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From: Morford, Samantha@Wildlife
Sent: Wednesday, April 22, 2026 11:44 AM
To: Jesse Hudson
Cc: Stanfield, Melissa@Wildlife; Wildlife R2 CEQA; Sheya, Tanya@Wildlife; Kilgour, Morgan@Wildlife
Subject: CDFW Comments on the MND for the Eaton Rd and SR 99 Southbound Ramps Project (SCH No. 2026040283)

Dear Jesse Hudson:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Intent to Adopt an MND from the City of Chico (the City) for the Eaton Road and State Route (SR) 99 Southbound Ramps Project (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.^[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (Fish & G. Code, § 1802.) Similarly for purposes of CEQA, CDFW provides, 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.

PROJECT DESCRIPTION SUMMARY

The Project site is located at the intersection of Eaton Road and the SR 99 southbound ramps between post mile 36.1 and 36.6, in the City of Chico, California. The Project consists of constructing a four-legged multi-line round-a-bout at the intersection of the Eaton Road and SR 99 southbound on and off ramps.

COMMENTS AND RECOMMENDATIONS

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

COMMENT 1: Avoidance and Minimization Measures to Protect Special-Status Plants, 3.4 Biological Resources, Page 3-15

Issue: Special-status species include but are not limited to those considered either rare or regionally unique throughout their range (CEQA Guidelines § 15125[c]), identified as threatened, endangered,

rare, or candidate by CDFW or U.S. Fish and Wildlife Service (USFWS) (CEQA Guidelines § 15380), or plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A, 1B, 2A, 2B, 3 and 4 (CEQA Guidelines § 15125[c]). Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA.

The MND states that there is suitable habitat for four special-status plant species in the Project area: Butte County calycadenia (*Calycadenia oppositifolia*), spicate calycadenia (*Calycadenia spicata*), red-stemmed cryptantha (*Cryptantha rostellata*), and Bidwell's knotweed (*Polygonum bidwelliae*). The MND includes an avoidance and minimization measure requiring floristic plants surveys, however, the measure is not specific enough to effectively minimize impacts to special-status plants. The MND, as written, does not sufficiently include mitigation to reduce potential impacts to special-status plants to a less-than-significant level.

Recommendation: To reduce impacts to special-status plants to a less-than-significant level, CDFW recommends that the measure in the MND be amended to specify:

1. that the floristic surveys will be conducted in accordance with CDFW's, *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (3/18);
2. that the surveys will be conducted by a qualified botanist during the appropriate blooming period for all special-status plant species with the potential to occur within or adjacent to the Project area; and
3. a floristic survey report will be prepared by the qualified botanist for the City that includes the surveyors' name and qualifications, dates of the surveys, methodology, results, and recommendations.

COMMENT 2: Avoidance and Minimization Measures to Protect Other Nesting Birds, Biological Resources, Page 3-16

Issue: Native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C., §§ 703-712). CDFW implemented the MBTA by adopting the Fish & G. Code section 3513. Fish & G. Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs.

The MND acknowledges that there is potential for nesting birds to occur within the Project area and includes an avoidance and minimization measure for nesting birds. This measure states that nesting bird surveys will be conducted within 14 days of the commencement of Project activities. This survey window is too long to effectively minimize impacts to nesting birds. Some bird species can construct a nest and begin laying eggs in as little as 2-3 days during the peak of nesting season. The MND, as written, does not sufficiently include mitigation to reduce potential impacts to nesting native birds to a less-than-significant level.

Recommendation: To reduce impacts to nesting birds to a less-than-significant level, CDFW recommends that the measure in the MND be amended to state that nesting bird surveys will be completed within three (3) business days prior to the commencement of Project activities instead of 14 days.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental

environmental determinations (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be submitted online or mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the 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

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the MND for the Eaton Road and SR 99 Southbound Ramps Project to assist the City in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Sammi Morford, Environmental Scientist at (916) 880-8324 or samantha.morford@wildlife.ca.gov.

REFERENCES

California Department of Fish and Wildlife (CDFW). 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Available at: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>.

Sincerely,

Sammi Morford

Environmental Scientist (Caltrans Liaison)

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^[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.