public Use of Department of Fish and Wildlife Lands

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
II. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VI. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
VII. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

VIII. GREENHOUSE GAS EMISSIONS. Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

IX. HAZARDS AND HAZARDOUS MATERIALS. Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

X. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
i) result in a substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
XI. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XII. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIII. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XIV. POPULATION AND HOUSING. Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
XV. PUBLIC SERVICES. Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XVI. RECREATION.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XVII. TRANSPORTATION. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XVIII. TRIBAL CULTURAL RESOURCES.

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the waste water treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**EXPLANATION OF RESPONSES TO INITIAL STUDY ENVIRONMENTAL
CHECKLIST FOR PROPOSED REGULATIONS GOVERNING
PUBLIC USE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LANDS**

I. AESTHETICS

- a), b), c) The Project will not have an adverse effect on any of the topics because the Project does not involve earthmoving, alteration or destruction of rock outcroppings or construction activities. Recreational uses will be managed to avoid impacts to native vegetation.
- d) The Project will not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area of the worksites because the Project does not require installation of artificial lighting.

II. AGRICULTURE AND FORESTRY RESOURCES

- a) The Project will not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the California Resources Agency, to non-agricultural use. The Project does not involve construction, earthmoving, or the conversion of the existing vegetation to a different type.
- b) The Project will not conflict with existing zoning for agricultural use or a Williamson Act contract because it will not change existing land use from agriculture.
- c) The Project will not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timber zoned Timberland Production because it will not change the existing vegetation type.
- d) The Project will not result in the loss of forest land or the conversion of forest land to non-forest use because it will not change the existing vegetation type.
- e) The Project will not involve other changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural land or conversion of forest land to non-forest land because it does not involve construction, earthmoving, ground clearing or changing the type of vegetation that is present.

III. AIR QUALITY

- a) The Project will not conflict with or obstruct implementation of the applicable air quality plan. Such an impact will not occur because implementation of the Project does not create any features that would be a source of air pollution. Visitors on the subject lands will not drive beyond designated parking areas, and the less than significant level of greenhouse gas emissions expected to be generated by visitor trips to the subject properties are discussed in Section VIII (a) (Greenhouse Gas Emissions).
- b) The Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable Federal or State ambient air quality standard because the Project is unlikely to generate significant air pollution (see response to III(a) and VIII(a)).
- c) The Project will not expose sensitive receptors to substantial pollutant concentrations because implementation of the Project will not emit pollutants.

sensitive natural communities, or are authorized on remote properties that are unlikely to receive substantial public use. Monitoring, adaptive land management, public education, and working with adjacent landowners and constituent groups, will contribute to CDFW's protection of sensitive habitats on the subject properties.

- c) The Project will not have a substantial adverse effect on federally protected wetlands as defined by § 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means because the Project does not involve any on-the-ground physical changes that would affect wetlands, and because public uses proposed in this project are restricted or are authorized on remote properties that are unlikely to receive substantial public use.
- d) The Project will not substantially interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites because the Project does not involve any on-the-ground physical changes, and because public uses proposed in this project are restricted or are authorized on remote properties that are unlikely to receive substantial public use.
- e) The Project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because the Project does not involve any on-the-ground physical changes.
- f) The Project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan because it does not propose to develop any lands identified for conservation.

V. CULTURAL RESOURCES

- a) The Project will not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines § 15064.5 because the project does not involve any on-the-ground physical changes, and because of the restrictions placed on public uses. Properties that are open to unsupervised access for pedestrian uses such as hiking and wildlife viewing are remote and unlikely to receive substantial public use.
- b) The Project will not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines § 15064.5 for the same reasons described for item V.a).
- c) The Project is unlikely to disturb any human remains, including those interred outside of formal cemeteries for the same reasons described for item V.a).

VI. Energy

- a) The Project will not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. The Project does not include any construction. CDFW staff already travel to the subject properties, although this will increase on an occasional basis, it will not result in significantly more trips. Members of the public will occasionally be traveling to these

properties, but they will be engaging in low energy consumption activities on-site such as hiking, hunting, and environmental education.

- b) The Project will not conflict with or obstruct a state or local plan for renewable energy. These properties were purchased for or accepted by CDFW for the purposes of natural resource conservation and compatible recreation. CDFW and the California Wildlife Conservation Board conduct due diligence to avoid acquiring properties with constraints or entitlements that conflict with those purposes.

VII. GEOLOGY AND SOILS

- a) The Project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:
 - i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area, or based on other substantial evidence of a known fault. Such an impact will not occur because the Project does not create any structures for human habitation.
 - ii. Strong seismic ground shaking. Such an impact will not occur because the Project does not create any structures for human habitation.
 - iii. Seismic-related ground failure, including liquefaction. Such an impact will not occur because the Project does not create any structures for human habitation.
 - iv. Landslides. Such an impact will not occur because the Project does not create any structures for human habitation.
- b) The Project will not result in substantial soil erosion or the loss of topsoil, because it does not include any construction, earthmoving or ground clearing activities. Recreational sources of erosion will be avoided by allowing only pedestrian use by visitors with the exception of horseback riding on about 1/4 mile on an existing dirt road on one property. Regulatory limitations on visitor access on the newly designated properties and the remoteness of several of the properties will reduce foot traffic.
- c) The Project will not result in a geologic unit or soil becoming unstable, potentially resulting in an on- on off-site landslide, lateral spreading, subsidence, liquefaction or collapse because it does not include construction, earthmoving, ground clearing or well drilling.
- d) The Project will not create a substantial direct or indirect risk to life or property on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994) because the Project does not create any structures for human habitation.
- e) The Project will not create any sources of wastewater requiring a septic system or an alternative wastewater disposal system where sewers are not available because the limited public use will not require the construction of those facilities.
- f) The Project is very unlikely to to directly or indirectly destroy a unique paleontological resource or site or unique geological feature for the reasons explained for item (b) in this section.

VIII. GREENHOUSE GAS EMISSIONS

- a) The Project will not generate greenhouse gas emissions, either directly or indirectly, that, may have a significant impact on the environment because the Project does not involve the regular operation of machinery, equipment or vehicles that emit greenhouse gasses. Seven of the eight subject properties will have limited public use, thus not generating many vehicle trips. Cienega Springs is more accessible, but the adjacent trout hatchery already generates visitor trips and a significant increase is not expected, plus planned riparian restoration will add native trees and shrubs to the area, offsetting some carbon emissions.
- b) The Project will not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases for the reasons described for item VII. a).

IX. HAZARDS AND HAZARDOUS MATERIALS

- a) The Project will not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials, primarily because no on-the-ground physical changes are proposed. Very limited hunting may be introduced on five properties as a result of this project, which may result in some deposit of spent ammunition on-site. However, only non-lead ammunition is legal to use for hunting in California. For upland game hunting, which will comprise the majority of the special hunts, only shotgun ammunition containing pellets composed of materials approved as nontoxic by the U.S. Fish and Wildlife Service may be used.
- b) The Project will not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment because it does not involve the transport or use hazardous materials.
- c) The Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Such impact is avoided because the Project will not create any feature that can emit hazardous substances.
- d) The Project does not include any site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.
- e) Only one of the properties with changes in use as a result of this project is located within an airport land use plan or within two miles of a public or public use airport. The Southern Crossing Unit of the Napa-Sonoma Marshes Wildlife Area is approximately one mile north of the Napa County Airport. There are no residences on the Southern Crossing Unit. It has been owned by the Department since 2005, and staff visit the property periodically for monitoring and maintenance. It is approximately 260 acres, and is disjunct from the other units of the approximately 14,000 acre wildlife area. It is not anticipated that opening the trail on the Southern Crossing unit to public access will result in greater airport-related hazards or excessive noise for CDFW staff, because the majority of staff time is spent on other parts of this wildlife area.
- f) The Project will not alter any roads and therefore will not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- g) The Project will not expose people or structures to a significant risk of loss, injury, or death involving wild land fires. CDFW land management staff consult annually with the local staff of the California Department of Forestry and Fire Protection and manage vegetation, the use of equipment, and CDFW and visitor vehicles to reduce the risk of wildfire. The limited access or remoteness of the properties that will be opened to public use as part of the Project also reduces the risk.

X.H YDROLOGY AND WATER QUALITY

- a) The Project will not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality because it will not involve the release of materials that could enter surface or groundwater or significant soil disturbance. Vegetation will remain intact on the project sites.
- b) The Project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge because it will not use or divert surface water or groundwater.
- c) The Project will not alter existing drainage patterns on the on the subject properties in a manner that would result in substantial erosion or siltation on- or off-site because no construction, earthmoving or ground clearing is proposed.
 - i. The Project will not result in substantial erosion or siltation on- or off-site. See above explanation for item IX. c).
 - ii. The Project will not substantially increase the rate or amount of surface runoff. See above explanation for item IX. c).
 - iii. The Project will not contribute runoff water. See the above explanation for item IX. c).
 - iv. The Project will not impede or redirect flood flows. See the above explanation for item IX. c).
- d) The Project will not expose people or structures to a significant risk of inundation by seiche, tsunami, or mudflow or result in the release of pollutants due to project inundation. See the above explanation for item IX. c).
- e) The Project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. See the above explanation for item IX. c). Additionally, the Project does not involve irrigation of the subject properties or the discharge of water from the subject properties.

XI. LAND USE AND PLANNING

- a) The Project will not physically divide an established community because with one exception, none of the subject properties are within an established community. A portion of the proposed Tecopa Ecological Reserve is within the town of Tecopa (Inyo County), but its presence does not interfere with the use of public roads and the property will be open to pedestrian access.
- b) This Project does conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Parts of some of the subject properties were acquired by CDFW as mitigation for the environmental effects of various land development projects. The proposed regulation changes will protect sensitive

natural resources on all of the subject properties, including lands acquired through mitigation.

XII. MINERAL RESOURCES

- a) The Project will not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because no excavation or construction will take place.
- b) The Project will not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Such an impact will not occur because no excavation or construction will take place.

XIII. NOISE

- a) The Project will not result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in local general plans, noise ordinances, or applicable standards of other agencies. The Project does include occasional upland game hunting, but not close to residential areas, and it will not be a frequent activity or result in prolonged loud noise.
- b) The Project will not result in exposure of persons to, or generation of, excessive ground-borne vibration or ground-borne noise levels, because no construction or earthmoving activities are involved.
- c) The Project will not expose people residing or working on the subject properties to excessive noise levels within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. See the explanation for item IX. e).

XIV. POPULATION AND HOUSING

- a) The Project will not induce substantial population growth in an area, either directly or indirectly. Such an impact will not occur because the Project will not construct any new homes, businesses, roads, or other human infrastructure.
- b) The Project will not displace any people and will not necessitate the construction of replacement housing elsewhere.

XV. PUBLIC SERVICES

- a) The Project will not have substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered government facilities because visitors will not live, shop, obtain healthcare, go to school or use other public services on the subject properties. CDFW staff already work periodically on the subject properties, typically a few people at a time. That number may increase slightly on the occasional days when a Department sponsored and/or authorized recreational, educational or volunteer activity takes place. These activities will typically involve 10 – 30 members of the public.
 - i. Fire. No existing or proposed facilities on these properties.

- ii. Police. The Department provides its own Law Enforcement and routinely monitors the properties.
- iii. Schools. No existing or proposed facilities.
- iv. Parks. Each designated property has been listed for the benefit of the people of California.
- v. Other public facilities. Minor improvements such as trails and signage.

XVI. RECREATION

- a) The Project would not increase the use of existing neighborhood and regional parks, or other recreational facilities. For the most part, the proposed changes will increase recreational opportunities by opening more CDFW properties to at least occasional public uses.
- b) The Project does not include constructed recreational facilities and does not require the construction or expansion of recreational infrastructure.

XVII. TRANSPORTATION

- a) The Project will not conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities because no changes to transit infrastructure or facilities are included in the Project.
- b) The Project will not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) For two reasons: 1) it will not cause substantially more trips to be made to the subject properties by CDFW staff, since they are already responsible for monitoring and managing on-site natural resources, and 2) members of the public will not make a large change in the number of miles they typically drive because they will not visit the properties very often, compared to trips for work, shopping and other regular tasks.
- c) The Project will not substantially increase hazards due to geometric design features or incompatible uses because it does not include the design or change of roadways and will not introduce atypical vehicle use in the vicinity of the subject properties.
- d) The Project will not result in inadequate emergency access. Such an impact will not occur because no changes will be made to roads and there will not be a pronounced increase in traffic because of the limited proposed public uses or the remote location of the subject properties.

XVIII. TRIBAL CULTURAL RESOURCES

- a) The Project will not cause substantial adverse change in the significance of a tribal cultural resource defined in Public Resources Code Section 21074, because of the limited level of public use of the subject properties that results from restrictions within the proposed regulations and/or their remote location, and because no construction, earthmoving or ground clearing activities are included.
 - i. The Project will not cause a substantial adverse change to a tribal cultural resource as described above and one that is listed or eligible for listing in the California Register of

- Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k).
- ii. The Project will not cause a substantial adverse change to a tribal cultural resource as described above and no resource has been determined by the CDFW to be significant to events of California's history and cultural heritage, or to the lives of persons important in our past, or having characteristics of value, or in prehistory or history pursuant to the criteria set forth in subdivision (c) of Public Resources Code section 5024.1.

XIX. UTILITIES AND SERVICE SYSTEMS

- a) The Project does not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, telecommunications facilities, or increase the production of wastewater. The properties will only be open to limited public use, the occasional recreational and educational uses by relatively small numbers of visitors will not require reliance on local utilities or services or permanent on-site facilities.
- b) The Project does not require a particular level of water availability for the reason described for item XIX. a).
- c) The Project will not affect the capacity of any wastewater treatment provider to meet their existing or future commitments for the reason described for item XIX. a).
- d) The Project will not generate solid waste in excess of state or local standards or in excess of the capacity of the local infrastructure, or otherwise impair the attainment of solid waste reduction goals for the reason described for item XIX. a).
- e) The Project will not violate federal, state or local management and reduction statutes and regulations related to solid waste for the reason described for item XIX. a).

XX. WILDFIRE

- a) The Project will not substantially impair an adopted emergency response plan or emergency evacuation plan because it will not regularly or substantially add to the number of people or vehicles in an area with such a plan and does not involve any construction or earth moving activity.
- b) The Project will not expose occupants to wildfire or related pollutants because people will not occupy the subject properties as a result of the Project. At times when the risk is imminent CDFW has the authority to close all or parts of properties to visitors for public safety.
- c) The regulation changes that comprise the Project do not involve the installation or maintenance of infrastructure.
- d) The regulation changes that comprise the Project will not result in a significant risk of exposing people to flooding or landslides as part of post-wildfire effects on the landscape because CDFW has the authority to close all or parts of properties for public safety. The risk is also lower because most of the subject properties are only being opened to

occasional, organized public uses, or are unlikely to be visited often because of their remote location.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- a) The Project is unlikely to substantially degrade the quality of the environment, substantially reduce habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. It will introduce a limited amount of public use into areas that are currently closed, but based on its experience and expertise in wildlife management CDFW believe the level of disturbance to wildlife associated with the new public use opportunities will be less than significant, and that there are unlikely to be effects on rare or endangered species, or sensitive plant communities as a result of the Project. If necessary, CDFW does have the regulatory authority to close part or all of its properties to any or all designated uses to conserve natural or historical resources.
- b) The Project does not have adverse impacts that are individually limited, but cumulatively considerable. The Department believes that the cumulative degree of disturbance to wildlife caused by the limited public use opportunities or regular public access on very remote sites, will be less than significant.
- c) The Project does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly because this Project will not have an adverse impact the environmental services provided by the terrestrial or aquatic habitats on the subject properties (e.g., groundwater recharge, water filtration, carbon sequestration, pollinator resources).

**NEGATIVE DECLARATION FOR PROPOSED REGULATIONS GOVERNING
PUBLIC USE OF CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE LANDS**

prepared by the

STATE OF CALIFORNIA

THE NATURAL RESOURCES AGENCY

CALIFORNIA FISH AND GAME COMMISSION

as the

LEAD AGENCY UNDER THE CALIFORNIA

ENVIRONMENTAL QUALITY ACT for the

REGULATORY ACTION TO

AMEND SECTIONS 550, 550.5, 551, 552, 630 AND 702

OF TITLE 14, CALIFORNIA CODE OF REGULATIONS

February 2020

I.

The Project

The California Fish and Game Commission ("Commission") has prepared this Negative Declaration to comply with the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 *et seq.*). The Commission is the lead agency under CEQA with respect to the proposed project that involves changes to existing regulations ("Project") that govern the public use of lands under the jurisdiction of the California Department of Fish and Wildlife ("CDFW").

Generally, these lands are either ecological reserves (Fish and Game Code section 1580 *et seq.*) or wildlife areas (Fish and Game Code section 1525 *et seq.*) Ecological reserves are generally acquired to protect rare and/or endangered native plant and animal species and specialized habitat types. Wildlife areas are acquired for wildlife conservation and compatible recreational uses. For both of these categories of land, the Commission may adopt regulations that govern their use, operation, and protection. The existing regulations that would be changed under the Project are found in sections 550, 550.5, 551, 552, 553, 630 and 702 of Title 14 of the California Code of Regulations (CCR). Specific changes to the regulations under the Project are attached to this Negative Declaration as Attachment 1.

Changes are proposed across the aforementioned seven sections of Title 14, and they fall into two major categories:

- 1) Changes that do not result in any alteration of existing land use and/or are primarily administrative in nature. These changes include:
 - a. Editorial changes for improved clarity and consistency within the regulations that govern public uses of CDFW lands. There are changes that fit this description in each of the regulation sections involved in this project.
 - b. Removing the designation of wildlife area (subsection 551(b)) or ecological reserve (subsection 630(b)) from properties owned by other agencies where CDFW no longer has any regulatory or management authority. These sites were previously managed by CDFW under agreements that have expired or were terminated by the landowning entity.
 - c. Changes to Section 552. This section contains public use regulations for nine National Wildlife Refuges (refuges) over which CDFW has some management responsibilities through a cooperative management agreement with the United States Fish and Wildlife Service (USFWS). The USFWS has the authority to promulgate regulations for the refuges under 16 United States Code (USC) Sec 688 dd.(a)(1) (edition 2018). Section 552 is periodically updated to maintain consistency with the federal regulations for fishing and hunting on federal refuges in

50 Code of Federal Regulations (CFR) 32.24 (September 1, 2019) and other public uses authorized pursuant to 50 CFR sections 32.3 and 25.31 (October 1, 2018). Ultimately, the Commission does not have the discretion to establish regulations governing management of these lands that differ from what USFWS adopts; instead the Commission is limited to making state regulations consistent with federal ones. These refuges are also listed as wildlife areas in Title 14, and for this reason, the USFWS staff proposed deleting some subsections of Section 552 that are redundant with text in sections 550 and 551.

- 2) Changes in on the ground uses of land owned by the CDFW. These will be discussed individually in the following sections of this document. These changes are in Sections 551 and 630, Title 14, CCR. None of the proposed changes will result in a significant adverse effect on the environment.

II.

Project Location

The regulations that would be changed under the Project address at least one wildlife area, ecological reserve, or both, in most of the counties in California. As mentioned in the Initial Statement of Reasons for the Project, there are 110 wildlife areas that encompass approximately 712,383 acres, and there are 135 ecological reserves encompassing approximately 230,175 acres. Specific locations of each of these properties can be found on CDFW's website: <https://www.wildlife.ca.gov/Lands/Places-to-Visit>. Under the Project, there is land that will be designated as a wildlife area or ecological reserve, and land that will no longer be a wildlife area or ecological reserve. These properties are shown on Attachment (2)

III.

Additions, Deletions and Amendments to Section 551, Title 14, CCR Resulting in Changes to Public Uses of Wildlife Areas Owned by CDFW

551(b)(81): Add the property to be known as the Round Valley Wildlife Area (RVWA) (Inyo and Mono counties) to the list of wildlife areas managed by CDFW. A description and map of the RVWA is in Attachment 2 of the Initial Statement of Reasons (ISOR) for the subject regulation changes. The primary uses of wildlife areas are hunting, fishing (not an option on RVWA), wildlife viewing, photography, environmental education and research. The property is far from major metropolitan areas, and adjacent to much larger tracts of land owned by the U.S. Forest Service, which allow similar uses. It is not expected that the level of public use will result in significant disturbance or damage to wildlife, habitat or other resources of concern, but the property is monitored by CDFW and CDFW has authority under Section 550(c)(2)(D), Title 14, CCR, to close or restrict public uses on department lands for the protection of natural resources, cultural

resources, and/or public safety. Other than an educational kiosk at the entry point, no structures are anticipated to be built on the RVWA.

551(j)(4): Under subsection 551(j), the use of bicycles is prohibited on wildlife areas unless allowed within this subsection. The proposed changes for the Napa-Sonoma Marshes Wildlife Area (Napa, Sonoma and Solano Counties) will allow regulated bicycle use on two (2) units of the wildlife area, in accordance with the area's land management plan (final land management plan dated October, 2011, SCH# 2010082042, excerpt re: bikes is Attachment 4 of the ISOR for the subject regulation changes).

- a. Green Island Unit: Bicycles would be allowed on the designated Bay Trail which runs on top of a perimeter levee on the eastern border of the property. Signs will be posted along the trail to eliminate confusion over wildlife area regulations and Bay Trail users. The Bay Trail was planned in 1989 by the Association of Bay Area Governments in 1989, and currently includes approximately 400 miles, linking cities and nine counties in the Bay Area.
- b. Southern Crossing Unit: Bicycles would be allowed on the public access easement which bisects the unit. The easement allows for recreational opportunities and access by Stanly Ranch LLC and the City of Napa to the Napa River. Signs will be posted, and fences erected to keep visitors on the trail and avoid confusion over the prohibition of bicycles on the rest of the unit.

551(o)(22): Currently, all hunting on the Hollenbeck Canyon Wildlife Area (HCWA), (San Diego County) is prohibited between February 1 and August 31. To increase hunting opportunities while minimizing negative effects on nesting wildlife, CDFW recommends allowing crow hunting in a designated area until the end of the statewide crow season in early April (per Section 485(a)(1)). Based on CDFW's experience and expertise, crow hunting at this wildlife area is expected to attract minimal numbers of hunters, particularly later in the season. For that reason, and by restricting this use to one part of the property, CDFW's opinion is that this change will not significantly increase disruption to wildlife at the HCWA above what already occurs through existing public uses during the early spring (e.g. hiking, bird-watching, photography).

551(o)(36): This proposed change will delete the text that closes the section to all visitor uses during restoration. The original restoration plan was very intensive, and the area was closed for public safety and to maximize the establishment of new vegetation. That plan was cancelled, and there is no longer a need to prohibit all public use of the unit. Public use would include walking and bike-riding on an established trail that is on a public access easement owned by the City of Napa.

551(r)(50): This amendment would prohibit all firearms and archery equipment on the Boca, Polaris, and West River Units of the Truckee River Wildlife Area (TRWA). Under the current version of this subsection, these units have a rifle and pistol prohibition. Due

to their proximity to the town of Truckee, and ongoing concerns received at CDFW's Regional Headquarters by other users and neighbors, we are proposing that the Boca, Polaris and West River Units have a firearm and archery prohibition. Although this will read as a loss of hunting opportunity, the area was purchased for fishing access, and hunting is not a reasonable option here because of the lack of legal distance from occupied dwellings and/or Interstate 80. Hunting will still occur on the other nearby units of the TRWA, and this proposal affects less than 4% of the overall acreage of the TRWA. This regulation change will increase safety for non-shooters, including anglers, and help prevent illegal take of game, as well as inappropriate target shooting, while not resulting in a significant loss of legal hunting opportunities. It is unlikely that this change will make a significant difference to the existing level of disturbance to wildlife and their associated habitats since these properties are frequently used for walking, wildlife observation, fishing or access to fishing.

551(s)(4), 551(s)(7), 551(s)(15), 551(s)(17), 551(s)(19), 551(s)(27), 551(s)(29): Delete text in these seven subsections that provide "extra" pheasant hunt days on the subject wildlife areas. An alternative that might be considered by the Commission is to remove all of the "extra" pheasant hunt days in the subject subsections except for the first Monday of the pheasant season on the Gray Lodge and Upper Butte Basin Wildlife Areas (551(s)(4) and (27) respectively.

The subsections contain regulations that are very similar to one another. These seven "Type A" wildlife areas include, respectively: Gray Lodge, Grizzly Island, Los Banos, Mendota, North Grasslands, Upper Butte Basin, and Yolo Bypass. Under Section 551(e)(1), during the waterfowl hunting season (early fall to late winter), these wildlife areas are open for hunting on Saturdays, Sundays and Wednesdays. In the above-listed subsections of 551(s), these areas are also open for hunting pheasants for an additional five to twelve consecutive days (depending on the wildlife area) at the beginning of the pheasant season in early November.

However, because of the decline in the pheasant population, CDFW has utilized its authority, under subsection 550(c)(2)(D), to cancel the extra pheasant hunt days on all seven wildlife areas for the last eight years (with the exception that two of those areas have been open on Veteran's Day).

A major factor in the decline of the pheasant population in California is thought to be habitat lost due to development and changes in farming practices over the last three decades (Coates et al, 2017). Given that most farming is unlikely to revert to practices that are more beneficial to pheasants, and that cities will continue to expand into farmland, it is unlikely that there will be a significant, sustained rebound in the wild pheasant population in the foreseeable future.

Pheasant hunting will continue to be available on Saturdays, Sundays and Wednesdays on CDFW's Type A and B wildlife areas during the six-week pheasant season. Unless otherwise restricted in Section 551, hunting is available seven days a week on Type C wildlife areas for all legal species. Colusa, Delevan and Sacramento National Wildlife

Refuges (NWRs) offer pheasant hunting on Veteran's Day in addition to the three regular hunt days per week.

Note that removing the extra hunt days on Gray Lodge Wildlife Area, the Crescent and Grizzly Island Units of the Grizzly Island Wildlife Area, and Upper Butte Basin Wildlife Area will also remove extra days for hunting rabbits on those sites (s)(5),(9) and (25) respectively). It will also remove extra days for hunting quail on Gray Lodge Wildlife Area (s)(5)). Hunting those species will still be available on those properties throughout the waterfowl season on Saturdays, Sundays and Wednesdays. Most hunters do not utilize these extra days (all weekdays), and it is not anticipated that the proposed changes will affect the populations of these common species. Their populations are more affected by habitat conditions and natural predators.

These change will not have a pronounced effect on recreational opportunities offered on Department-managed lands on a statewide basis. Although there will be some reduction of pheasant hunting on seven Type A areas, the reduction is all weekdays (workdays for most people), and upland game hunting will continue to be allowed seven days a week on Type C wildlife areas. There may be additional opportunities created on the newly designated properties in this regulation package in the form of "special hunts". It is difficult to accurately predict whether the reduction of pheasant hunt days on the seven subject properties will affect the wild pheasant populations on these properties. Most of the existing hunting opportunities will continue and, as mentioned above, there are other factors that influence the abundance of wild pheasants.

IV.

Additions, Deletions and Amendments to Section 630, Title 14, CCR Resulting in Changes to Public Uses of Ecological Reserves Owned by CDFW

630(b)(32), (39), (49), (64), (89), (119), (121), (133): These subsections, respectively, designate the following properties as ecological reserves:

- Cañada de San Vicente Ecological Reserve (CSVER), San Diego County,
- Cienega Springs Ecological Reserve (CSER), Ventura County,
- Deep Springs Lake Ecological Reserve (DSLER), Inyo County,
- Indian Valley Wells Ecological Reserve (IWER), Kern County,
- North Carrizo Ecological Reserve (NCER), San Luis Obispo County,
- Santa Margarita River Ecological Reserve (SMRER), Riverside County, and
- Tecopa Ecological Reserve (TER), Inyo County

Ecological reserves are established to protect rare or endangered species and sensitive habitats. They may include other key resources to conserve the state's biodiversity, such as natural connections between remaining tracts of intact habitat that allow for wildlife movement. When an area is designated as an ecological reserve, the general public uses are limited to hiking, wildlife and wildflower viewing, photography, environmental education and research. Biological, physical (e.g., water, geology), cultural, historical resources on all CDFW lands are protected under Section 550, Title 14, CCR.

CDFW monitors the properties it manages and has the authority to restrict or close areas to public uses if it appears necessary to conserve natural resources, cultural resource, or public health and safety. For example, a trail can be closed temporarily if public access might impact the nesting success of a rare species. It is illegal for visitors to enter CDFW lands, or portions of CDFW lands, that have been signed as closed to public access (Section 550(c)(2)(D)).

In some cases, the conditions on an ecological reserve warrant site-specific regulations that place permanent restrictions on public uses, or the authorization of additional recreational opportunities. These site-specific regulations may be adopted at the time of designation (addition to Title 14), or during a future update of the land regulations. Because of the limited scope of public uses, and CDFW's ability to provide additional habitat protection if necessary, the designation of the seven properties as ecological reserves will have a less than significant effect on the environment.

630(d)(10): Adding this subsection would authorize limited hunting on the proposed Cañada de San Vicente Ecological Reserve (CSVER), only on specific dates and times and in the specific location designated by CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing. The land management plan for this property, which underwent public review pursuant to CEQA, includes limited hunting. (California Department of Fish and Wildlife, 2016, excerpt included as Attachment 8 of the ISOR for the subject regulation changes). The low number of hunters on-site at any given time, the infrequency of these events, and the fact that they are supervised by CDFW staff will result in a less than significant effect on the environment.

630(d)(14): Adding this subsection would authorize limited hunting on the proposed Cienega Springs Ecological Reserve only on specific dates and times and within specific areas designated by CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing.

CDFW will be creating a hunting opportunity where one does not currently exist, but where this activity was available until the mid-1990s.

CDFW would organize hunts to target a specific common game species. Based on CDFW's experience, these occasional limited opportunities will not have a significant effect on the target species' population. It is not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the Reserve was acquired, nor would it have an adverse impact on non-hunted species or their habitats due to its only occurring outside of the breeding/nesting season.

CDFW would provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within designated hunting boundaries.

CDFW would hold pre-hunt meetings that provide hunters with safety, regulation, boundary, and other pertinent information needed to ensure protection of the public and

non-targeted resources. This would also minimize or avoid any potential impacts to nearby development or agricultural operations.

Based on CDFW's experience and expertise in wildlife and natural lands management, by following the above-mentioned guidelines and the existing protective regulations in Title 14; hunting as described above will have no significant adverse impacts to the environment.

630(d)(23): Adding this subsection would authorize limited hunting on the proposed Indian Wells Valley Ecological Reserve only on specific dates and times and within specific areas designated by CDFW. These would be "special hunts" offered to a limited number of participants via a random drawing.

CDFW would organize hunts to target common upland game species. Based on CDFW's experience, these occasional limited opportunities, often involving inexperienced junior hunters, will not have a significant effect on the target species' population. It is not anticipated that limited regulated hunting would unduly interfere with the primary purpose for which the Reserve was acquired nor would hunting have an adverse impact on non-hunted species or their habitats.

CDFW would provide appropriate signage and barriers to keep hunters within designated hunting boundaries. Special hunts will be conducted outside of bird nesting season to avoid impacts to nesting birds.

CDFW would hold pre-hunt meetings that provide hunters with safety, regulation, boundary, and other pertinent information needed to ensure protection of the public and non-targeted resources.

Based on CDFW's experience and expertise in wildlife and natural lands management, by following the above-mentioned impact guidelines and other measures designed to eliminate or minimize impacts to resources; hunting as described above will have no significant adverse impacts to the environment.

630(d)(28): Adding this subsection would authorize limited hunting on the proposed North Carrizo Ecological Reserve (NCER) only on specific dates and times and in the specific location designated by CDFW.

These special hunts are likely to focus on tule elk. They would conform with regulations adopted under Section 364, Title 14: "Elk Hunts, Seasons, and Number of Tags". The parcels in the proposed NCER were previously privately-owned lands that were enrolled in the Private Lands Management (PLM) hunting program administered by CDFW. Since CDFW's acquisition of the property in 2011, no hunting has occurred because undesignated Department lands are not open to public use (Section 550(a)).

The NCER is located within the La Panza Tule Elk Management Unit. For 15 years prior to CDFW's acquisition, approximately 46 elk were harvested each year from the

proposed NCER and adjacent private lands and the herd size remained stable at around 110 animals. Since that time, the allowable elk harvest on the adjacent PLM lands has been 25 elk each year, and the elk population has almost doubled in size to 200 animals. Providing limited and supervised elk hunting opportunities would be consistent with prior hunting activities and with the recently approved elk management plan for California (California Department of Fish and Wildlife, 2018, excerpt included as Attachment 9 of the ISOR for the subject regulation changes). The issues identified with general public access to the NCER (see justification below for 630(h)(29)) would not be a problem for the special hunts because Department personnel would supervise any hunting activities.

Carefully managed elk hunting is considered by CDFW to be an important element in managing a healthy population of tule elk, and when conducted under the supervised conditions of a special hunt, will have no significant adverse effects on the environment.

630(g)(2): Adding this regulation would authorize limited horseback riding on an existing trail within the proposed Cañada de San Vicente Ecological Reserve (CSVER). Horseback riding would be limited to the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road. The trail crosses the boundary into the ecological reserve for approximately one quarter mile before exiting onto adjacent public land. The management plan for CSVER envisioned that pedestrian and equestrian use of this trail would be an exception to the general closure to public access on this property, and the associated mitigated negative declaration found that this would have a less than significant effect. (Department of Fish and Wildlife, 2016 (Volume 2, page 16)).

630(h)(11): Adding this regulation would close the proposed Cañada de San Vicente Ecological Reserve (CSVER) to visitor use with the exception of hiking and horseback riding on the existing trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road.

This closure is recommended for the following reasons:

- With the exception of the single public hiking and horseback riding connector trail that connects Holly Oaks Park and Luelf Pond Open Space Park (OSP) to Southern Oak Road, CSVER lacks public access on the south, east, and west by Native American Reservation land and/or private property. Because of this situation, other trails on the property would have no 'through-route' capability, only an 'out and-back loop' trail. CDFW, based on its expertise and experience, thinks this would cause an over-use of these trails and impacts to surrounding habitat and wildlife.
- Of particular concern is trail use in close proximity to San Vicente Creek (which is known to have federally-listed species) and within the buffer zone for minimizing disturbances to a pair of golden eagles that have successfully nested on the property.
- Open public trails within the main portion of the Reserve would likely interfere

with current and future research and restoration activities within the Reserve.

- There is limited CDFW staff available to monitor and patrol the Reserve.

Details regarding special hunts and horseback riding on CSVER, are discussed above in the justifications for changes to subsections 630(d)(10) and 630(g)(10). The property would also be available for CDFW-authorized environmental education activities and research under existing subsections 550(e) and (f). The closure of the CSVER to general public access would not have an adverse effect on the environment.

630(h)(22): Adding this regulation would close the proposed Indian Wells Valley Ecological Reserve to visitor use with the exception of occasional Department-managed special hunt opportunities, as well as authorized environmental education or research activities (existing subsections 550(e) and (f)). The property was acquired to mitigate the loss of habitat for desert tortoise (*Gopherus agassizii*), which is state and federally-listed as Threatened, and for the Mojave ground squirrel (*Xerospermophilus mohavensis*) which is state-listed as Threatened. There is also sensitive desert wash habitat onsite, which tends to have greater bird species diversity than upland desert habitats. There is also the potential to connect this site to additional mitigation lands, which would further enhance the habitat value of this site (John Battistone, personal communication, 2019). To maintain the high level of protection that is appropriate for a mitigation site, CDFW, based on its experience and expertise in the management of sensitive species and habitats, recommends closing this property to general visitor access. There is a history of hunting in the area, particularly for upland game birds, therefore, CDFW recommends allowing occasional, Department-managed special hunts. More details regarding possible special hunts on this property are provided in the above discussion for the addition of subsection 630(d)(23). The closure of this property to general public access would not have an adverse effect on the environment.

630(h)(29): Adding this regulation would close the proposed North Carrizo Ecological Reserve (NCER) to all visitor use except for occasional special hunt opportunities (see above for 630(d)(28)), as well as authorized environmental education or research activities (existing subsections 550(e) and (f)). This site was protected to mitigate for impacts to listed species described above in the justification for the designation of this property as an ecological reserve (proposed subsection 630(b)(89). Based on CDFW's experience and expertise in managing sensitive species and habitats, protection of these resources would not be assured if unsupervised public access were allowed. Areas open to public access on the Carrizo Plains National Monument to the south have been subject to illegal OHV use, vandalism, poaching, and habitat degradation. The closure of this property to general public access would not have an adverse impact on the environment.

630(h)(37): The 251-acre property that comprises the proposed Santa Margarita River Ecological Reserve (SMRER) is currently closed to the public, and if this proposed regulation is adopted, it would remain closed after its designation. The justification for the closure is that the subject property is part of a larger open space area that is closed

to general public use due to the environmental sensitivity of the area and the need to maintain the integrity of many research sites. This area, including CDFW's property, is managed primarily by San Diego State University (SDSU) under a cooperative agreement. Through this agreement, there are organized group hikes, school field trips and other interpretive activities on less sensitive portions of the larger reserve. CDFW's property is adjacent to a wildlife underpass below Highway 15. Human activity has been associated with less use of wildlife underpasses (see Attachment 10 of the ISOR for the subject regulation changes). The regulation to keep SMRER closed to general public access would not have an adverse impact on the environment.

V.

REFERENCES

1. Coats, P.S., Brussee, B.E., Howe, K.B., Fleskes, J.P., Dwight, I.A., Connelly, D.P., Meshriy, M.G. and Gardner, S.C. 2017. Long-term and widespread changes in agricultural practices influence ring-necked pheasant abundance in California. *Ecology and Evolution*. 7: 2546 – 2559. DOI:10.1002/ece3.2675

- d) The Project will not create emissions such as those leading to objectionable odors affecting a substantial number of people, because the intended uses of the property, habitat conservation and compatible recreation, are unlikely to create those circumstances.

IV. BIOLOGICAL RESOURCES

- a) The Project will not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW), National Oceanic and Atmospheric Administration (NOAA) or U. S. Fish and Wildlife Service (USFWS). The reasons for this conclusion are discussed below. In addition to the reasons discussed below, biological resources on all CDFW lands are protected by multiple regulations within Section 550, Title 14, California Code of Regulations (CCR), including, but not limited to, subsection(g): Protection of Resources:

Section 550(g): "Except for the take of fish and/or wildlife in compliance with general and site-specific hunting and fishing regulations, or under written authorization from the department to conduct environmental research or environmental education, no visitor shall:

- (1) mine or disturb geological formations, archeological, cultural or anthropological artifacts, structures, or resources.*
- (2) take or disturb any bird nest, or eggs thereof.*
- (3) cut, saw, trim, remove, or disturb any plant, mammal, fish, mollusk, crustacean, amphibian, reptile, soil, sand, gravel, rock, mineral, or any other form of plant or animal life on department land, except that non-woody vegetation may be cut and used for temporary hunting blinds; or*
- (4) construct or build any type of structure, including those made of vegetation (except as provided in subsection 550(g)(3)) or any other type of material, on department land except as may be specifically authorized by a Special Use Permit."*

Another regulation within Section 550 that supports many of the less than significant or no effect responses in the current initial study is subsection (y) which prohibits visitors from operating a motor vehicle or trailer on CDFW lands except on designated roads. The use of off-highway or all-terrain vehicles (OHVs, ATVs) by visitors is entirely prohibited on CDFW lands, unless a site-specific regulation allows for it. This project does not include any site-specific authorization for the use of OHVs or ATVs.

CDFW monitors the properties it manages and has the authority to restrict or close areas to public uses if it appears necessary to protect natural resources, cultural resources, or public health or safety. For example, a trail can be closed temporarily if public access might impact the nesting success of a rare species, or if it would expose

hikers to unsafe conditions. It is illegal for visitors to enter CDFW lands, or portions of CDFW lands, that have been signed as closed to public access (Section 550(c)(2)(D)).

Although this amendment would prohibit all firearms and archery equipment on the Boca, Polaris, and West River Units of the Truckee River Wildlife Area (TRWA) (with the exception of the lawful possession of a concealed firearm as provided in subsection 550(cc)(1) of these regulations), this restriction only effects 4% of the TRWA and 96% of

the area is nearby and available for hunting. Under existing regulations, pistols and rifles are already prohibited. There are also U.S. Forest Service lands surrounding the area that are available for hunting. The removal of early season, consecutive pheasant hunt days from Section 551(s) has been implemented on the seven subject wildlife areas on annual basis for the last nine years, utilizing the Department's authority under Section 550(c)(2)(D), therefore the regulation change does not constitute a change in use. A minor exception to this is that pheasant hunting has been allowed on two of those wildlife areas on the first Monday of pheasant season during the past nine years, and that will no longer be allowed under the proposed regulation changes. However, there are opportunities to hunt pheasant on that Monday on CDFW Type C wildlife areas and on four federal refuges.

Based on CDFW's experience in wildlife management, these occasional limited opportunities will not have a significant effect on the target species' population, non-hunted species or their habitats due to hunts only occurring outside of the breeding/nesting season. CDFW would provide appropriate signage and barriers to keep hunters outside of sensitive habitats and within designated hunting boundaries. Special hunts would occur outside of the breeding/nesting season.

1. The property to be known as the Round Valley Wildlife Area (RVWA) (Inyo and Mono counties) will be added to the list of wildlife areas managed by CDFW. The primary uses of wildlife areas are hunting, fishing (not an option on RVWA), wildlife viewing, photography, environmental education and research. The property is far from major metropolitan areas, and adjacent to much larger tracts of land owned by the U.S. Forest Service, which allow similar uses. It is not expected that the level of public use will result in significant disturbance or damage to wildlife, habitat or other resources of concern, but the property is monitored by CDFW and CDFW has authority under Section 550(c)(2)(D), Title 14, CCR, to close or restrict public uses on department lands for the protection of natural resources, cultural resources, and/or public safety. Other than an educational kiosk at the entry point, no structures are anticipated to be built on the RVWA. As a result, any impacts to species would be less than significant.
2. The proposed changes for the Napa-Sonoma Marshes Wildlife Area (Napa, Sonoma and Solano Counties) will allow regulated bicycle use on the Green Island and Southern Crossing units of the wildlife area, in accordance with the area's land management plan (final land management plan dated October, 2011, SCH# 2010082042, excerpt re: bikes is Attachment 4 of the ISOR for the subject regulation changes). This use was found to have a less than significant effect on biological resources. It would take place on one established trail on each of these units, and there will be signage along the trail to avoid confusion about the public use rules. Some fencing will also be used on the Southern Crossing Unit.
3. Currently, all hunting on the Hollenbeck Canyon Wildlife Area (HCWA) (San Diego County) is prohibited between February 1 and August 31. To increase hunting opportunities while minimizing negative effects on nesting wildlife, CDFW recommends allowing crow hunting in a designated area (which may shift over time) until the end of the statewide crow season in early April (per Section 485(a)(1)). Based on CDFW's experience and expertise, crow hunting at this wildlife area is expected to attract minimal numbers of hunters, particularly later in the crow hunting season. For that reason, and by restricting this use to one part of the property, CDFW's opinion is that this change will not significantly increase disruption to

wildlife at the HCWA above what already occurs through existing visitor uses of this popular wildlife area during the early spring (e.g. hiking, bird-watching, photography).

4. The Southern Crossing Unit of the Napa-Sonoma Marsh Wildlife area is currently closed to public use in Section 551. There was an intensive habitat restoration plan in place for this unit, so it was closed for public safety and to maximize the establishment of newly planted vegetation. Because the more intensive approach to restoration will not be implemented, there is no longer a need to prohibit all public use of the unit. Public use would include walking and bike-riding on an established trail that is on a public access easement owned by the City of Napa. Signs will be posted and fences erected to keep visitors on the trail and avoid confusion regarding authorized public uses. These uses are in accordance with the area's land management plan (final land management plan dated October 2011, SCH# 2010082042), which was determined to have a less than significant effect on biological resources.
5. The property to be known as the Cañada de San Vicente Ecological Reserve (CSVER) (San Diego County) will be added to the list of ecological reserves managed by CDFW. CSVER is proposed to be closed to general public access with the exception of pedestrian and equestrian use of the trail from Holly Oaks Park and the Luelf Pond OSP trail to Southern Oak Road. About one-quarter mile of the trail is located within the ecological reserve before exiting onto adjacent public land. The proposed regulations will allow for occasional special hunts that would occur only at specific dates outside of the breeding/nesting season and in locations designated by CDFW. These hunts would be offered to a limited number of participants via a random drawing and would be supervised by CDFW staff. The uses proposed in these regulation changes are consistent with the land management plan (2016), which was found to have a less than significant effect on biological resources. The CSVER land management plan and associated environmental documents are available at <https://www.wildlife.ca.gov/Lands/Planning>.
6. The property to be known as the Cienega Springs Ecological Reserve (CSER) (Ventura County) will be added to the list of ecological reserves managed by CDFW. The property would be open for hiking, birdwatching, photography (i.e., pedestrian uses) and occasional special hunts for a common game species on specific dates and times and within specific areas designated by CDFW. These would be available to a limited number of participants via a random drawing, supervised by CDFW staff. Special hunts would be outside of the breeding/nesting season.
7. The property to be known as the Deep Springs Lake Ecological Reserve (DSLER) (Inyo County) will be added to the list of ecological reserves managed by CDFW. The property will be open to hiking, wildlife viewing, photography (i.e., pedestrian use). The property will not be open to hunting. Both access routes to CDFW's property from public land (Bureau of Land Management) are extremely rugged dirt roads. Due to the remote location and challenging nature of access to the Deep Springs Lake property, it is unlikely to receive much public use. CDFW has more efficient access via private property and will monitor the reserve. Pursuant to subsection 550(i), Title 14, CDFW's Regional Manager can close the area to the public in the future to protect natural resources if conditions change and the habitat is affected by the public. The designation and associated public uses are not anticipated to have a significant effect on biological resources.

8. The property to be known as the Indian Wells Valley Ecological Reserve (IWER)(Kern County) will be added to the list of ecological reserves managed by CDFW. This reserve would be closed to regular public access, although a proposed regulation would allow for occasional special hunts, for common upland game species, on specific dates for a limited number of participants selected through a random drawing. These hunts would be supervised by CDFW staff and would occur outside of the breeding/nesting season. It is anticipated that the designation as an ecological reserve and the occasional special hunts will have a less than significant effect on biological resources.
 9. The property to be known as the North Carrizo Ecological Reserve (NCER) (San Luis Obispo County) will be added to the list of ecological reserve managed by CDFW. This reserve would be closed to regular public access, although a proposed regulation change will allow for occasional special hunts on specific dates, for a limited number of participants selected through a random drawing. These hunts would be supervised by CDFW staff and would occur outside of the breeding/nesting season. The hunts are likely to focus on elk, and will be consistent with the state's elk conservation and management plan, approved in 2018 (<https://www.wildlife.ca.gov/Hunting/Elk>). It is anticipated that the designation as an ecological reserve and the occasional special hunts will have a less than significant effect on biological resources.
 10. The property to be known as the Santa Margarita River Ecological Reserve (SMRER) (Riverside County) will be added to the list of ecological reserves managed by CDFW. The property is part of a larger, cooperatively managed, reserve complex known as the Santa Margarita Ecological Reserve. Day to day management is provided by San Diego State University. The Santa Margarita Ecological Reserve is closed to regular public access, but authorizes scheduled hikes, environmental education activities and research. The SMRER is considered especially sensitive within the complex due to its proximity to a wildlife undercrossing for Highway 15. Organized activities do not routinely take place on CDFW's property, and it is anticipated that the designation of the property as an ecological reserve will have a less than significant effect on biological resources.
 11. The property to be known as the Tecopa Ecological Reserve (TER) (Inyo County) will be added to the list of ecological reserves managed by CDFW. The parcels of the proposed reserve are inside of, or adjacent to, the town of Tecopa Hot Springs, so it is infeasible to prevent public access. Walking, wildlife viewing, and photography from appropriate access points will be encouraged with signs posted to avoid incompatible uses such as motorized vehicles, camping and campfires. The TER parcels are adjacent to, or surrounded by, approximately 250 acres owned by the U.S. Bureau of Land Management (BLM) and near 40 acres owned by the Nature Conservancy, so cooperative management may help minimize visitor impacts to CDFW lands. It is anticipated that the designation of the property as an ecological reserve will have a less than significant effect on biological resources.
- b) The Project will not have a substantial adverse effect on any riparian habitat or other sensitive natural communities identified in local or regional plans, policies and regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service. Substantive adverse effects will not occur because no development of facilities or infrastructure in or near these natural communities are proposed, and public uses proposed in this project are either restricted to minimize disturbance to riparian and other