

Estlow, Trevor

From: Olson, Jennifer@Wildlife <Jennifer.Olson@wildlife.ca.gov>
Sent: Thursday, September 15, 2016 2:10 PM
To: Estlow, Trevor
Subject: Slack and Winzler APPS 10797

Good afternoon Trevor,

Thank you for referring the Slack and Winzler Final Map Subdivision (APPS 10797, Project) to the California Department of Fish and Wildlife (CDFW) for review and comment. The Project consists dividing an existing 44.2 acre parcel into eight lots between 5.1 and 6.7 acres in size.

CDFW offers the following comments on this Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code section 21000 et seq.). These are informal comments intended to assist the Lead Agency in making informed decisions early on (pre-consultation).

- The project area contains sensitive habitat, and a biological assessment to quantify the type and location of these habitats is warranted. Stream and wetland habitat should be delineated by a qualified biologist. Impacts to these sensitive habitats should be avoided with appropriate buffers.
- There are documented northern spotted owl activity (NSO) centers within one mile of the project site, and recent activity centers within 2 miles of the project site. The biological assessment should contain an analysis of potential NSO habitat onsite. Protocol level surveys may be required if the project proposes to remove potential habitat for NSO.
- Culvert replacements and other stream crossing improvements likely require a Lake or Streambed Alteration Agreement with CDFW.
- Tree removal and vegetation clearing associated with the Project should be conducted outside of the bird breeding season (the nesting season is generally considered to be March 1 – August 15) in order to avoid ‘take’ as defined and prohibited by Fish and Game Code (FGC) §3503, 3503.5, 3513, and by the Federal Migratory Bird Treaty Act (16 U.S. Code 703 et seq). If work must be conducted during the bird nesting season, a qualified ornithologist (someone who is able to identify Northern California birds, and who has experience in nest-searching for passerines and raptors) should thoroughly survey the area no more than seven days prior to tree/vegetation removal to determine whether active nests (nests containing eggs or nestlings) are present. If active nests are found, appropriate buffers should be developed in consultation with CDFW to avoid take.
- Low impact development (LID) strategies should be utilized to ensure no net increase in stormwater runoff. The North Coast Regional Water Quality Control Board and the U.S. Environmental Protection Agency have listed the Elk River Watershed under the Clean Water Act Section 303(d) as a sediment-impaired waterbody. The Project should ensure that impacts to water quality via stormwater runoff and erosion are minimized and mitigated by designing adequate setbacks from top of bank and incorporating LID features to treat and infiltrate runoff on-site.

Thank you for the opportunity to comment on this Project. Feel free to contact me if you have any questions.

Sincerely,
Jennifer Olson

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