

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE



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July 30, 2026

Julie Newton, Environmental Coordinator
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Planning & Environmental Review Division
827 7th Street, Room 225
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Subject: Rippey Private Floating Dock, Initial Study/Mitigated Negative Declaration, SCH No. 2026061183, Sacramento County

Dear Julie Newton:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) from the County of Sacramento (County) as the Lead Agency for the Rippey Private Floating Dock (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ In an email from the County dated July 24, 2026, CDFW received an extension to submit comments to July 31, 2026.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

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. (*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. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority. (Fish & G. Code, § 1600 et seq.) 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 & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: California Vintners, LLC

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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Objective: The objective of the Project is to install a prefabricated, private floating dock with a cover within Georgiana Slough and a gangway from the dock to the top of the levee. The dock will be 8 feet by 30 feet, have an aluminum metal frame, encapsulated floats, and composite decking. Half of the dock (8 feet by 15 feet) will be covered with a metal roof approximately 11 feet in height. Primary Project activities include pile driving four 8-inch steel piles within Georgiana Slough to a depth of approximately 10 feet. The piles will be placed parallel to shore and will be installed by a barge-mounted pile driver. The floating dock will be installed within 40 feet of the visible ordinary high-water mark (OHWM), with an aluminum gangway, approximately 76 feet in length, connecting the dock to the shore. A 2-foot by 4-foot concrete pad will be installed onshore to anchor the gangway. Two 4-inch by 4-inch aluminum posts will be pile driven to a depth of 6 feet, on the shelf above the visible OHWM, to support the halfway point of the gangway.

Location: The Project is located in Georgiana Slough (latitude 38.187194, longitude - 121.562490) approximately 2.3 miles northeast from the City of Isleton in Sacramento County. The Project will be built along the southeast boundary of a 60-acre parcel, addressed 15511 Isleton Road (APN No. 156-0200-001-0000).

Timeframe: The timeframe for Project-related construction activities has not been identified in the IS/MND, but the Project's in-water pile driving is anticipated to occur in one day.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Sacramento in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

COMMENT 1: Special-Status Aquatic Species

Section 5 (Biological Resources), Table IS-3: Special-status Wildlife Species Beginning on Page IS-30 et seq.

The list of species included in the IS/MND with potential to occur within or adjacent to the Project site does not include giant garter snake (*Thamnophis gigas*; State threatened under CESA), longfin smelt (*Spirinchus thaleichthys*; State threatened under CESA), white sturgeon (*Acipenser transmontanus*; State candidate for listing as threatened under CESA), or Sacramento winter-run Chinook (*Oncorhynchus tshawytscha* pop. 7; State endangered under CESA) and Central Valley spring-run Chinook (*Oncorhynchus tshawytscha* pop. 11; State threatened under CESA) Evolutionary Significant Units. The Project could impact these species in the Project area through direct take, mortality or injury, and adverse impacts to water quality. Measures described in the IS/MND may not avoid take or reduce impacts to a less-than-significant level.

Giant garter snake is a highly aquatic snake endemic to the Central Valley of California. During summer months, giant garter snake requires aquatic habitat for foraging and adjacent upland areas with emergent vegetation for basking (USFWS 2017). During periods of inactivity, giant garter snake requires burrows in upland habitat as refugia for summer shelter and cracks and burrows in uplands for winter estivation (Hansen *et al.* 2015). The Project area is within the range of giant garter snake and contains potentially suitable habitat. Likewise, longfin smelt, white sturgeon, and Chinook salmon utilize the Sacramento and San Joaquin Rivers and these rivers' tributary waters for spawning, foraging, and migrating [California Department of Fish & Game (CDFG) 2009; Hildebrand *et al.* 2016; National Marine Fisheries Service (NMFS) 2014]. Georgiana Slough provides a direct connection between the Sacramento and San Joaquin River basins. Fish may enter Georgiana Slough from the Sacramento River to the north or from the Mokelumne or San

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Joaquin Rivers to the south and be impacted by the Project due to pile driving or related in-water activities.

Measure BIO-7 (In-Water Work) describes an in-water work window of June 1 through October 1. For projects that involve pile driving, CDFW generally recommends that project activities begin no earlier than August 1 to minimize adverse impacts to fish and their habitats. Therefore, CDFW recommends revising the in-water work window to be August 1 through November 30.

The Impact Discussion for the Aquatic Habitat – Fish subsection states that the type of pile driver to be used for the Project has not been identified, though some pile driving minimization measures are identified and incorporated into Measure BIO-7 (In-Water Work). As identified in the Impact Discussion, pile driving using a vibratory hammer, rather than an impact hammer, produces less peak sound. Therefore, CDFW recommends using only a vibratory driver to minimize hydroacoustic impacts to fish species and marine mammals during construction.

To reduce impacts to less-than-significant for all special-status aquatic species that have potential to occur in the Project area, CDFW recommends including the additional measures in the IS/MND, including but not limited to, the following:

- Giant Garter Snake Pre-construction Surveys. Within 48 hours prior to the commencement of ground-disturbing activities, the qualified biologist shall survey areas within 200 feet of potential aquatic habitat for giant garter snake. The qualified biologist shall also survey areas of planned ground disturbance for burrows, soil cracks, and crevices that may be used by giant garter snake within potential terrestrial habitat. The qualified biologist shall flag or mark any identified burrows, soil cracks, crevices, or other habitat features (identified as ecologically sensitive areas). In addition, the qualified biologist shall flag all potential small mammal burrows within 200 feet of giant garter snake habitat within the Project area. These flagged, biologically sensitive areas will be avoided to the maximum extent feasible. If a lapse in Project-related work of 14 days or longer occurs, the qualified biologist shall repeat surveys for soil cracks and similar features. The qualified biologist shall monitor all locations where Project activities will alter giant garter snake hibernacula/refugia (rip rap, burrows, vegetation, etc.). The qualified biologist shall be available throughout the construction period and shall conduct weekly monitoring visits to ensure avoidance and minimization measures are being properly implemented.
- Daily Focused Clearance Surveys for Giant Garter Snake. Prior to conducting any Project-related activities, excluding in-water work and operations, the qualified biologist shall clear the area(s) where activities may take place to ensure no snakes of any species are present and take of giant garter snake is fully avoided.
- Giant Garter Snake Observation and Avoidance. If a snake species of any kind is observed within the Project area, then all Project activities shall halt, and work shall not continue until the snake species can be identified by the qualified biologist. If giant garter snake is discovered at any time within the Project site and staging areas, then all Project activities shall halt until CDFW has been notified and the Project proponent can demonstrate compliance with CESA.
- Noise and Vibration Reduction. The Project proponent shall furnish, install, operate and maintain a sound attenuation system for all piles installed in water to reduce noise generated into the water. If the sound attenuation system fails, pile driving shall immediately stop and may not resume at the location until the system is put back into operation. Acoustic attenuation devices for the piles shall be routinely inspected for proper installation, operation, and functionality by the qualified

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biologist. The following sound attenuation systems may be employed including, but not limited to:

- Confined bubble curtain.
 - An unconfined bubble curtain.
 - Isolation casings.
 - Wooden pile cushions.
- Soft Start Pile Driving. The initial strikes of all in-water piles, or piles that occur within 200 linear feet of the water's edge in the active channel in which injurious sound levels to fish could reach the water, shall occur at less than full impact force for a period of 15 seconds followed by 30 seconds of no activity. This action shall be repeated two additional times and impact shall be gradually brought up to full force blows to reduce the initial sound level and provide warning blows to allow fish adequate time to leave the Project area.
 - Pile Driving Hydro-Acoustic Limits. Sound Pressure Levels (SPL) generated by impact pile driving within the river, or within a reasonable distance of the water (on dry land) where sound levels may reach the water that are injurious to species in the Project area shall be kept below the interim thresholds, 206 decibels (dB) peak SPL and 187 dB cumulative Sound Exposure Level (SEL). If the 206 dB SPL or 187 cumulative SEL threshold injury zones are exceeded for impact pile driving, the Project proponent shall stop all impact pile driving activities and monitor sound levels in accordance with a hydro-acoustic monitoring plan. Monitoring shall occur during impact pile driving activities occurring within the river channel, as well as for piles within a reasonable distance of the water on dry land (within 200 feet of the edge of water in the active channel) where sound levels may be injurious to species in the Project area.
 - Spill Containment and Spill Kits. All activities performed in or near the water shall have absorbent materials designated for hazardous materials spill containment and cleanup activities onsite for use in an accidental spill. The Project proponent shall immediately initiate the cleanup activities in the event of a hazardous materials spill. Prior to entering the work site, all field personnel shall know the location of spill kits and be trained in their appropriate use.

COMMENT 2: Nesting Bird Survey Requirements

Section 5 (Biological Resources), Page IS-37 to IS-39

The Project has the potential to disturb nesting bird species and impact associated nesting habitat. Impacts to nesting birds could occur through increased stress, nest abandonment, mortality to birds or direct damage to nests. It is unlawful to take, possess, or needlessly destroy the nests or eggs of any bird; to take, possess, or destroy birds in the orders Falconiformes or Strigiformes, or their active nests or eggs; and to take or possess migratory nongame birds designated in the federal Migratory Bird Treaty Act under Fish and Game Code sections 3503, 3503.5, and 3513, respectively.

Measures BIO-4 (Raptor Nest Protection) and BIO-5 (Pre-construction Surveys for Migratory and Non-Raptor Nesting Birds) in the IS/MND describe methods to reduce potential impacts to nesting birds, including a survey to identify active nests within seven days prior to ground disturbing activities. However, one survey within seven days prior to construction may not be sufficient to identify nesting birds in the vicinity of the Project because the qualified biologist may not observe nesting birds during the survey or birds could begin nesting after the survey but prior to construction. CDFW recommends that measures BIO-4 (Raptor Nest Protection) and BIO-5 (Pre-construction Surveys for Migratory

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and Non-Raptor Nesting Birds) be modified to ensure two surveys are conducted within 14 days prior to the beginning of Project construction, with the final survey conducted within 48 hours prior.

COMMENT 3: Swainson's Hawk

Section 5 (Biological Resources), Page IS-37 to IS-39

Swainson's hawk (*Buteo swainsoni*) is listed as state-threatened under CESA, and as indicated in the IS/MND, is likely to occur within the Project area. The IS/MND states that implementation of measure BIO-4 (Raptor Nest Protection) will reduce potential impacts to Swainson's hawk to a less-than-significant level. However, BIO-4 does not describe use of an appropriate survey protocol to determine presence or absence of nesting Swainson's hawk within the Project area and surrounding areas, and consequently avoid Project-related impacts to Swainson's hawk if an active nest is detected nearby.

If Project activities will occur during the Swainson's hawk nesting season (March 1 to September 15), a qualified biologist should conduct multiple Swainson's hawk surveys within a minimum 0.5-mile radius around the Project area prior to beginning Project activities. The surveys should be conducted according to the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (Swainson's Hawk Tech. Advis. Comm., 5/2000; available online at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>).

If an occupied Swainson's hawk nest is found, CDFW recommends establishment of a minimum 0.5-mile buffer and consulting with CDFW to develop a Swainson's hawk take avoidance and monitoring plan. Since the Project does not appear to be covered under the South Sacramento Habitat Conservation Plan, the Project proponent should consult with CDFW to obtain an ITP if Project activities will result in unavoidable take or nest disturbance of Swainson's hawk.

COMMENT 4: Golden Mussel

Section 5 (Biological Resources), Page IS-32 to IS-34

Golden mussel (*Limnoperna fortunei*) is a highly invasive species that has rapidly spread throughout the Sacramento-San Joaquin Delta since it was first detected in 2024. Golden mussel has the potential to negatively impact native fish directly through competition for food or indirectly through changes in water quality.

Golden mussel are abundant throughout the San Joaquin River basin and have been detected near the Project site. As previously described, Georgiana Slough provides a direct connection between the Sacramento and San Joaquin River basins, providing an avenue for the continued invasion of the Sacramento-San Joaquin Delta. The IS/MND should evaluate how Project activities may contribute to the invasion of golden mussel, how the potential establishment of golden mussel may impact special-status and native species in the Project area, and include appropriate measures to minimize the spread and impact of golden mussel.

To reduce impacts to less-than-significant for special-status aquatic species that have potential to occur in the Project area, CDFW recommends the IS/MND be revised to include a measure requiring the barge and any other heavy equipment utilized for Project activities be decontaminated to the greatest extent feasible. For water-based equipment, such as the barge, CDFW recommends minimizing movement between different waterbodies and watersheds, particularly brackish and freshwater systems. For heavy equipment that can enter and exit the water, CDFW recommends that the Project proponent inspect equipment for mussels and standing water. The measure should require decontamination of heavy equipment by pressure washing using hot water at a

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minimum temperature of 140°F at the point of contact with equipment or 155°F at the nozzle. Following the hot water wash, water should be drained and dried as thoroughly as possible. Decontamination should be performed in a designated location where runoff can be contained and not allowed to pass into sensitive habitat areas. Rinse water should then be disposed of at least 100 feet from any surface water.

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 filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing 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 IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jennifer Hoey, Environmental Scientist, at Jennifer.Hoey@wildlife.ca.gov or (707) 815-9978; or Brenda Blinn, Senior Environmental Scientist (Supervisory), at Brenda.Blinn@wildlife.ca.gov or (707) 339-0334.

Sincerely,

DocuSigned by:
Erin Chappell
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Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Land Use and Climate Innovation, State Clearinghouse (SCH No. 2026061183)
Melissa Farinha, CDFW Bay Delta Region - Melissa.Farinha@wildlife.ca.gov

REFERENCES

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