Appendix A: Notice of Preparation and Comment Letters

Shasta County

DEPARTMENT OF PUBLIC WORKS

1855 PLACER STREET
REDDING, CA 96001-1759
530.225.5661 530.225.5667 FAX
800.479.8022 California Relay Service at 700 or 800.735.2922

C. TROY BARTOLOMEI, DIRECTOR
JOHN A. HEATH, ASSISTANT DIRECTOR

No. 610005

DATE: October 7, 2025

TO: Responsible and Trustee Agencies
Interested Parties and Organizations

FROM: Don Renz, Principal Engineer
Shasta County Public Works Department

SUBJECT: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT FOR THE PROPOSED OLD SHASTA COUNTY COURTHOUSE DEMOLITION PROJECT

REVIEW PERIOD: October 7, 2025 - November 7, 2025

Shasta County (County) is the lead agency for the preparation of an Environmental Impact Report (EIR) for the proposed Old Shasta County Courthouse Demolition Project ("project"). The scope of the EIR has been proposed based upon a determination by the County. The County has directed the preparation of this EIR in compliance with the California Environmental Quality Act (CEQA). Once a decision is made to prepare an EIR, the lead agency must prepare a Notice of Preparation (NOP) to inform all responsible and trustee agencies interested parties and organizations that an EIR will be prepared (CEQA Guidelines Section 15082). The purpose of the NOP is to provide agencies with sufficient information describing both the proposed project and the potential environmental effects to enable the agencies to make a meaningful response as to the scope and content of the information to be included in the EIR. The County is also soliciting comments on the scope of the EIR from the general public.

PROJECT LOCATION

The project site is located at 1500 Court Street in downtown Redding, and is bounded by Butte Street on the north, Yuba Street on the south and West Street on the west (see Figures 1 and 2 at the end of this document). Properties surrounding the site include Shasta County government buildings, court facilities and law offices, as well as commercial and residential uses.

BACKGROUND

The old courthouse complex consists of a three-story courthouse building and attached annex and jail buildings, totaling approximately 77,000 square feet of floor area. Construction of a new courthouse facility, located across the street at 1515 Court Street, was completed in January 2024, and the old courthouse complex was vacated shortly thereafter. The old courthouse buildings now sit vacant. The buildings contain significant amounts of asbestos and lead paint and have major energy inefficiencies. The Shasta County Board of Supervisors voted to demolish the facility in March, 2025. The County is implementing a project to demolish the existing buildings and construct a surface parking lot in their place (see Figure 3).

PROJECT DESCRIPTION

The proposed project includes the following: hazardous materials abatement, site preparation, building demolition, parking lot construction, and site restoration. Following demolition of the buildings, the site would be redeveloped as a public parking lot providing 162 stalls, including 157 regular stalls, four Americans with Disabilities Act (ADA) accessible stalls, and one van accessible stall (approximately 75,00 square feet). The redeveloped site would also maintain 34,500 square feet of existing landscaping and would preserve four existing veterans' memorial monuments on the site. Direct vehicle ingress and egress to the parking lot would be provided from West Street. Existing paved walkways providing pedestrian access to the surrounding streets would be preserved.

PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR

The County anticipates that the EIR will contain the following chapters in accordance with Appendix G of the CEQA Guidelines and that the other impacts in Appendix G will likely not be found to be significant:

- Air Quality
- Biological Resources
- Cultural Resources & Tribal Cultural Resources
- Hazards and Hazardous Materials
- Noise and Vibration

Each of the aforementioned chapters of the EIR will include identification of the thresholds of significance, identification of project-level and cumulative impacts, and the development of mitigation measures and monitoring strategies, as required. The EIR will also include chapters that discuss Statutorily Required Sections, Alternatives to the Proposed Project, as well as Effects Not Found to be Significant. The EIR will incorporate by reference the Shasta County General Plan. In addition to this County document, project specific technical studies are being prepared by various technical subconsultants to support the EIR analysis.

SUBMITTING COMMENTS

To ensure that the full range of issues related to this proposed project are addressed and all significant issues are identified, written comments are invited from all interested parties on the scope and content of the EIR. Written comments should be directed to the name and address below:

Email (preferred): drenz@shastacounty.gov

Regular Mail: Shasta County Department of Public Works
Attn: Don Renz, Principal Engineer
1855 Placer Street
Redding, CA 96001

Written comments are due to the County at the location addressed above by 5:00 p.m. on November 7, 2025

SCOPING MEETING

In addition to the opportunity to submit written comments, a public NOP scoping meeting will be held to inform interested parties about the proposed project, and to provide agencies and the public an opportunity to provide comments on the scope and content of the EIR. The merits of the project will not be discussed at this meeting, nor will comments regarding approval or denial of the project be addressed.

EIR Scoping Meeting on the Old Shasta County Courthouse Demolition Project

Monday, October 27, 2025. 5:30pm-6:30pm

Shasta County Veteran's Hall

1605 Yuba St, Redding, CA 96001

Zoom Meeting

https://us05web.zoom.us/j/81731659710?pwd=CC1a7rOrbOROT2ngV0mL17b2J4pNaF.1

Meeting ID: 817 3165 9710 Passcode: 6Cva5D



Source: ESRI 2025, MIG 2025

★ Project Location

Figure 1 Regional Location

Old Shasta County Courthouse Demolition Project



Source: Google Earth 2025

Project Boundary

N
Not to Scale

Figure 2 Project Vicinity

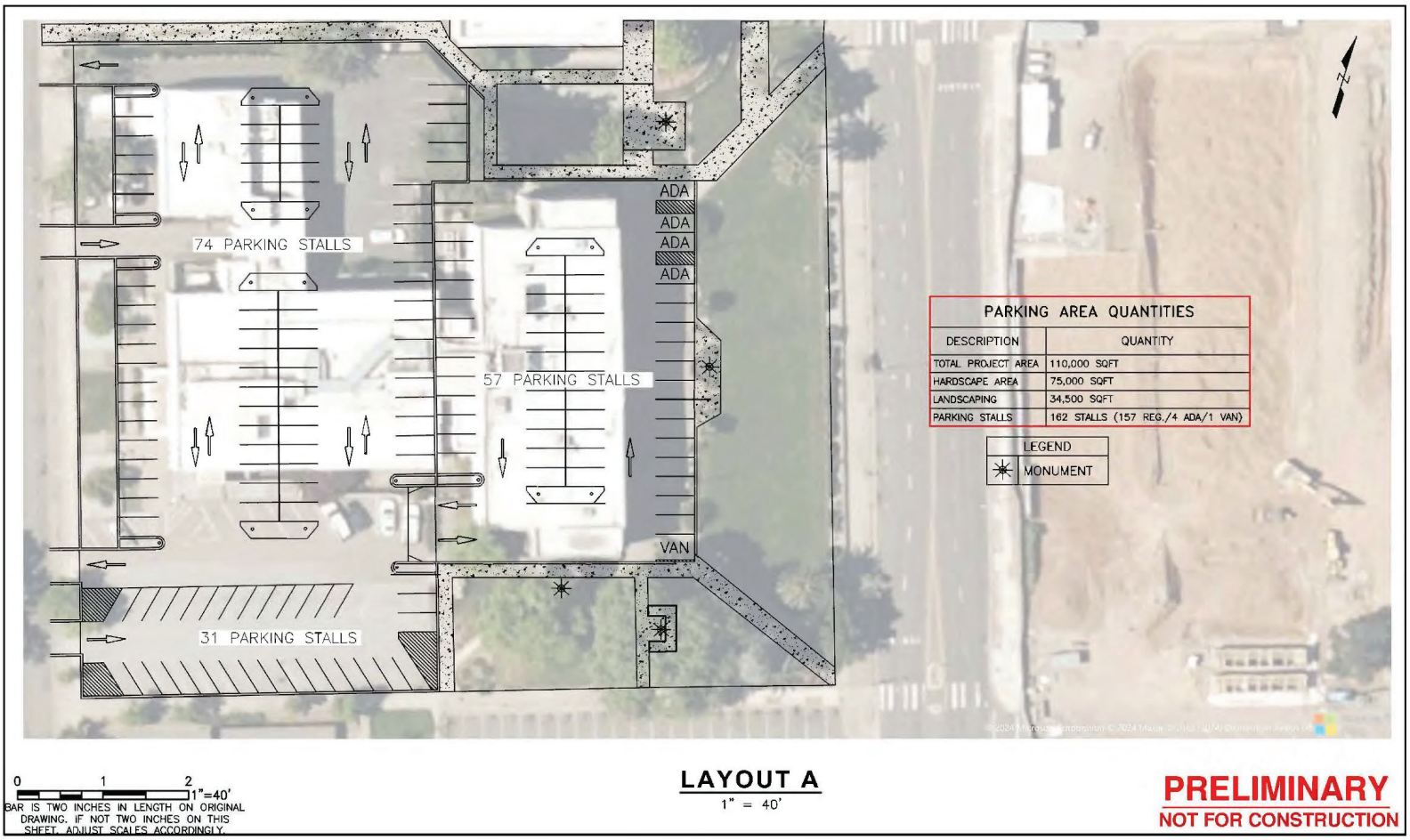


Figure 3 Proposed Site Plan

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki, Nomlaki

SECRETARY
Isaac Bojorquez
Ohlone-Costanoan

PARLIAMENTARIAN
Wayne Nelson
Luiseño

COMMISSIONER
Sara Dutschke
Miwok

COMMISSIONER
Stanley Rodriguez
Kumeyaay

COMMISSIONER
Bennae Calac
Pauma-Yuima Band of Luiseño Indians

COMMISSIONER
Vacant

COMMISSIONER
Vacant

ACTING EXECUTIVE SECRETARY
Michelle Carr

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

October 14, 2025

Don Renz
Shasta County Department of Public Works
1855 Placer Street
Redding CA 96001

Re 2025100575 Old Shasta County Courthouse Demolition Project, Shasta County

Dear Mr. Renz:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Melina.Carlos@NAHC.ca.gov.

Sincerely,

Melina Carlos

Melina Carlos
Cultural Resources Analyst

cc: State Clearinghouse

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
601 Locust Street
Redding, CA 96001
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

November 6, 2025

Don Renz
Principal Engineer
Shasta County
1855 Place Street
Redding CA 96003
drenz@shastacounty.gov

SUBJECT: Old Shasta County Courthouse Demolition Project, Notice of Preparation of Draft Environmental Impact Report, State Clearing House Number 2025100575

Dear Don Renz:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) and Initial Study dated October 2025 for a Draft Environmental Impact Report (DEIR) 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; Public 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.

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

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 will be required.

PROJECT DESCRIPTION SUMMARY

Lead Agency: Shasta County

Location: The Project area is located at 1500 Court Street in downtown Redding and is bounded by Butte Street on the north, Yuba Street on the south and West Street on the west.

Objective: Shasta County is proposing hazardous materials abatement, site preparation, building demolition, parking lot construction, and site restoration. Following demolition of the buildings, the site would be redeveloped as a public parking lot providing 162 stalls, including 157 regular stalls, four Americans with Disabilities Act (ADA) accessible stalls, and one van accessible stall (approximately 75,00 square feet). The redeveloped site would also maintain 34,500 square feet of existing landscaping and would preserve four existing veterans' memorial monuments on the site. Direct vehicle ingress and egress to the parking lot would be provided from West Street. Existing paved walkways providing pedestrian access to the surrounding streets would be preserved.

Biological Setting: The Project area is located in urbanized downtown Redding. Properties surrounding the Project area include Shasta County government buildings, court facilities, law offices and residential uses. Potentially occurring biological resources include, but are not limited to, nesting migratory birds and bats.

General Comments and Recommendations

CDFW offers the following comments and recommendations to assist the Lead Agency in adequately identifying, avoiding, minimizing and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on biological resources.

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

1. Disclosure. The DEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary for CDFW to provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to impacted biological resources (e.g., current range, distribution, population trends, and connectivity).

2. Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information is included in the DEIR.
    a. A complete discussion of the purpose and need for, and description, of the proposed Project.
    b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the Lead Agency select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the Lead Agency consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.
    c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
    d. Where the Project may impact aquatic and riparian resources, CDFW recommends the Lead Agency select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities.

3. Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project area, and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The DEIR should include the following information.
   a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The DEIR should include measures to fully avoid and otherwise protect sensitive resources.
   b. A complete and recent assessment of the biological resources associated with each habitat type in the Project area and within adjacent areas. A full literature review includes but is not limited to CDFW's California Natural Diversity Database[2] (CNDDB) and other reliable biological resource databases (U.S. Fish and Wildlife Service IPaC, California Native Plant Society, California Bumble Bee Watch, eBird, iNaturalist). Such databases should be accessed to obtain current information on any previously reported sensitive species and habitat. Please note that the CNDDB is a positive sighting database and therefore does not predict where resources may occur. All species with potential to occur, included on database lists or not, should be thoroughly analyzed for potential impacts from Project implementation.
   c. A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project area and

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

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

adjacent areas, including SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project area should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species- specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines[3] for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and U.S. Fish and Wildlife Service.

d. A recent wildlife and rare plant survey. A lack of records in the CNDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003(i)). Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.

4. Direct and Indirect Impacts on Biological Resources. The DEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The DEIR should address the following:
   a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).
   b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, § 15126.2(a)).

[3] https://wildlife.ca.gov/conservation/survey-protocols

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DEIR.
d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.
e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR.

5. Cumulative Impact. Cumulative impacts on biological resources can result significant impacts from collective projects which may be individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The Project may have the potential to substantially reduce the number or restrict the range of endangered, rare, or threatened species. Species that may be impacted by the Project include, but are not limited to, the biological resources described in this letter.

   Accordingly, CDFW recommends the DEIR evaluate the Project's potential cumulative impacts on biological resources. The Project may have a "significant effect on the environment" if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual 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 (Pub. Resources Code, § 21083(b)). The Lead Agency conclusions regarding the significance of the Project's cumulative impact should be justified and supported by evidence to make those conclusions. Specifically, if the Lead Agency concludes that the Project would not result in cumulative impacts on biological resources, the Lead Agency, "shall identify facts and analysis supporting the Lead Agency's conclusion that

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

6. Compensatory Mitigation. The DEIR should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be considered and discussed in detail. If on-site mitigation is not feasible or would not be biologically viable, therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.

Specific Comments and Recommendations

1. Nesting Birds. The Project area has suitable habitat for nesting birds. To avoid impacts to nesting birds protected under Fish and Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act, one of the following should be implemented:

    a. Vegetation removal, ground disturbing activities and structure demolition should occur between September 1 and January 31, when birds are not anticipated to be nesting; or
    b. If vegetation removal, ground disturbing activities or structure demolition occur during the nesting season, a pre-construction nesting bird survey should be conducted by a qualified biologist to identify active nests in and adjacent to the Project area.

    Surveys should begin prior to sunrise and continue until vegetation and other nesting structures have been thoroughly observed. The survey should consider acoustic impacts and line of sight Project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators).

If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and United States Fish and Wildlife Service to comply with Fish and Game Code Sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists.

Nesting bird surveys should be conducted no more than seven days prior to the initiation of construction. If construction activities are delayed or suspended for more than seven days after the pre-construction nesting bird survey, the site should be resurveyed."

2. Bats. Several California bat species are known to utilize human-made structures for short term roosting, hibernation and maternity roosts; those occurring in Redding include, but are not limited to, big brown bat (*Eptesicus fuscus*), yuma myotis (*Myotis yumanensis*), California myotis (*Myotis californicus)* and Brazilian freetailed bat (*Tadarida brasiliensis*). Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; California Code of Regulations, § 251.1).

Due to potentially suitable habitat for bats, prior to any building demolition or other activities that may harm or harass bats, the following measures shall be implemented to avoid and minimize impacts to bats:

a. Habitat Assessment: A qualified biologist experienced with bat habitat and surveys shall conduct a habitat assessment of the structures proposed for demolition to identify features suitable for bat roosting (e.g., crevices, attics, eaves, expansion joints, or loose flashing).
b. Bat Surveys: If suitable roosting habitat is identified, a qualified bat biologist shall conduct presence/absence surveys. Surveys shall be conducted no less than 14 days prior to demolition, although surveys

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

would ideally be completed before the DEIR is posted to apply the most appropriate avoidance and minimization measures.

c. Seasonal Restrictions:
    i. If active maternity roosts are present (generally May 1 through August 31), demolition shall be postponed until young have dispersed, as determined by the qualified bat biologist.
    ii. If hibernation roosts are present (generally November 1 through March 31), demolition shall be postponed until bats have naturally aroused and departed.
d. Passive Exclusion (if applicable): If non-maternity roosting bats are detected and must be excluded, a qualified bat biologist may implement a CDFW-approved passive exclusion (e.g., installation of one-way devices) outside of maternity or hibernation periods. Exclusion devices shall remain in place for a minimum of 5 consecutive warm nights to ensure all bats have vacated before demolition. (A "warm night" is defined as a night when ambient air temperatures remain above 45°F (7°C) for at least four consecutive hours after sunset, with no precipitation and low wind (<10 mph). These conditions are considered suitable for bat activity and allow adequate opportunity for roosting bats to emerge and relocate following installation of exclusion devices[4][5][6])
e. Monitoring and Reporting: The qualified biologist shall monitor exclusion and demolition activities to ensure compliance with these measures. A brief post-demolition report shall be submitted to the lead agency documenting methods, findings, and any exclusion or relocation efforts.
f. Bats Found During Demolition: If bats are discovered during demolition, work shall halt immediately in the vicinity of the roost, and CDFW shall be consulted to determine appropriate next steps.

3. Landscaping. CDFW recommends the Lead Agency provide a native plant palette for the Project. The Project's landscaping plan should be disclosed and evaluated in the DEIR for potential impacts on biological resources such as natural communities adjacent to the Project area (e.g., introducing non-native, invasive species). CDFW encourages landscaping with

[4] California Department of Fish and Wildlife (CDFW). 2019. A Guide to the Study of Bats in California.
[5] Miner, K.L., and D.L. Stokes. 2005. Bats and Bridges Technical Bulletin. California Department of Transportation, Sacramento, CA.
[6] Western Bat Working Group (WBWG). 2018. Bat Survey Guidelines, Western United States.

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

vegetation native to the local area. Benefits of utilizing native vegetation in landscaping are numerous and include providing vital resources for native wildlife such as hummingbirds and other beneficial pollinators, conserving water, reducing pesticide use, and reducing landscaping maintenance. The California Native Plant Society (CNPS) website includes a variety of useful information and tools to help determine which native species occur in a particular area, information on care and maintenance of native species, and contacts for purchasing native plants or seeds. The CNPS tool Calscape[7] generates a list of native plants that grow in an area based on a specific address and can be used to develop a planting palate for landscaping plans. For more information regarding the importance of using native species in landscaping, please refer to the CNPS Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation.

4. Low Impact Development. CDFW recommends the implementation of Low Impact Development[8] (LID) strategies to prevent a net-increase in stormwater runoff from new development and parking areas. LID strategies may include permeable pavement, vegetated stormwater bio-swales and retention basins to treat, retain and infiltrate stormwater runoff on-site. These LID strategies are typically designed to prevent project generated stormwater runoff from exceeding that of a 100-year storm event, to protect water quality and manage stormwater as close to its source as possible, thus mitigating potential for outflow of toxic pollutants such as 6PPD-quinone, a chemical contaminant derived from vehicle tires, suspected to negatively impact aquatic organisms. Ideally, post project stormwater run-off volume, rate and duration will match pre-project conditions and hydro modification would not occur as a result of the Project. CDFW supports the use of LID strategies because they minimize impacts to aquatic habitats by filtering out pollutants, decrease peak flows, minimize erosion, and increase ground water recharge.

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

[7] https://calscape.org/
[8] https://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

Docusign Envelope ID: 5551E9C2-E4BC-4445-9AD3-4182FC5EF41A

special status species and natural communities detected during Project surveys to the CNDDB using the CNNDB field survey form[9]. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and an assessment of filing fees is necessary. Fees are payable upon filing the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (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 NOP to assist the Lead Agency in identifying potential Project impacts on biological resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist, by email at R1CEQARedding@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Tina Bartlett
1D82ADE7303A474...

Tina Bartlett, Regional Manager
Northern Region

ec: Christina Lau, Senior Project Manager
clau@migcom.com

State Clearinghouse
State.Clearinghouse@lci.ca.gov

Erika Iacona, CDFW
R1CEQARedding@wildlife.ca.gov

[9] http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDB_FieldSurveyForm.pdf