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July 25, 2024

Todd Sexauer, Senior Environmental Planner
Santa Clara Valley Water District
5750 Almaden Expressway
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Tsexauer@valleywater.org

Subject: Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project, Mitigated Negative Declaration, SCH No. 2024060688, Santa Clara County

Dear Todd Sexauer:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from Santa Clara Valley Water District (Valley Water) for the Design Level Geotechnical Investigations for the Pacheco Reservoir Expansion Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Valley Water

Objective: The objective of the Project is to conduct geotechnical and geologic investigations at the Pacheco Reservoir to assist with the development of the Pacheco Reservoir Expansion Project, a separate project. Primary Project activities include surface level seismic refraction and electrical resistivity surveys and subsurface

[1] CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

exploratory test pits and borings. A total of 32 test pits accounting for 0.29 acres of disturbed area, and 119 initial borings and 30 supplemental borings accounting for 0.01 acres of disturbed area are proposed.

Location: The Project is located along State Route (SR) 152 into Pacheco Lake from 37°2'4.4484" N, 121°18'51.9552" W at the northern most boring to 37°4'50.7972" N, 121°17'48.3252" W at the southern most boring, Santa Clara County (County).

Timeframe: Project activities are expected to begin in the summer of 2024 and end by December 2025.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Valley Water in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

I. **Environmental Setting and Related Impact Shortcoming**

Would the Project have a substantial adverse effect, either directly or 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 CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: Crotch's Bumble Bee (Biological Resources, page 4-49)

Issue: Crotch's bumble bee (*Bombus crotchii*) are candidate species under CESA (CEQA Guidelines, §15380, subds. (c)(1)). Bumble bees are critically important because they pollinate a wide range of plants over the lifecycles of their colonies, which typically live longer than most native solitary bee species. Crotch's bumble bee occurrences have been documented within the vicinity of the Project area. Additionally, historic observations have been made in other areas of the County and recent sightings of the species in the County have been verified on Bumble Bee Watch (https://www.bumblebeewatch.org/). The Project location is within the Crotch's bumble bee range as show on CDFW's Website (https://wildlife.ca.gov/Conservation/CESA). Both the Project and surrounding areas have grassland and floral resources that may contain potential habitat for Crotch's bumble bee. Impacts to bumble bees may include, but are not limited to, mortality from equipment operations, crushing of burrows, reduced reproductive success, and loss of native vegetation leading to a reduction of foraging habitat.

Project activities may occur in grassland and herbaceous vegetation that may be potential Crotch's bumble bee nesting and foraging habitat. Unauthorized take of this species pursuant to CESA is a violation of Fish and Game Code section 2080 et seq.

Crotch's bumble bee is being considered as a Covered Species under the Santa Clara Valley Habitat Plan (SCVHP) Amendment. As co-permittee of the SCVHP, Valley Water could therefore receive take authorization for Crotch's bumble bee under CESA for the Project. Given that the amendment is expected to be finalized after the initiation of Project activities, the MND should include a survey plan and measures to avoid take of Crotch's bumble bee or specify that Valley Water will obtain an Incidental Take Permit (ITP) prior to commencement of any Project activities.

To evaluate and avoid potential Project impacts to Crotch's Bumble bee, CDFW recommends incorporating the following mitigation measures, and that these measures be made conditions of approval for the Project:

Mitigation Measure 1: Habitat Assessment

A habitat assessment shall be conducted within areas of all Project components by a qualified entomologist knowledgeable with the life history and ecological requirements of Crotch's bumble bee. The habitat assessment shall include all suitable nesting, overwintering, and foraging habitats within the Project area and surrounding areas. Areas to be assessed where colonies could establish nests (February through October) could include that of other *Bombus* species such as bare ground, thatched grasses, abandoned rodent burrows or bird nests, brush piles, rock piles, and fallen logs. Overwintering habitat (November to January) to be assessed could include that of other *Bombus* species such as soft and disturbed soil or under leaf litter or other debris. The foraging habitat assessment shall be conducted during the peak bloom period for floral resources on which Crotch's bumble bee feed. Further guidance on habitat surveys can be found within *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (https://wildlife.ca.gov/Conservation/CESA).

The results of the habitat assessment should be discussed in the MND and mitigation measures should be developed and included in the MND to avoid or minimize impacts of the Project to the Crotch's bumble bee and/or the species' habitats.

Mitigation Measure 2: Survey Plan

The MND should state that pre-construction surveys will be conducted within the Project area and surrounding areas which may be impacted by Project construction and/or operations. Surveys shall be conducted by a qualified entomologist familiar with the behavior and life history of Crotch's bumble bee. The survey plan shall be submitted to CDFW for review and approval. If CESA candidate bumble bees will be captured or handled, surveyors shall obtain any necessary handling permits such as a 2081(a) Memorandum of Understanding (MOU) from CDFW.

Surveys shall be conducted during the colony active period or gyne flight season (generally, February to October). The survey shall occur no more than 30 days prior to the start of Project construction activities, assessing all areas of suitable habitat for overwintering, nesting and foraging at least two hours after sunrise (greater than 60°F and less than 90°F with no rain) or two hours before sunset. Surveys should include a minimum of three survey efforts, over a three-day period.

The survey area shall include all suitable habitat within each of the Project component areas and a surrounding 100-foot buffer area. The survey duration shall be appropriate to the size of the Project site and buffer area based on the metric of a minimum of one person-hour of searching per three acres of suitable habitat; this will be an approximately 0.5-hour survey for an average sized Project site. Bumble bees move nests sites each year, therefore, surveys shall be conducted each year that Project work activities will occur. Further guidance on presence surveys can be found within *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (https://wildlife.ca.gov/Conservation/CESA). CDFW recommends following the guidance outlined in the California Bumble Bee Atlas Habitat surveys- Cali Bumble Bee Atlas – California Bumble Bee Atlas (https://www.cabumblebeeatlas.org/habitat-surveys.html). If the surveyor suspects Crotch bumble bee detection or occupancy, CDFW should be consulted immediately. Goals of the surveys should be to potentially identify the bee species through non-take methods (close lens photography), foraging plants, and potential ground nest sites on-site. Surveys should include examining flowering vegetation, any potential preferred nectar plants, small mammal burrows, bunch grasses, thatch, brush piles, old bird bests, dead trees, or hollow logs. Survey results, after the protocol was followed, would be good for one year (until the next flying period season) but a pre-activity survey would still be needed prior to ground-disturbing activities.

Mitigation Measure 3: On-site Bumble Bee Monitoring

A qualified biologist/monitor shall be on-site during all construction activities, and that individual (in addition to their other qualifications to act in this role) shall be approved by CDFW for bumble bee monitoring. The biologist shall scan for bumble bees that are using floral resources, nests, or open water sources within the Project footprint.

If bumble bees are observed after construction commences construction shall be halted if bumble bees are in harm's way. For example, if an undetected nest is present in the Project area, it is assumed that bumble bees will become visible if the nest is disturbed, and Project activities shall be immediately halted. Similarly, if floral resources are disturbed and bumble bees are discovered, project work shall be halted.

If Project activities are halted because bumble bees are in harm's way, activities may only recommence after it has been established that the bees present are not Crotch's bumble bee. If Crotch's bumble bee are identified on the site, activities shall not recommence until CDFW provides further guidance, which may include an additional survey by a bumble bee expert, waiting until the colony active season ends, and/or other actions such as establishment of appropriate buffers, or Valley Water obtaining take authorization if take cannot be completely avoided.

Mitigation Measure 4: Take Authorization

If surveys document presence of Crotch's bumble bee within the Project area, due to the difficulty of completely avoiding take of individuals of the species, CDFW strongly recommends that the Project proponent apply for an ITP under CESA to provide take authorization for Crotch's bumble bee as a covered species.

Mitigation Measure 5: Compensatory Mitigation for Impacts to Native Pollinator Species Habitat

CDFW recommends that the MND include compensatory mitigation for the loss of all suitable Crotch's bumble bee habitat. Bumble bee floral resources should be mitigated at a 3:1 ratio for permanent impacts in the absence of information regarding the compensatory mitigation site. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 600 feet of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 4,900 feet (1.5-km) from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. The MND should state that mitigation lands will be protected in perpetuity under a conservation easement with an endowment established for long-term management of the lands.

COMMENT 2: Bat Species (Biological Resources, Page 4-51)

Issue: The MND states the potential presence of four special-status bat species, the pallid bat, Townsend's big-eared bat, western red bat, and western mastiff bat. The Project site also contains suitable habitat for the hoary bat (*Lasiurus cinereus*), another species of special-concern. Impacts to bats may include but are not limited to mortality from tree removal, loss of roosting habitat, and physiological stress due to increase in noise and light from the borings and test pits including those that occur at night. Artificial night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone *et al*. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Artificial lights can attract insects, drawing in bats, leading to additional impacts.

CDFW does not believe that the MND includes all potentially feasible mitigation measures to avoid significant and unavoidable impacts of the Project on the bat species. To evaluate and avoid potential impacts to bat species from the proposed

Project, CDFW recommends incorporating the following mitigation measures, and that these measures be made conditions of approval for the Project:

Mitigation Measure 6: Survey Methodology Plan

Bats use a variety of materials for roosting including tree hollows, rock crevices, mines, caves, and man-made structures. A qualified bat biologist shall develop a survey methodology plan for CDFW review and approval. Historic and future survey data at this location shall be submitted to the California Natural Diversity Database (CNDDB), https://wildlife.ca.gov/Data/CNDDB, CDFW's Report a Bat Colony page, https://wildlife.ca.gov/Conservation/Mammals/Bats/Report-Colony, and/or the North American Bat Monitoring Program, https://www.nabatmonitoring.org/. The survey plan shall include pre- and post-Project construction surveys to better understand the impacts of the Seismic Retrofit project on the colony. The qualified bat biologist shall review and consider survey protocols located at the North American Bat Monitoring Program's Collect Data page, https://www.nabatmonitoring.org/collect-data.

Mitigation Measure 7: Mitigation and Monitoring Plan

A qualified bat biologist shall prepare a Bat Mitigation and Monitoring Plan and submit the plan to CDFW for review and approval. Please note that Fish and Game Code affords protection to all bats via Code Sections 2000, 3007, and 4150. The plan shall include noise reduction measures to be implemented near roosting bats to the most extent possible and/or implement a sound disturbance buffer during the maternity season.

Mitigation Measure: 8: Habitat Assessment and Tree Removal Plan

Within 14 days of the start of Project and tree removal activities, a qualified bat biologist shall assess all trees within the construction area to determine if they contain suitable bat roosting habitat (e.g., cavities, crevices, deep bark fissures). If any trees contain such habitat, bat presence shall be presumed. Trees containing bat roosting habitat shall be removed using the method described below during the following seasonal periods of bat activity:

Prior to maternity season – from approximately March 1 (or when night temperatures are above 45°F and when rains have ceased) through April 15 (when females begin to give birth to young); and prior to winter torpor – from September 1 (when young bats are self-sufficiently volant) until October 15 (before night temperatures fall below 45°F and rains begin):

On day one, in the afternoon and under the supervision of a qualified biologist, chainsaws shall only be used to remove tree limbs that do not contain suitable bat roosting habitat (e.g., cavities, crevices, deep bark fissures). The next day, the rest of the tree shall be removed.

If trees containing bat habitat cannot be removed during the above seasonal periods of bat activity, a qualified bat biologist shall survey the trees to determine if the tree contains a maternity colony or winter torpor bats. If the qualified biologist cannot make this determination with certainty, the presence of maternity colonies or winter torpor bats shall be assumed, and removal of the tree shall be delayed until the seasonal periods of bat activity specified above. If the biologist determines bats are present but a maternity colony or winter torpor bats are absent, then the tree may be removed outside of the above periods of seasonal bat activity using the above two-step tree removal process. If the qualified biologist determines that bats are absent, then the tree may be removed without bat seasonality or method restrictions.

Mitigation Measure 9: Compensatory Mitigation Plan

The MND shall include appropriate and feasible compensatory mitigation for any loss of bat habitat including any impacts to the maternity, roosting, and/or hibernating habitat documented during bat protocol-level surveys. If the Project is expected to result in any loss of such bat habitat types, the mitigation and monitoring plan (Mitigation Measure 7 Mitigation and Monitoring Plan) shall include a biologically appropriate mitigation proposal to fully offset the loss of bat habitat.

Mitigation Measure 10: Light Intensity Limits

All light-emitting diode (LED)s or bulbs installed as a result of the Project shall be rated to emit or produce light at or under 2700 Kelvin that results in the output of a warm white color spectrum.

Mitigation Measure 11: Vehicle Light Barriers

Solid concrete barriers at a minimum height of 3.5 feet shall be installed in areas where they have the potential to reduce illumination from overhead lights and from vehicle lights into areas outside of the roadway. Barriers shall only be utilized as a light pollution minimization measure if they do not create a significant barrier to wildlife movement. Additional barrier types shall be employed when feasible, such as plastic inserts (privacy slats) into the spacing of cyclone fencing to create light barriers into areas outside the roadway.

Mitigation Measure 12: Reflective Signs and Road Striping

Retro-reflectivity of signs and road stripping shall be implemented throughout Project construction to increase visibility of roads to drivers and reduce the need for electrical lighting. Reflective highway markers have also been proven effective to reduce raptor collisions on highways in California's Central Valley if installed along highway verges and medians.

COMMENT 3: Noise Assessments for Wildlife Disturbance (Noise, Page 4-168 to 4-192)

Issue: As stated in section 4.13.3, boring activities may increase noise levels to 83.8 decibels (dB) from 50 feet away. Other heavy equipment use may increase noise up to 98 dB. Noise exceeding 45 dB for birds, 52 dB for mammals, and 60 dB for amphibians may be enough to cause physiological stress, behavioral changes, and reduced fitness (Francis & Barber 2013, Shannon et al. 2015). MM-BIO-5 includes a 660-foot buffer for non-helicopter based project activities, and a 1,000-foot buffer for helicopter activity for bald eagle nests and 1-mile for golden eagle nests for under the Bald and Golden Eagle Protection Act. However, additional surveys along the helicopter flight path and expanded buffers when noise could cause disturbances were not stated for other wildlife, including special-status or fully protected species such as birds, bats, and mountain lion (*Pumas concolor*). Additionally, noise induced vibration may affect burrowing species such as ringtail (*Bassariscus astutus*), American badger (*Taxidea taxus*), Crotch's bumble bee, northwestern pond turtle (*Actinemys marmorata*), California tiger salamander (*Ambystoma californiense*), San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*), San Joaquin kit fox (*Vulpes macrotis mutica*), San Joaquin coachwhip (*Masticophis flgellum ruddocki*), burrowing owl (*Athene cunicularia*), and others, through the collapsing of burrows or other physiological costs.

To evaluate and avoid potential Project noise impacts CDFW recommends incorporating the following mitigation measures, and that these measures be made conditions of approval for the Project:

Mitigation Measure 13: Noise Assessment

CDFW recommends a noise assessment for heavy equipment use to determine the level of noise that a species could encounter, and the impacts of that noise on species

in, and adjacent to, the Project area. CDFW recommends increasing buffers between known wildlife habitats and occupancy areas to decrease impacts on noise on wildlife, including special-status species when applicable, and based on species-specific impacts and needs. Qualified biologists/biological monitors should survey for any flushing of birds, abandonment or collapse of burrows, or behavioral changes of wildlife when Project activities exceed the typical ambient noise of 70 dB.

Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?

COMMENT 4: Sensitive Habitat Impacts and Mitigation (Biological Resources, Page 4-52)

Issue: Page 4-52 to 4-59 outlines the potential impacts to vegetation due to Project Activities. Section 4.4.3 of the MND proposes up to 30 trees for removal and up to 17 trees to be trimmed, including some in oak woodlands. The importance of oak woodlands is further supported through the Oak Woodlands Conservation Act (Fish & G. Code §1360–1372). A temporal loss also exists for regaining the specific habitat that oak trees provide such as trunk and branch cavities, downed woody debris, and snags. Oaks are very slow growing trees and monitoring of oaks/oak woodland habitat should be for at least 10 years. The MND does not currently state how the project will address mitigation for the temporary and permanent impacts to vegetation.

To evaluate and avoid potential Project impacts to sensitive habitat CDFW recommends incorporating the following mitigation measures, and that these measures be made conditions of approval for the Project. Mitigation that will be accounted for under the SCVHP should also be addressed. Vegetation mitigation that is not addressed under the SCVHP should be addressed under the following measure:

Mitigation Measure 14: Compensatory Mitigation and Revegetation

Any temporarily disturbed herbaceous vegetation should be reseeded with native seed cover.

Compensatory mitigation ratios should be developed based on the biological factors specific to each species and should be sufficient to compensate for the loss of those species. Compensatory mitigation for loss of sensitive natural communities (e.g., oak woodland and scrub) should be based on species and size of trees to be impacted. Appropriate compensatory mitigation should be through preservation and protection in perpetuity of equal or higher quality habitat, or through creation, enhancement, and/or restoration. Replanted or restored mitigation sites should be monitored for a 10-year period. A mitigation and monitoring plan should be developed and include success criteria to be met at the end of the monitoring period. If success criteria are not met, the mitigation plan should include adaptive management actions along with additional years of monitoring as well as additional mitigation for the temporal loss. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management.

CDFW recommends mitigation for the loss of ecological value through the permanent removal of trees with the following ratios:

- Non-native trees
    - Less than 5 inches diameter at breast height (DBH): 1:1
    - 15 inches DBH or greater: 2:1

- Native trees (not oaks)
    - Less than 6 inches DBH: 1:1
    - 6-12 inches DBH: 3:1
    - Greater than12 inches DBH: 6:1

- Oaks
    - Less than 4 inches DBH: 1:1
    - 4-10 inches DBH: 4:1
    - 11-15 inches DBH: 5:1
    - Greater than15 inches DBH: 10:1

If insufficient space exists on-site or on nearby lands to adhere to these mitigation ratios and adequately compensate for loss of habitat, then Valley Water should provide an appropriate off-site location in consultation with CDFW. The MND should state that a mitigation plan will be developed and provided to CDFW, and that will include, but limited to, multi-story revegetation plans. Please be advised CDFW will likely include all the above recommended mitigation measures in the LSA Agreement for the Project, as applicable.

II. Closely Related Past, Present, and Reasonably Foreseeable Probable Future Projects

Does the Project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that incremental effects of the Project are considerable when viewed in connection with effects of past projects, effects of other current projects, and effects of probable future projects?

COMMENT 5: Cumulative Impacts to Biological Resources (Mandatory Findings of Significance, Page 4-245)

Issue: CEQA Guidelines §15355 defines a cumulative impact as the condition under which two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the Project when added to other closely related past, present, and reasonably foreseeable probable future projects.

CEQA Guidelines § 15130(b)(3) states that Lead Agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used. CEQA Guidelines § 15130(b)(2) states that factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type.

The Project may have cumulative impacts within the larger Pacheco reservoir expansion area, North Fork Pacheco Creek, and Pacheco Creek, and the Uvas/Llagas watershed. The Project does not address the cumulative biological impacts to species and habitats from past, present, and future projects.

The Project, along with the Pacheco Reservoir Expansion and any associated additional maintenance or capital projects etc. could further impact a variety of habitat types and species. Implementing exploratory, construction, and maintenance projects could result in impacts such as noise, groundwork, sediment, and deleterious material entering the watershed, erosion, and loss or modification of habitat that could significantly impact native species and their habitats.

Recommendation: The MND should include the potential direct, indirect, and cumulative impacts of past, present, and future projects in these watersheds on biological resources in relation to the Project. The MND should clearly address

reasonably foreseeable future projects within the Project area such as the Pacheco Reservoir Expansion Project or other projects in Pacheco Creek or the Uvas/Llagas watershed, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a project's impacts may be less-than-significant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact, e.g., reduction of habitat for a special-status species should be considered cumulatively considerable. The MND should evaluate proposed mitigation measures and CDFW recommendations in light of these additional projects that will exacerbate considerable cumulative impacts from the Project. This should include impacts of noise, light, construction, and operations on biological resources.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist Valley Water in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Alex Anstett, Environmental Scientist at (707) 815-6427 or Alexandra.Anstett@wildlife.ca.gov. or Jason Faridi, Senior Environmental Scientist (Supervisory) at Jason.Faridi@wildlife.ca.gov.

Sincerely,

DocuSigned by:
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Erin Chappell
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