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State of California – Natural Resources Agency
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August 28, 2026

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SUBJECT: REVIEW OF TRINITY COUNTY GENERAL PLAN UPDATE, DRAFT ENVIRONMENTAL IMPACT REPORT, STATE CLEARING HOUSE NUMBER 2026010191

Dear Drew Plebani:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Environmental Impact Report (DEIR) dated July 2026, posted for public review on July 14, 2026, 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 and 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 (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects

[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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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 result in "take" as defined by state law, of any species protected under the California Endangered Species Act (CESA) (Fish and G. Code, § 2050 et seq.) or state listed rare plants pursuant to the Native Plant Protection Act (NPPA; Fish and G. Code § 1900 et seq.), authorization as provided by the applicable Fish and Game Code will be required.

Regulatory Requirements

California Endangered Species Act (CESA)
Future project implementation associated with the General Plan update may be subject to CDFW's regulatory authority pursuant to CESA. CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and candidate plant and animal species, pursuant to CESA[2]. A CESA Incidental Take Permit (ITP) must be obtained if future proposed projects have the potential to result in "take" (Fish and G. Code, § 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of state-listed species, either through construction or over the life of the project.

CDFW encourages early consultation, as significant modification to a proposed project and avoidance, minimization, and mitigation measures (AMM's) may be necessary to obtain a CESA ITP. CDFW must comply with CEQA for issuance of CESA ITP. CDFW therefore recommends that the DEIR address how the Lead Agency will evaluate project impacts on CESA-listed species for future projects and specify a mitigation monitoring and reporting program that will meet the requirements of CESA. Based on review of CNDDB, the DEIR and General Plan, and local knowledge of the project area, CESA-listed species have the potential to occur within the planning area.

Lake and Streambed Alteration Program
Future project implementation associated with the General Plan update may require notification under Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream or lake; substantially change or

[2] https://wildlife.ca.gov/Conservation/CESA

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use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and water courses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify a project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a discretionary action subject to CEQA (see Pub. Resources Code, § 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. Please visit CDFW's Lake and Streambed Alteration Program[3] for additional information.

Fully Protected Species

Fully protected species may not be taken or possessed at any time and authorization may not be issued for their take except as follows: the take is for necessary scientific research, efforts are to recover a fully protected, endangered, or threatened species, live capture and relocation of a bird species for the protection of livestock, if they are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515) and/or qualify for CDFW authorization pursuant to Senate Bill 147. Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met pursuant to Senate Bill 147 (see Fish & G. Code, § 2081.15). To obtain information about Fully Protected Animals, please access CDFW's Fully Protected Animals4

[3] https://wildlife.ca.gov/Conservation/Environmental-Review/LSA
[4] https://wildlife.ca.gov/Conservation/Fully-Protected

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Nesting Birds
CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Project Summary

Proponent: Trinity County

Objective: Trinity County, as Lead Agency, proposes to prepare a comprehensive update to its General Plan to evaluate potential environmental impacts associated with implementation of the preferred land use scenario within the Plan Area through the year 2050.

Project Description: Trinity County is updating its General Plan, which covers topics including land use, transportation, housing, conservation, open space, and public safety. The objectives of the General Plan Update include:

- Express the community's vision for Trinity County's future
- Provide a balance between growth and conservation that meets community needs and protects Trinity County's quality of life
- Inform residents, developers, and decision makers of the ground rules that guide development
- Ensure that development occurs in an efficient, orderly manner that minimizes costs to taxpayers
- Engage in a comprehensive and inclusive outreach process

The Project also includes related updates to the County's Zoning Code to more specifically outline allowable uses and permitting processes for development on parcels throughout Trinity County, to reflect changes in State law, and ensure consistency with the 2050 General Plan.

Biological Setting: Trinity County is in the Klamath Mountains Ecoregion, known to be a biodiversity hotspot characterized by rugged mountains, deep river

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canyons, and interspersed valleys that create a complex mosaic of habitats[5,6]. Elevations range from low-lying valleys along the Trinity River to high mountain peaks, supporting diverse vegetation communities including coniferous forests, oak woodlands, riparian corridors, grasslands, and montane meadows[7]. The Trinity River and its tributaries provide critical habitat for anadromous fish species such as Upper Klamath-Trinity River spring-run Chinook Salmon (*Oncorhynchus tshawytscha*, CESA Threatened), Southern Oregon/Northern California Coast Coho Salmon (*O. kisutch,* CESA Threatened), and Northern California summer-run steelhead trout (*O. mykiss*, CESA Endangered)[8]. Riparian zones and aquatic habitats also support other state sensitive species, including foothill yellow-legged frog (*Rana boylii,* Species of Special Concern [SSC]), ringtail (*Bassariscus astutus,* Fully Protected) and western pond turtle (*Actinemys marmorata*, SSC)[5,9]. Upland habitats in mountainous terrain provide for northern spotted owl (*Strix occidentalis caurina*, CESA Threatened), fisher (*Pekania pennanti*, SSC), and western bumble bee (*Bombus occidentalis*, CESA Candidate Endangered).

The Klamath Mountains ecoregion is notable for its high level of endemism, driven by unique geology and serpentine soils that support specialized plant communities[10,11]. Endemic and near-endemic species in Trinity County include Trinity buckwheat (*Eriogonum alpinum*, California Rare Plant Rank [CRPR] 1B.2), Scott Mountain phacelia (*Phacelia dalesiana*, CRPR 4.3), Trinity Mountains fritillary (*Fritillaria glauca*, CRPR 4.2), and Klamath manzanita (*Arctostaphylos klamathensis*, CRPR 1B.2)[4,5]. Invertebrates such as the Trinity bristle snail (*Monadenia infumata setosa*, CESA Threatened) and other localized mollusks also occur in specialized habitat throughout the Project area[12]. These species often have very limited distributions, making them highly vulnerable to habitat disturbance.

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[5] USDA Forest Service. 1999. *Klamath Province Ecology and Management*.
[6] Ricketts, T.H., et al. 1999. *Terrestrial Ecoregions of North America: A Conservation Assessment*.
[7] Hickman, J.C. (ed.). 1993. *The Jepson Manual: Higher Plants of California*.
[8] California Department of Fish and Wildlife (CDFW). 2024. Special Animals List.
[9] Thomson, R.C., et al. 2016. *California Amphibian and Reptile Species of Special Concern*.
[10] Kruckeberg, A.R. 1984. *California Serpentine: Flora, Vegetation, Geology, Soils, and Management Problems*.
[11] Sawyer, J.O., et al. 2009. *A Manual of California Vegetation*.
[12] Roth, B. 1981. *Distribution of Land Snails in Northwestern California*.

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Comments and Recommendations

In February 2026, CDFW submitted comments to the Lead Agency in response to the Notice of Preparation (NOP), recommending specific information and analyses for inclusion in the DEIR. While the DEIR addresses several of the topics identified in CDFW's NOP comment letter, some of CDFW's recommendations and concerns were not fully addressed. Accordingly, CDFW provides the following comments and recommendations to assist the Lead Agency in adequately identifying, evaluating, avoiding, minimizing, and, where necessary, mitigating potentially significant direct and indirect impacts on biological resources resulting from implementation of the Trinity County General Plan Update.

Conservation Planning

CDFW supports Policy COS 3.10 (Conservation Planning) and the County's commitment to exploring opportunities for focused conservation planning for vulnerable and threatened species. CDFW recommends that Policy COS 3.10 specifically identify CDFW as a possible coordinating agency and recognize existing conservation planning tools and programs that may assist the County in implementing this policy (**Recommendation #1**).

CDFW encourages the County to consider conservation planning mechanisms such as Natural Community Conservation Plans[13], Regional Conservation Investment Strategies[14], and advance mitigation and connectivity planning[15], as appropriate. These tools can support landscape-scale conservation, identify priority habitat and wildlife connectivity areas, and provide a framework for coordinating conservation investments with anticipated development and infrastructure needs.

CDFW further recommends that the County explore available state grant[16] and technical-assistance opportunities that may support development and implementation of regional conservation planning efforts. CDFW staff are available to coordinate with the County regarding appropriate conservation planning tools, potential funding opportunities, and opportunities to integrate these efforts with implementation of the General Plan.

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[13] https://wildlife.ca.gov/Conservation/Planning/NCCP
[14] https://wildlife.ca.gov/Conservation/Planning/Regional-Conservation/RCIS
[15] https://wildlife.ca.gov/Conservation/Planning/Connectivity
[16] https://www.grants.ca.gov/

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Critical Deer Winter Range and Seasonal Migration Corridors

CDFW staff appreciate the Lead Agencies inclusion of Policy COS 3.11 (Ungulate Habitat) and the DEIR's recognition of wildlife connectivity as an important biological resource. However, the DEIR does not appear to adequately evaluate potential impacts of General Plan implementation on critical black-tailed deer winter range and seasonal migration corridors.

In CDFW's February 19, 2026, NOP comment letter, CDFW identified critical deer winter range throughout Trinity County, including areas in southwest Trinity County; Hyampom and Hayfork Valleys; areas surrounding Trinity Lake and Lewiston Valley; the Trinity River corridor between Lewiston and Burnt Ranch; Weaverville Valley; and the Browns Creek and Reading Creek watersheds near Douglas City. CDFW recommended that the DEIR evaluate potential impacts associated with land use changes and development, parcel subdivision, habitat fragmentation, loss of migration and travel corridors, changes and/or loss of water sources and mineral springs, thermal refugia, foraging areas, and establishment of new roads and development.

The DEIR's response to agency comments identifies Section 4.4, Biological Resources, as addressing "deer winter range"; however, Section 4.4 does not appear to contain a resource-specific analysis of critical deer winter range or seasonal deer migration. Impact BIO-3 generally evaluates regional wildlife corridors and Essential Connectivity Areas and concludes that impacts would be less than significant based primarily on the concentration of development within existing communities and implementation of Policies COS 3.1, COS 3.5, COS 3.7, COS 3.8, COS 3.16, COS 3.17, and COS 3.18. This generalized connectivity analysis does not evaluate the winter-range resources or impact mechanisms identified in CDFW's NOP comments.

Policy COS 3.11 does not address these potential impacts. The policy directs the County to explore opportunities to develop focused conservation plans for ungulates, including black-tailed deer, in coordination with United States Forest Service and CDFW (Conservation and Open Space Element, p. 6-6). While CDFW supports future conservation planning, the potential preparation of a future conservation plan does not identify where General Plan buildout may overlap critical winter range or seasonal movement areas.

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CDFW recommends that the County evaluate the relationship between proposed land use designations and reasonably foreseeable development and known critical deer winter range and seasonal movement areas, including potential habitat loss, fragmentation, barriers to movement, and degradation of important seasonal habitat features (**Recommendation #2**). Where potentially significant impacts are identified, CDFW recommends adoption of appropriate AMM's and incorporation of critical winter range and seasonal movement areas into biological resource screening for subsequent development.

CDFW supports the focused conservation planning contemplated by Policy COS 3.11 (Ungulate Habitat) and Policy COS 3.12 (Large Predator Habitat). Following completion of focused conservation plans developed pursuant to these policies, CDFW recommends that the County consider adopting ordinances, zoning standards, or other appropriate implementation measures to preserve functional habitat connectivity and important habitat areas identified through those planning efforts. Such measures could help ensure that conservation planning developed under Policies COS 3.11 and COS 3.12 are incorporated into future land-use and development decisions and provides meaningful protection for ungulates, large predators, and other wildlife species that rely on connected landscapes. CDFW staff are available to coordinate with the County in the development of focused conservation plans and appropriate implementation measures.

Terrestrial Wildlife Connectivity

CDFW appreciates the inclusion of Policies COS 3.16 (Natural Habitat and Wildlife Corridors) and COS 3.18 (Wildlife Connectivity Areas), which provide a policy framework for preserving wildlife movement. CDFW supports Policy COS 3.16 and its objective of preserving and, where feasible, expanding natural habitat and wildlife corridors throughout the County. CDFW is currently undertaking statewide and regional efforts to identify, map, and prioritize important wildlife connectivity areas and barriers to wildlife movement. These efforts include the CDFW Wildlife Connectivity Program[17], terrestrial habitat connectivity mapping, wildlife barrier priorities, and other spatial datasets and decision-support tools that can assist local governments in identifying areas important for maintaining wildlife movement. CDFW recommends that the

[17] https://wildlife.ca.gov/Conservation/Connectivity

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County consider these resources as appropriate, when implementing Policies COS 3.16 and COS 3.18 and when planning future land use and transportation improvements.

CDFW's NOP comment letter identified road infrastructure and wildlife-vehicle collisions as concerns and recommended identification of key wildlife movement corridors and collision hotspots, incorporation of wildlife connectivity considerations into road maintenance and improvement projects, and consideration of measures such as wildlife crossing structures, wildlife-compatible drainage structures, signage, and speed management. The DEIR recognizes these potential impacts, stating that General Plan implementation may increase traffic volumes and roadway capacity, thereby increasing wildlife-vehicle collision risk, reducing habitat connectivity, and affecting wildlife movement and survivorship. The DEIR further acknowledges that fencing and other site-protection features may function as barriers to wildlife movement and contribute to habitat fragmentation.

Despite recognizing these effects, the DEIR concludes that operational impacts would be less than significant based on implementation of Goal COS-3 and Policies COS 3.1, COS 3.5, COS 3.7, COS 3.8, COS 3.16, COS 3.17, and COS 3.18. While these policies generally support habitat conservation and connectivity, they do not specifically address wildlife-vehicle collision risk, collision hotspots, or integration of wildlife movement into roadway design and improvements.

CDFW recommends that the Final EIR further evaluate whether increased traffic and roadway activity associated with General Plan implementation could increase wildlife-vehicle collisions or create or exacerbate barriers to wildlife movement (**Recommendation #3)**. Further, the County should incorporate wildlife connectivity considerations into County transportation planning, road maintenance, and roadway improvement projects, including wildlife-compatible crossing structures, fencing, or other measures where appropriate. CDFW's existing and developing wildlife connectivity datasets and tools may assist the County in identifying priority connectivity areas and barriers where these measures would provide the greatest benefit. CDFW is available to assist the County in identifying wildlife-vehicle collision hotspots and habitat connectivity priority areas.

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Aquatic Connectivity and Existing Fish Passage Barriers

CDFW's NOP comment letter identified 277 unassessed, partial, or total fish passage barriers within Trinity County based on the California Fish Passage Assessment Database. While not all 277 barriers are the Lead Agency's responsibility to address, CDFW requested that the County evaluate habitat connectivity as part of the General Plan environmental review.

The DEIR's response to comments identifies Section 4.4 as addressing fish passage barriers, however Impact BIO-3 primarily discusses broad terrestrial and riparian connectivity, Essential Connectivity Areas, and regional wildlife movement corridors. Although the DEIR acknowledges that aquatic and semi-aquatic species use streams and drainages for movement, it does not appear to identify or evaluate the existing fish passage barriers specifically identified throughout the Project area.

CDFW recognizes that Policy COS 5.4 (Sedimentation Reduction) represents an improvement to the General Plan and specifically addresses existing roads, stream-crossing maintenance or upgrades, properly sized culverts, drainage features, and road or culvert realignment (Conservation and Open Space Element, p. 6-9). However, sediment reduction and hydraulic capacity do not ensure aquatic organism passage. A culvert may adequately convey water and sediment while continuing to function as a partial or complete passage barrier due to velocity, depth, slope, substrate, a perched outlet, or other structural conditions.

CDFW recommends that the County distinguish aquatic organism passage from sediment-control functions in the Final EIR and evaluate whether General Plan implementation, including anticipated road, culvert, bridge, and infrastructure work, could create, maintain, worsen, or provide opportunities to remediate barriers to aquatic species movement. CDFW further recommends adoption of a policy or implementation measure requiring evaluation of aquatic organism passage when existing road-stream crossings are replaced, substantially modified, or upgraded where suitable aquatic habitat occurs upstream and downstream. The County should also consider prioritizing remediation of known barriers when infrastructure improvements are undertaken (**Recommendation #4**).

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To assist the County in implementing this recommendation, the following example has been provided as policy language to consider:

"*Aquatic Organism Passage: When existing road-stream crossings, culverts, bridges, or other infrastructure that may affect aquatic organism passage are replaced, substantially modified, or upgraded, evaluate the crossing for passage of native aquatic organisms where suitable aquatic habitat occurs upstream and downstream. Where an existing crossing is determined to be a partial or complete passage barrier, incorporate design measures to restore aquatic organism passage as part of the infrastructure project. When planning roadway and infrastructure improvements, consider opportunities to prioritize remediation of known fish passage barriers in coordination with CDFW and other applicable resource agencies.*"

For more information regarding the importance of habitat connectivity and framework for analyses and implementation, the California Essential Habitat Connectivity Project[18] may be a useful resource. CDFW staff are available to provide technical assistance in identifying barriers to fish and wildlife movement.

Reduction of Human Wildlife Conflict

CDFW supports Policy COS 3.12 (Large Predator Habitat) and its intent to explore opportunities to develop focused conservation plans for large predators, including, but not limited to, black bear, mountain lion, and potentially gray wolf, in coordination with CDFW and federal land management agencies. Trinity County's extensive wildlands and rural communities provide important habitat and movement areas for these and other wildlife species. As development and human activity occur within or adjacent to wildlife habitat, the potential for human-wildlife interactions and conflicts may increase. Such conflicts can result in property losses, threats to human safety and injury or mortality of native wildlife.

To further implement Policy COS 3.12, CDFW recommends that the County develop and adopt a wildlife conflict ordinance or similar enforceable standards designed to prevent and reduce human-wildlife conflicts

[18] https://wildlife.ca.gov/Conservation/Planning/Connectivity/CEHC

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(**Recommendation #5**). Such standards could address attractant management, wildlife-resistant garbage and food storage, feeding of wildlife, livestock and small-animal protection, and other measures appropriate to areas where development interfaces with wildlife habitat. Proactive conflict prevention measures can help maintain coexistence with large predators and other wildlife while reducing the need for reactive wildlife management. Additional information and species-specific guidance are available through CDFW's Human-Wildlife Conflict Toolkit. CDFW staff are available to provide technical assistance and coordinate with the County regarding human-wildlife conflict planning.

Biological Resource Assessment

CDFW supports Mitigation Measure BIO-1's expansion of Policy COS 3.6 to establish additional requirements for preparation of Biological Resource Assessments (BRA). However, the revised policy remains too narrow to ensure identification and mitigation of all potentially significant biological impacts.

The existing Policy COS 3.6 provides that, if determined necessary based on preliminary review by County staff, new development in an area of potentially high biological sensitivity must prepare a BRA (Conservation and Open Space Element, p. 6-5). The DEIR appropriately recognizes that this language is open-ended and does not provide adequate specificity regarding when a BRA is required.

Mitigation Measure BIO-1 would additionally require a BRA for any non-infill project, as defined by Public Resources Code section 21061.3, that would remove native or naturalized vegetation communities. The BRA would assess habitat suitability for special-status species, jurisdictional waters, and sensitive habitats having documented occurrences within the project's USGS quadrangle and surrounding eight quadrangles, as appropriate.

CDFW appreciates the additional specificity provided by Mitigation Measure BIO-1; however, requiring a BRA based primarily on the removal of native or naturalized vegetation is unlikely to capture all projects with the potential to affect sensitive biological resources. As recognized elsewhere in the DEIR, biological impacts may also result from increased traffic, lighting, fencing or other barriers to wildlife movement, changes in hydrology, and other project-related disturbances. These impacts may occur even where a project does not

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remove native or naturalized vegetation. Therefore, consistent with CEQA Guidelines section 15168(c)(4), CDFW recommends that all projects should be subject to an initial biological resources screening to determine whether sensitive biological resources may be present or affected (**Recommendation #6**). Where the screening identifies the potential for impacts to sensitive biological resources, a BRA should be required regardless of whether the project would remove native or naturalized vegetation. Similarly, limiting BRA review to resources with "documented occurrences" within the relevant quadrangles may fail to identify resources for which suitable habitat is present, but occurrence data are incomplete or outdated. CDFW recommends revising BIO-1 to require a BRA when substantial evidence indicates that a project may affect a sensitive biological resource, regardless of whether native vegetation removal would occur. Objective screening criteria should include, as appropriate: suitable habitat for special-status species; CNDDB and other occurrence records; Sensitive Natural Communities; riparian habitat; wetlands and other jurisdictional waters; critical deer winter range; wildlife movement corridors; aquatic connectivity features; nesting or roosting habitat; and other locally or regionally important biological resources accessible through publicly available databases.

CDFW further recommends that BRAs evaluate species with potential to occur based on habitat suitability and geographic range rather than limiting review solely to species with documented positive occurrence records. To provide County staff with a consistent and objective method for conducting the preliminary review considered by Policy COS 3.6, CDFW recommends that the County develop a biological resources screening matrix or checklist incorporating these criteria. The screening tool should identify conditions or resource indicators that trigger preparation of a BRA and provide a clear process for determining when additional biological review is warranted. This would provide greater consistency and predictability in implementation of Policy COS 3.6 while ensuring that projects with the potential to affect sensitive biological resources receive appropriate review. CDFW staff are available to assist the County in developing the biological resources screening criteria and matrix, as appropriate.

In June 2026, CDFW staff provided the County with a Biological Resources Assessment considerations document intended to assist staff with biological resource screening review. The document identifies tools and resources that

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can be used to determine which species and biological resources may occur within a project area, methods for locating existing environmental documents relevant to a project, and previous examples of AMMs. The document provides a recommended workflow for screening new projects, particularly for staff who may not have formal training or expertise in ecology. CDFW recommends that the County use this document, in coordination with CDFW as needed, as a resource when developing and implementing the biological resources screening matrix or checklist recommended above.

Cumulative Biological Resources Analysis

CDFW recommends additional analysis to support the DEIR's conclusion that cumulative impacts to biological resources would be less than significant. Section 4.4.4 recognizes that cumulative development may result in incremental loss or degradation of wetlands, riparian vegetation, Sensitive Natural Communities, and wildlife movement corridors and acknowledges that rural development may incrementally affect wildlife movement through habitat removal, noise, lighting, and increased human presence. The DEIR nevertheless concludes that these cumulative impacts would be less than significant based largely on federal and state permitting requirements, regional land use planning, and the expectation that development would generally occur near established communities.

This analysis does not fully evaluate the potential for numerous individually limited land-use changes over the General Plan's approximately 25-year planning horizon to collectively degrade resources that function at a landscape scale. This concern is particularly relevant to critical deer winter range, seasonal migration corridors, aquatic connectivity, Sensitive Natural Communities, and riparian corridors, where incremental habitat loss, fragmentation, fencing, road mortality, lighting, and human disturbance may progressively reduce ecological function even where individual projects avoid a significant impact.

CDFW recommends that the Final EIR further evaluate whether incremental development anticipated under the General Plan, when considered together with other past, present, and reasonably foreseeable development and activities, could result in cumulative loss, degradation, or fragmentation of important biological resources, particularly critical deer winter range, wildlife movement corridors, aquatic connectivity, Sensitive Natural Communities, and

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riparian habitat (**Recommendation #7**). Where the County relies on General Plan policies to conclude that cumulative impacts would be less than significant, CDFW recommends that the Final EIR explain how implementation of those policies would effectively avoid or minimize the identified cumulative impacts.

Serpentine Soils and Sensitive Plant Communities

CDFW recommends that the County add a policy to the Conservation and Open Space Element addressing the protection of serpentine soils and associated sensitive plant communities (**Recommendation #8**). Serpentine soils support unique plant communities and can provide habitat for rare, endemic, and special-status plant species that are adapted to the distinctive chemical and physical characteristics of these soils. Ground disturbance, grading, vegetation removal, and development in areas containing serpentine soils may result in the loss or degradation of these specialized habitats.

The County could incorporate protection of serpentine soils into Policy COS 6.3 and the proposed hillside management ordinance or establish a complementary policy within the Biological Resources section of the Conservation and Open Space Element. Such a policy could require identification of serpentine soils during project screening and project review, and develop avoidance, minimization and mitigation strategies for the disturbance to serpentine-associated sensitive plant communities, particularly where special-status plants are known to occur or have potential to occur.

Meadows and Wetland Habitat

CDFW supports Policy COS 3.14 (Meadows and Wetland Habitat) and the County's efforts to support meadow and wetland habitat restoration and conservation planning. Meadows and wetlands provide important habitat for fish and wildlife and contribute to watershed functions, including water storage, groundwater recharge, maintenance of streamflow, and water quality.

CDFW staff and local organizations are currently engaged in meadow restoration and conservation efforts within Trinity County. CDFW encourages the County to coordinate with CDFW and other agencies, organizations, and partners with local expertise when implementing Policy COS 3.14 and exploring opportunities for focused meadow and wetland conservation planning. CDFW

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staff are available to provide technical assistance and coordinate with the County regarding meadow and wetland restoration and conservation efforts.

Critical Watershed Resource Areas

CDFW recommends revising Policy LU 8.4 to recognize that water availability concerns may vary substantially among watersheds and to prioritize water planning and conservation measures in areas with known or anticipated water-supply and aquatic-resource constraints (**Recommendation #9**). The County should consult with CDFW, other appropriate resource agencies and water-resource specialists, to identify priority watersheds or critical watershed resource areas based on current information regarding water availability, groundwater conditions, streamflow, aquatic resources, and anticipated development. The County's existing Critical Water Resource Overlay Zone may provide a starting point for this effort; however, the General Plan should clarify the technical basis and age of the information used to establish the overlay and evaluate whether its boundaries remain representative of current conditions. Where water-supply constraints are identified, the County should consider measures beyond conventional water conservation, such as appropriately designed surface-water storage and seasonal forbearance programs that allow diversion during periods of greater water availability while reducing or eliminating diversions during biologically sensitive low-flow periods. These approaches, while consulting with the appropriate resource agencies, could help accommodate future County-wide development, while protecting instream flows, aquatic habitat, and overall watershed function.

Low Impact Development and Stream Setbacks

CDFW supports Policy COS 5.4 (Sedimentation Reduction) and Policy COS 3.7 (Stream Protection), which directs the County, in coordination with agencies regulating waters of the United States and waters of the State, to develop and make publicly available stream protection standards to maintain free-flowing streams in as natural a condition as possible. CDFW recommends that development of these standards include science-based stream setbacks or buffers that protect streams and associated riparian habitat from adjacent development (**Recommendation #10**). Setbacks should consider stream type and site-specific conditions, including riparian habitat, erosion potential, stream migration, floodplain function, and other relevant watershed characteristics.

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CDFW recommends that the County consider stream protections standards implemented by other California jurisdictions when developing stream setback standards. For example, Marin County's Stream Conservation Area[19] standards generally establish buffers based on both the top of stream bank and the outer extent of wood riparian vegetation, provide additional protection where warranted by site specific assessment and include protections for ephemeral streams. A similar framework tailored to Trinity County's watershed and biological resources could provide clear and predictable development standards while allowing greater protection where necessary to maintain stream and riparian functions. CDFW staff are available to coordinate with the County in the development of these standards.

Lastly, CDFW also recommends that the County add a General Plan policy requiring or encouraging the use of Low Impact Development (LID) strategies[20] for new development and redevelopment, to minimize increases in stormwater runoff associated with new impervious surfaces (**Recommendation #11**). LID strategies manage stormwater as close to its source as possible and can include bioretention areas, bioswales, permeable surfaces, infiltration features, and other measures designed to retain, infiltrate, and treat stormwater runoff.

CDFW supports the use of LID strategies because they can reduce peak stormwater flows and erosion, promote groundwater recharge, and reduce the transport of pollutants into streams and other aquatic habitats. Of particular concern is 6PPD-quinone (6PPD-q), a tire-derived contaminant transported from roadways and other impervious surfaces through stormwater runoff that has been demonstrated to cause acute toxicity to some salmonids[21]. Incorporating LID strategies into General Plan policies would provide a framework for reducing stormwater-related impacts as development occurs over the life of the General Plan and would complement the stream protection objectives established by Policy COS 3.7.

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[19] https://www.marincounty.gov/departments/cda/planning/planning-permits/dev-resources/sgv-community-standards

[20] https://www.waterboards.ca.gov/water_issues/programs/low_impact_development/

[21] Tian, Z. et al. 2021. A ubiquitous tire rubber–derived chemical induces acute mortality in coho salmon. Science 371: 185-18.

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Scenic Resources

CDFW recommends that Section 6.4 (Scenic Resources) recognize the Wild and Scenic Rivers within Trinity County (**Recommendation #12**). The Trinity River system includes designated reaches of the mainstem Trinity River, North Fork Trinity River, South Fork Trinity River, and New River, with individual reaches classified as Wild, Scenic, or Recreational. These designations recognize important river resources and provide an additional example of the significant scenic and natural resources present within Trinity County.

Recognition of these designated river corridors would complement the section's discussion of Scenic Byways and more fully reflect the County's significant scenic and natural resources. CDFW recommends revising Section 6.4 to identify the Wild and Scenic River system within Trinity County and recognize the importance of maintaining the scenic, ecological, recreational, and other resource values associated with these river corridors.

2020 Cannabis Program EIR and General Plan EIR

CDFW recommends that the Final EIR clarify which biological mitigation measures from the 2020 Cannabis Program EIR (Cannabis PEIR) will continue to apply and how the biological resource policies, screening requirements, and mitigation measures established through the General Plan Update will apply to subsequent cannabis projects (**Recommendation # 13**). CDFW further recommends that site-specific review of cannabis cultivation projects rely on current species status, occurrence records, potentially suitable habitat, and other relevant biological information available at the time of project review.

The DEIR references the 2020 Cannabis PEIR and states that the General Plan EIR is "independent of and supplementary to" the Cannabis PEIR. The Biological Resources section further states that the General Plan establishes a new countywide policy framework that "supersedes the 2020 EIR for cannabis activities occurring consistent with the General Plan", while also stating that impacts from future cannabis cultivation projects would be reduced to less than significant through implementation of the 2020 Cannabis PEIR mitigation requirements. CDFW recommends that the Final EIR clarify how these two environmental review frameworks and their respective biological resource requirements will apply to subsequent cannabis cultivation projects in Trinity County.

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Please note, the regulatory status of some species has changed since preparation of the 2020 Cannabis PEIR. For example, Upper Klamath-Trinity River spring-run Chinook Salmon and Northern California summer steelhead have subsequently been listed under CESA, and the candidacy, and associated CESA protections, for western bumble bee were reinstated in 2022. CDFW further notes that biological review under CEQA is not limited to CESA-listed or candidate species; other special-status species and sensitive biological resources may warrant consideration based on current occurrence information and site-specific habitat conditions.

Program LU-2 (Update the Cannabis Ordinance) further emphasizes the need to clarify this relationship. Program LU-2 directs the County to update the Cannabis Ordinance for consistency with the General Plan and updated Zoning Code and contemplates changes to cannabis permitting procedures, including streamlined permitting, alternative permit types, and potential elimination of annual permit renewal requirements. CDFW recommends that implementation of Program LU-2 ensure that any revised permitting framework retains an appropriate mechanism for site-specific biological resource screening and review, consistent with Policy COS 3.6 and other applicable General Plan biological resource policies and mitigation measures, particularly where changes in species status, occurrence information, habitat conditions, or other biological information have occurred since preparation of the 2020 Cannabis PEIR.

Diverse Tourism Attractions

Hunting and fishing are well-established recreational uses in Trinity County and contribute to the County's outdoor recreation and tourism economy, therefore CDFW recommends adding hunting and fishing to the recreational activities identified in Policy ED 2.1 (**Recommendation # 14**). Including these activities would more fully reflect the diversity of recreation opportunities available in the County and would be consistent with Economic Development Element's recognition of hunting and fishing as outdoor adventure activities that can broaden the County's visitor base.

Streamlined Permitting for Restoration Projects

CDFW supports Policy COS 3.15 (Streamlined Permitting for Restoration Projects) and the County's efforts to facilitate restoration projects that conserve, restore, protect, or enhance native fish and wildlife and their habitats. CDFW and the

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State Water Resources Control Board administer complementary permitting and regulatory streamlining mechanisms for qualifying habitat restoration projects under the banner of Cutting the Green Tape[22]. County efforts to reduce unnecessary permitting barriers and provide an efficient local permitting pathway for eligible restoration activities would complement these existing State programs and help facilitate beneficial restoration projects within Trinity County.

CDFW encourages the County to coordinate with CDFW, the State Water Resources Control Board, and other applicable regulatory agencies when implementing Policy COS 3.15 to help align local processes with existing restoration permitting and streamlining programs.

Recommendation Summary

Recommendation #1 – Conservation Planning: Revise Policy COS 3.10 to specifically identify CDFW as a possible coordinating agency and recognize applicable conservation planning tools, programs, technical assistance, and potential funding opportunities.

Recommendation #2 – Critical Deer Winter Range and Seasonal Migration Corridors: Evaluate potential effects of proposed land uses and reasonably foreseeable development on critical deer winter range and seasonal movement areas; incorporate these resources into biological screening and adopt appropriate avoidance, minimization, mitigation, and long-term conservation measures where warranted.

Recommendation #3 – Terrestrial Wildlife Connectivity: Further evaluate wildlife-vehicle collision risk and barriers to wildlife movement and incorporate wildlife connectivity considerations, available CDFW connectivity information, and appropriate crossing or other connectivity measures into land-use and transportation planning and roadway projects.

Recommendation #4 – Aquatic Connectivity and Fish Passage: Evaluate aquatic organism passage separately from sediment-control and hydraulic functions and adopt a policy or implementation measure requiring passage evaluation and, where appropriate, remediation when existing road-stream

[22] https://wildlife.ca.gov/Conservation/Cutting-Green-Tape

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crossings are replaced, substantially modified, or upgraded.

Recommendation #5 – Wildlife Conflict Ordinance: Develop and adopt a wildlife conflict ordinance or similar enforceable standards to reduce human-wildlife conflicts, including measures addressing attractant management, wildlife-resistant garbage and food storage, wildlife feeding, livestock and small animal protections, and other appropriate conflict-prevention measures.

Recommendation #6 – Biological Resource Assessment and Screening: Establish an objective biological resources screening process to determine when a BRA is required, revise BIO-1 so that BRA requirements are based on the potential to affect sensitive biological resources rather than vegetation removal alone, and evaluate species based on habitat suitability and geographic range as well as occurrence records.

Recommendation #7 – Cumulative Biological Resources: Further evaluate whether incremental development under the General Plan could cumulatively degrade or fragment important biological resources and explain how General Plan policies would effectively avoid or minimize identified cumulative impacts.

Recommendation #8 – Serpentine Soils and Sensitive Plant Communities: Add a General Plan policy addressing protection of serpentine soils and associated sensitive plant communities, including identification during project screening and appropriate avoidance, minimization, and mitigation measures.

Recommendation #9 – Critical Watershed Resource Areas: Revise Policy LU 8.4 to recognize watershed-specific water availability and aquatic-resource constraints; coordinate with appropriate resource agencies to identify priority watersheds and evaluate the existing Critical Water Overlay Zone using current information.

Recommendation #10 – Stream Setbacks and Riparian Protection: Incorporate measurable, science-based stream setbacks or buffers into the stream protection standards developed pursuant to Policy COS 3.7, with standards responsive to riparian habitat and site-specific watershed conditions.

Recommendation #11 – Low Impact Development: Add a General Plan policy requiring or encouraging appropriate Low Impact Development strategies for new development and redevelopment to minimize increases in stormwater runoff and associated impacts to water quality and aquatic resources.

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Recommendation #12 – Wild and Scenic Rivers: Revise Section 6.4 to recognize the Wild and Scenic River system within Trinity County and the scenic, ecological, recreational, and other resource values associated with designated river corridors.

Recommendation #13 – Cannabis Biological Review: Clarify the relationship between the 2020 Cannabis Program EIR and General Plan EIR and ensure that subsequent cannabis permitting retains appropriate site-specific biological resource screening and relies on current species status, occurrence, habitat, and other relevant biological information.

Recommendation #14 – Diverse Tourism Attractions: Revise Policy ED 2.1 to include hunting and fishing among the recreational and tourism activities recognized by the General Plan.

CEQA Filing Fees

If the Project has an impact on fish, wildlife, or habitat, filing fees are required. 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. Additionally, payment of a filing fee may be required for each 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.)

Promoting Collaboration

CDFW is charged with preserving and protecting the state's diverse ecosystems and wildlife therefore, CDFW maintains a strong commitment to collaborate with local governments in the development and implementation of local policies and ordinances. CDFW staff are enthusiastic about the possibility of assisting the Lead Agency in fostering a harmonious coexistence between human development and the preservation of Trinity County's unique and invaluable biological resources through local policy and ordinance. The Lead Agency is encouraged to engage with CDFW if/when collaboration is warranted.

Conclusion

CDFW appreciates the opportunity to comment on the DEIR to assist the Lead Agency in considering Trinity County's biological resources. If you have any questions, please contact Erika Iacona, Senior Environmental Scientist,

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Sincerely,

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