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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
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Redding, CA 96001
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August 27, 2025

Bernadette Cizin
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SUBJECT: Review of Williams Pit Reclamation Plan and Use Permit Amendment (RP-00-04-1M & UP-00-11-1M) Siskiyou County, State Clearing House Number 2025080226

Dear Bernadette Cizin:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study and Mitigated Negative Declaration (IS/MND), dated April 2025, for the above-referenced project (Project). CDFW appreciates this opportunity to comment on the Project, pursuant to the California Environmental Quality Act (CEQA) Guidelines[1].

CDFW's 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 Agency 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. Likewise, to the extent implementation of the Project as proposed may

[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.

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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.) or state listed rare plants pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code § 1900 et seq.), authorization as provided by the applicable Fish and Game Code may be required.

Project Description:
The Project, as it is described in the IS/MND is as follows:

"The Project includes an amendment to the Williams Pit Mining and Reclamation Plan (RP-00-04) and Use Permit (UP-00-11) adopted by the Siskiyou County Planning Commission on July 7, 2001. Amendments include changes to address mining that has previously occurred at the site that is not within the approved mine boundaries and not in accordance with the approved Reclamation Plan. The amendment relocates the quarry highwall area and floor back to its original direction and includes the removal of riprap placed on the southwestern side of the quarry and grading of the area to conform to the original topography on the southern side of the hillside. In addition to changes in the configuration of the mine, the amendment also includes an extension of the life of the quarry for an additional 20 years, revisions to the estimated annual average and maximum production, change in the total volume of material to be removed from the mine, storage of diesel fuel at the site, and construction of a new stormwater detention basin north of the quarry. Quarrying and processing activities would occur within a 20-acre area of the project site. Excavation, rock screening, crushing, and stockpiling activities as well as some limited blasting to loosen bedrock for harvest are authorized under UP-00-11 and would continue at the site under the proposed Project. Quarry operations, including crushing and washing and material transport, are limited to the hours of 6:00 a.m. to 7:00 p.m., with an exception to this limitation to allow the ability to operate without time constraint when fulfilling material orders for public agencies. The extended hours do not apply to material transport. Blasting is limited to the hours between 8:00 a.m. to 5:00 p.m., Monday through Saturday.

The quarry would be operated intermittently based on the demand for material. The estimated annual production of the quarry is 40,000 tons per year, with a maximum of 250,000 tons per year. The proposed end use of the site once mining ceases and reclamation is complete is open space and wildlife habitat allowing free growth of native perennial grasses. The proposed

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revegetation mix for site reclamation includes bottlebrush squirrel tail (*Elymus elymoides*), Idaho fescue (*Festuca idahoensis*), bluebunch wheatgrass (*Pseudoroegneria spicata*), and buck brush (*Ceanothus cuneatus*)."

Biological Setting:
The Project consists of a 40-acre parcel (Siskiyou County APN 013-360-020) located at the end of Wilder Lane in Siskiyou County, California. The project is located two miles northeast of the community of Montague and one mile south of the Siskiyou County Airport. The mining area and processing area are located on the eastern side of a hard rock knoll. Approximately 8.42 acres of the 20-acre quarry and processing area have been disturbed by previous quarrying activities. The remainder of the project site is currently dry annual grassland hosting a variety of non-native grasses and forbs.

Comments and Recommendations
CDFW staff recognize that the Lead Agency has taken some appropriate steps to evaluate this Projects impacts to biological resources however CDFW offers the following comments and recommendations to further assist the Lead Agency in adequately identifying, avoiding, and minimizing potentially significant, direct, and indirect impacts on biological resources with the implementation of the Project.

Western Burrowing Owl (*Athene cunicularia*)
On October 10, 2024, the California Fish and Game Commission determined that listing of western burrowing owl (WBO) as an endangered candidate CESA species was warranted. As a candidate species WBO is granted the full protection of a threatened species under CESA. Therefore, if Project activities could result in take, appropriate CESA authorization (i.e., an ITP under Fish and G. Code, § 2081) should be obtained prior to commencement of Project activities. Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take of individual burrowing owls and their nests is defined by Fish and Game Code, section 86, and prohibited by sections 3503, 3503.5 and 3513.

The IS/MND does not include this species in its biological analysis, and does not consider this Projects potential impacts to WBO. According to CDFW's Biogeographic Information and Observation System 2(BIOS) the Project area

[2] https://wildlife.ca.gov/Data/BIOS

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falls within WBO breeding range and has high potential habitat suitability. Since this species has potential to occur, a WBO habitat assessment should be performed by a qualified biologist. If the Project area and surrounding landscapes provide suitable habitat for burrowing owl, a burrowing owl nesting survey should be performed and submitted to CDFW for review prior to the release of the final ISMND. Please refer to the Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012)3. Please note that impact assessments for WBO should consider all stages of the Project, including construction, operations and maintenance throughout the life of Project facilitation, and decommissioning.

Avoiding Inadvertent Wildlife Entrapment

CDFW recommends the installation of wildlife escape ramps on all detention basins to allow wildlife to exit. The dimensions of the ramps should be a minimum of 12 inches wide (e.g., 2-inch x 12-inch timber), fastened to the soil for stability and not exceeding a 2:1 slope. If the dynamics of the reclamation ponds change throughout time, so should the exit ramps, to ensure continued functionality. Ramps should be evaluated monthly, at minimum, to ensure proper function.

If trenching and excavation will be included in Project activities, any open trench and excavation areas should be covered securely prior to stopping work each day and/or a wildlife exit ramp should be provided in the trench to prevent wildlife entrapment. If pipes are left out onsite, they should be inspected for wildlife prior to burying, capping, moving, or filling.

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit[4] must be obtained if the Project has the potential to result in "take" (hunt, pursue, catch, capture, kill, or attempt thereof) of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project has the potential to result in take of a CESA-listed species, early consultation is encouraged, as significant modification to the Project may be necessary to minimize and fully mitigate impacts as required by Fish and Game Code, section 2081(b)(2).

[3] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843
[4] https://wildlife.ca.gov/Conservation/CESA/Permitting

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Conclusion

CDFW appreciates the opportunity to comment on the IS-MND and to assist the Lead Agency in identifying, avoiding, minimizing, and mitigating potentially significant Project impacts on biological resources. If you have any questions, please contact Stephanie Houtman, Environmental Scientist by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Adam McKannay
BE359DC694B14AE...

Adam McKannay on behalf of Tina Bartlett, Regional Manager
Northern Region

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