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July 30, 2026

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Subject: NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED PLACER COUNTY 2050 GENERAL PLAN UPDATE
SCH NO. 2026070152

Dear Lucy Rollins:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Preparation of an Environmental Impact Report (EIR) from the Placer County Community Development Resource Agency for the Placer County 2050 General Plan Update Project (Project) in Placer County pursuant to 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, plants and their habitats. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that it, by law, may need to exercise its own regulatory authority under the Fish and Game Code (Fish & G. 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 (Fish & G. Code, § 1802.). Similarly, for purposes of CEQA, CDFW provides, as available, biological expertise during public agency

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.

Placer County 2050 General Plan Update

July 30, 2026

Page 2 of 17

environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act 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, implementation of the Project will result in future projects that may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in future projects that 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.), those project proponents may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project area encompasses approximately 1,407 square miles of unincorporated cities and towns, as well as unincorporated communities in Placer County, including a portion of Folsom Lake and Lake Tahoe. The Project area is bounded by Nevada County to the north; El Dorado and Sacramento counties to the south; Yuba and Sutter counties to the west; and the state of Nevada to the east.

The Project consists of a comprehensive update to the Placer County General Plan, adopted in August 1994 and updated in May 2013. The Plan covers topics such as land use, circulation, housing, open space, noise, safety, conservation, and environmental justice. The Project planning area covers the unincorporated areas within Placer County. Placer County's updated Placer County 2050 General Plan will build off the current Placer County General Plan and will include goals, policies, and implementation programs that set the long-term plan for potential future development in unincorporated Placer County through the year 2050.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations presented below to assist Placer County in adequately identifying and/or mitigating future project's significant, or potentially significant, impacts on biological resources. The comments and recommendations are also offered to enable CDFW to adequately review and comment on proposed future projects with respect to impacts on biological resources. CDFW recommends that the forthcoming EIR address the following in order to reduce impacts to biological resources from future development to a less than significant level and provide more protection for sensitive resources within the unincorporated cities, towns, and communities in Placer County.

CDFW recommends that the forthcoming EIR and Project consider incorporating the following principles to promote the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species within the county:

Placer County 2050 General Plan Update

July 30, 2026

Page 3 of 17

1. Placer County should promote the preservation and restoration of contiguous areas of natural habitat throughout the county and support their integration with existing and future preserves;
2. Placer County should retain plant and wildlife habitat areas where there are known sensitive resources (e.g., sensitive habitats, special-status, threatened, endangered, candidate species, and species of concern). Particular attention should be focused on retaining habitat areas that are contiguous with other existing natural areas and/or wildlife movement corridors;
3. Placer County should preserve the ecological integrity of creek corridors, canals, and drainage ditches that support riparian resources by preserving native plants and, to the extent feasible, removing invasive nonnative plants. If not feasible, adverse impacts on riparian habitat should be mitigated by the preservation and/or restoration of this habitat in compliance with state and federal regulations in perpetuity;
4. Placer County should preserve and protect wetland resources including creeks, rivers, ponds, marshes, vernal pools, and other seasonal wetlands, to the extent feasible. If not feasible, the mitigation of all adverse impacts on wetland resources should be required in compliance with state and federal regulations protecting wetland resources. Additionally, the Placer County should require either on- or off-site permanent preservation of an equivalent amount of wetland habitat to ensure no net loss of value and/or function;
5. Placer County should preserve and protect native grasslands and vernal pools that provide habitat for rare and endangered species. If not feasible, the mitigation of all adverse impacts on annual grasslands should comply with state and federal regulations protecting foraging habitat for those species known to utilize this habitat;
6. Placer County should preserve and protect oak woodlands, heritage oaks, and/or significant stands of oak trees that provide habitat for common native, and special-status wildlife species;
7. Placer County should preserve, protect, and avoid impacts to natural, undisturbed habitats that provide movement corridors for sensitive wildlife species. If corridors are adversely affected, damaged habitat should be replaced with habitat of equivalent value or enhanced to enable the continued movement of species;
8. Placer County should consider the potential impact on sensitive plants and wildlife for each project requiring discretionary approval. If site conditions are such that potential habitat for sensitive plant and/or wildlife species may be present, Placer County should require habitat assessments, prepared by a qualified biologist, for sensitive plant and wildlife species. If the habitat assessment determines that suitable habitat for sensitive plant and/or wildlife species is present, then either (1) protocol-level surveys should be conducted

Placer County 2050 General Plan Update

July 30, 2026

Page 4 of 17

(where survey protocol has been established by a resource agency), or, in the absence of established survey protocol, a focused survey should be conducted consistent with industry recognized best practices; or (2) suitable habitat and presence of the species should be assumed to occur within all potential habitat locations identified on the Project site. Survey Reports should be prepared and submitted to Placer County, CDFW, and the United States Fish and Wildlife Service (depending on the species), for further consultation and development of avoidance and/or mitigation measures consistent with state and federal law;

9. Placer County should thoroughly analyze future projects potential direct, indirect, and cumulative impacts on biological resources. To ensure these impacts are fully analyzed, Placer County should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). Placer County should analyze potential direct impacts from lighting, noise, human activity, and wildlife-human interactions created by development activities, especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. In addition, Placer County should analyze potential indirect impacts including resources in areas adjacent to the project footprint such as nearby public lands, open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed preserve or mitigation lands. Additionally, Placer County should analyze a project's cumulative impacts and determine if that contribution would result in a significant impact;
10. Placer County should adopt appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of construction and long-term operation and maintenance of projects. Mitigation should be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355);
11. Placer County should support active habitat restoration and enhancement to reduce the impacts of climate change stressors and improve overall resilience of habitat within existing parks and open space in the county;
12. Placer County should support educational programs for residents and visitors about the uniqueness and value of natural resources, plants, and wildlife in the region, and how to manage development to preserve native wildlife populations, to the extent they are consistent with habitat protection requirements; and
13. Placer County should comply with all applicable laws related to nesting birds and birds of prey. Potential habitat for nesting birds and birds of prey is present throughout the county. Placer County should analyze all potential activities that may incur direct or indirect take of nongame nesting birds within the county and provide appropriate avoidance, minimization, and/or mitigation measures to avoid take. Project-specific avoidance and minimization measures may include but are not limited to: project phasing and timing, monitoring of project-related noise

Placer County 2050 General Plan Update

July 30, 2026

Page 5 of 17

(where applicable), sound walls, and buffers, where appropriate. Placer County should also include specific avoidance and minimization measures that will be implemented should a nest be located within a project site.

Project Description

The Project description should include the whole action as defined in the CEQA Guidelines § 15378 and should include appropriate detailed exhibits disclosing the Project area including temporary impacted areas such as equipment stage area, spoils areas, adjacent infrastructure development, staging areas and access and haul roads if applicable.

As required by § 15126.6 of the CEQA Guidelines, the EIR should include an appropriate range of reasonable and feasible alternatives that would attain most of the basic Project objectives and avoid or minimize significant impacts to resources under CDFW's jurisdiction.

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the EIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats. CDFW recommends the EIR specifically include:

1. An assessment of all habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following, *The Manual of California Vegetation*, second edition (Sawyer 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW recommends that the California Natural Diversity Database (CNDDDB), as well as previous studies performed in the area, be consulted to assess the potential presence of sensitive species and habitats. A nine United States Geologic Survey 7.5-minute quadrangle search is recommended to determine what may occur in the region, larger if the Project area extends past one quad (see *Data Use Guidelines* on the CDFW webpage www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data). Please review the webpage for information on how to access the database to obtain current information on any previously reported

Placer County 2050 General Plan Update

July 30, 2026

Page 6 of 17

sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the Project. CDFW recommends that CNDDDB Field Survey Forms be completed and submitted to CNDDDB to document survey results. Online forms can be obtained and submitted at: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the Project site. Other sources for identification of species and habitats near or adjacent to the Project area should include, but may not be limited to, State and federal resource agency lists, California Wildlife Habitat Relationship System, California Native Plant Society Inventory, agency contacts, environmental documents for other projects in the vicinity, academics, and professional or scientific organizations.

3. A complete and recent inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern 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 (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. The EIR should include the results of focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Species-specific surveys should be conducted in order to ascertain the presence of species with the potential to be directly, indirectly, on or within a reasonable distance of the Project activities. CDFW recommends Placer County rely on survey and monitoring protocols and guidelines available at: www.wildlife.ca.gov/Conservation/Survey-Protocols. Alternative survey protocols may be warranted; justification should be provided to substantiate why an alternative protocol is necessary. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Some aspects of the Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought or deluge.
4. A thorough, recent (within the last two years), floristic-based assessment of special-status plants and natural communities, following CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see www.wildlife.ca.gov/Conservation/Plants).
5. 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]).

Placer County 2050 General Plan Update

July 30, 2026

Page 7 of 17

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The EIR should provide a thorough discussion of the Project's potential direct, indirect, and cumulative impacts on biological resources. To ensure that Project impacts on biological resources are fully analyzed, the following information should be included in the EIR:

1. The EIR should define the threshold of significance for each impact and describe the criteria used to determine whether the impacts are significant (CEQA Guidelines, § 15064, subd. (f)). The EIR must demonstrate that the significant environmental impacts of the Project were adequately investigated and discussed and it must permit the significant effects of the Project to be considered in the full environmental context.
2. A discussion of potential impacts from lighting, noise, human activity, and wildlife-human interactions created by Project activities especially those adjacent to natural areas, exotic and/or invasive species occurrences, and drainages. The EIR should address Project-related changes to drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
3. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Conservation or Recovery Plan, or other conserved lands).
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The EIR should discuss the Project's cumulative impacts to natural resources and determine if that contribution would result in a significant impact. The EIR should include a list of present, past, and probable future projects producing related impacts to biological resources or shall include a summary of the projections contained in an adopted local, regional, or statewide plan, that consider conditions contributing to a cumulative effect. The cumulative analysis shall include impact analysis of vegetation and habitat reductions within the area and their potential cumulative effects. Please include all potential direct and indirect Project-related impacts to riparian areas, wetlands, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and/or special-status species, open space, and adjacent natural habitats in the cumulative effects analysis.

Placer County 2050 General Plan Update

July 30, 2026

Page 8 of 17

Mitigation Measures for Project Impacts to Biological Resources

The EIR should include appropriate and adequate avoidance, minimization, and/or mitigation measures for all direct, indirect, and cumulative impacts that are expected to occur as a result of the construction and long-term operation and maintenance of the Project. CDFW also recommends the environmental documentation provide scientifically supported discussion regarding adequate avoidance, minimization, and/or mitigation measures to address the Project's significant impacts upon fish and wildlife and their habitat. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (Guidelines § § 15126.4(a)(4)(B), 15064, 15065, and 16355). In order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Several Fully Protected Species (Fish & G. Code §§ 3511 & 4700) have the potential to occur within or adjacent to the Project area, including, but not limited to: White-tailed Kite (*Elanus leucurus*), Greater Sandhill Crane (*Antigone canadensis tabida*), California Black Rail (*Laterallus jamaicensis coturniculus*), Bald Eagle (*Haliaeetus leucocephalus*), Golden Eagle (*Aquila chrysaetos*), wolverine (*Gulo gulo*), and northern California ringtail (*Bassariscus astutus raptor*). Project activities described in the EIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. If fully protected species cannot be completely avoided, the Project should obtain incidental take coverage for all species that have the potential to be present within or adjacent to the Project Area². CDFW also recommends the EIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that Placer County include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce indirect impacts to fully protected species.
2. *Species of Special Concern*: Several Species of Special Concern (SSC) have the potential to occur within or adjacent to the Project area, including, but not limited to: western spadefoot (*Spea hammondi*), California red-legged frog (*Rana draytonii*), northern leopard frog (*Lithobates pipiens*), southern long-toed salamander (*Ambystoma macrodactylum sigillatum*), American Goshawk (*Astur atricapillus*), Northern Harrier (*Circus hudsonius*), Redhead (*Aythya americana*), Harlequin Duck (*Histrionicus histrionicus*), Vauxs Swift (*Chaetura vauxi*), Black Swift (*Cypseloides niger*), Lesser Sandhill Crane (*Antigone canadensis canadensis*), Purple Martin (*Progne subis*), Yellow-headed Blackbird (*Xanthocephalus xanthocephalus*), Yellow-breasted Chat (*Icteria virens*), Loggerhead Shrike (*Lanius ludovicianus*), Black Tern (*Chlidonias niger*), Yellow

² CDFW may only issue incidental take permits for specified projects if certain conditions are satisfied per SB 147.

Placer County 2050 General Plan Update

July 30, 2026

Page 9 of 17

Warbler (*Setophaga petechia*), Grasshopper Sparrow (*Ammodramus savannarum*), Song Sparrow - Modesto population (*Melospiza melodia* pop. 1), American White Pelican (*Pelecanus erythrorhynchos*), Long-eared Owl (*Asio otus*), California Spotted Owl (*Strix occidentalis occidentalis*), Olive-sided Flycatcher (*Contopus cooperi*), green sturgeon - southern DPS (*Acipenser medirostris* pop. 1), Lahontan mountain sucker (*Pantosteus lahontan*), hardhead (*Mylopharodon conocephalus*), Lahontan Lake tui chub (*Siphateles bicolor pectinifer*), Pacific lamprey (*Entosphenus tridentatus*), Lahontan cutthroat trout (*Oncorhynchus henshawi henshawi*), steelhead - Central Valley DPS (*Oncorhynchus mykiss irideus* pop. 11), Chinook salmon - Central Valley fall / late fall-run ESU (*Oncorhynchus tshawytscha* pop. 13), mountain whitefish (*Prosopium williamsoni*), Sierra Nevada mountain beaver (*Aplodontia rufa californica*), Sierra Nevada snowshoe hare (*Lepus americanus tahoensis*), western white-tailed jackrabbit (*Lepus townsendii townsendii*), fisher (*Pekania pennanti*), American badger (*Taxidea taxus*), pallid bat (*Antrozous pallidus*), Townsends big-eared bat (*Corynorhinus townsendii*), spotted bat (*Euderma maculatum*), western red bat (*Lasiurus frantzii*), northwestern pond turtle (*Actinemys marmorata*), and coast horned lizard (*Phrynosoma blainvillii*). Project activities described in the EIR should be designed to avoid any SSC that has the potential to be present within or adjacent to the Project area. CDFW also recommends the EIR fully analyze potential adverse impacts to SSC due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends Placer County include in the analysis how appropriate avoidance, minimization and mitigation measures will reduce impacts to SSC.

3. **Sensitive Plant Communities:** CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer 2009). The EIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
4. **Native Wildlife Nursery Sites:** CDFW recommends the EIR fully analyze potential adverse impacts to native wildlife nursery sites, including but not limited to bat maternity roosts. Based on review of Project materials, aerial photography, and observation of the site from public roadways, the Project site contains potential nursery site habitat for structure and tree roosting bats and is near potential foraging habitat. Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). CDFW recommends the EIR fully identify the Project's potential impacts to native wildlife nursery sites, and include appropriate avoidance, minimization and mitigation measures to reduce impacts or mitigate any potential significant impacts to bat nursery sites.

Placer County 2050 General Plan Update

July 30, 2026

Page 10 of 17

5. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the EIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration, enhancement, or permanent protection should be evaluated and discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.

The EIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

6. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in the regional ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be appropriately timed to ensure the viability of the seeds when planted. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate. Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project. Examples may include retention of woody material, logs, snags, rocks, and brush piles. Fish and Game Code sections 1002, 1002.5 and 1003 authorize CDFW to issue permits for the take or possession of plants and wildlife for scientific, educational, and

Placer County 2050 General Plan Update

July 30, 2026

Page 11 of 17

propagation purposes. Please see our website for more information on Scientific Collecting Permits at www.wildlife.ca.gov/Licensing/Scientific-Collecting#53949678-regulations-.

7. *Nesting Birds*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Migratory non-game native bird species are protected by international treaty under the federal Migratory Bird Treaty Act (MBTA) of 1918, as amended (16 U.S.C. 703 *et seq.*). CDFW implemented the MBTA by adopting the Fish and Game Code section 3513. Fish and Game Code sections 3503, 3503.5 and 3800 provide additional protection to nongame birds, birds of prey, their nests and eggs. Sections 3503, 3503.5, and 3513 of the Fish and Game Code afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the Fish and Game Code or any regulation made pursuant thereto; section 3503.5 states that it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by the Fish and Game Code or any regulation adopted pursuant thereto; and section 3513 states that it is unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Potential habitat for nesting birds and birds of prey is present within the Project area. The Project should disclose all potential activities that may incur a direct or indirect take to nongame nesting birds within the Project footprint and its vicinity. Appropriate avoidance, minimization, and/or mitigation measures to avoid take must be included in the EIR.

CDFW recommends the EIR include specific avoidance and minimization measures to ensure that impacts to nesting birds or their nests do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The EIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. In addition to larger, protocol level survey efforts (e.g., Swainson's hawk surveys) and scientific assessments, CDFW recommends a final preconstruction survey be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted earlier.

8. *Moving out of Harm's Way*: The Project is anticipated to result in the clearing of natural habitats that support native species. To avoid direct mortality, Placer County should state in the EIR a requirement for a qualified biologist with the proper handling permits, will be retained to be onsite prior to and during all ground- and habitat-disturbing activities. Furthermore, the EIR should describe that the qualified biologist with the proper permits may move out of harm's way special-status species or other

Placer County 2050 General Plan Update

July 30, 2026

Page 12 of 17

wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities, as needed. The EIR should also describe qualified biologist qualifications and authorities to stop work to prevent direct mortality of special-status species. CDFW recommends fish and wildlife species be allowed to move out of harm's way on their own volition, if possible, and to assist their relocation as a last resort. It should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for habitat loss.

9. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as the sole mitigation for impacts to rare, threatened, or endangered species as these efforts are generally experimental in nature and largely unsuccessful. Therefore, the EIR should describe additional mitigation measures utilizing habitat restoration, conservation, and/or preservation, in addition to avoidance and minimization measures, if it is determined that there may be impacts to rare, threatened, or endangered species.

The EIR should incorporate mitigation performance standards that would ensure that impacts are reduced to a less-than-significant level. Mitigation measures proposed in the EIR should be made a condition of approval of the Project. Please note that obtaining a permit from CDFW by itself with no other mitigation proposal may constitute mitigation deferral. CEQA Guidelines section 15126.4, subdivision (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. To avoid deferring mitigation in this way, the EIR should describe avoidance, minimization and mitigation measures that would be implemented should the impact occur.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (Fish & 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.

State-listed or candidate species with the potential to occur in the area include, but are not limited to: Crotch's bumble bee (*Bombus crotchii*), western bumble bee (*Bombus occidentalis*), Western Burrowing Owl (*Athene cunicularia hypugaea*), Willow Flycatcher (*Empidonax traillii*), Bank Swallow (*Riparia riparia*), Tricolored Blackbird (*Agelaius tricolor*), Swainson's Hawk (*Buteo swainsoni*), white sturgeon (*Acipenser transmontanus*), Chinook salmon - Sacramento River winter-run ESU (*Oncorhynchus tshawytscha* pop. 7), Chinook salmon - Central Valley spring-run ESU (*Oncorhynchus tshawytscha* pop. 11), foothill yellow-legged frog - south Sierra DPS (*Rana boylei* pop. 5), foothill yellow-legged frog - north Sierra DPS (*Rana boylei* pop. 3), gray wolf (*Canis lupus*), Sierra Nevada red fox - Sierra Nevada DPS (*Vulpes vulpes necator* pop. 2), Tahoe yellow cress (*Rorippa subumbellata*), and Boggs Lake hedge-hyssop (*Gratiola heterosepala*).

Placer County 2050 General Plan Update

July 30, 2026

Page 13 of 17

The EIR should disclose the potential of the Project to take State-listed species and how the impacts will be avoided, minimized, and mitigated. Please note that mitigation measures that are adequate to reduce impacts to a less-than significant level to meet CEQA requirements may not be enough for the issuance of an ITP. To facilitate the issuance of an ITP, if applicable, CDFW recommends the EIR include measures to minimize and fully mitigate the impacts to any State-listed species the Project has potential to take. CDFW encourages early consultation with staff to determine appropriate measures to facilitate future permitting processes and to engage with the U.S. Fish and Wildlife Service and/or National Marine Fisheries Service to coordinate specific measures if both State and federally listed species may be present within the Project vicinity.

Native Plant Protection Act

The Native Plant Protection Act (Fish & G. Code §1900 *et seq.*) prohibits the take or possession of State-listed rare and endangered plants, including any part or product thereof, unless authorized by CDFW or in certain limited circumstances. Take of State-listed rare and/or endangered plants due to Project activities may only be permitted through an ITP or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section 786.9 subdivision (b).

Lake and Streambed Alteration Program

The EIR should identify all perennial, intermittent, and ephemeral rivers, streams, lakes, other hydrologically connected aquatic features, and any associated biological resources/habitats present within the entire Project footprint (including utilities, access and staging areas). The environmental document should analyze all potential temporary, permanent, direct, indirect and/or cumulative impacts to the above-mentioned features and associated biological resources/habitats that may occur because of the Project. If it is determined the Project will result in significant impacts to these resources the EIR shall propose appropriate avoidance, minimization and/or mitigation measures to reduce impacts to a less-than-significant level.

Section 1602 of the Fish and Game Code requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following:

1. Substantially divert or obstruct the natural flow of any river, stream or lake;
2. Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or
3. Deposit debris, waste or other materials where it may 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 and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Placer County 2050 General Plan Update

July 30, 2026

Page 14 of 17

If upon review of an entity's notification, CDFW determines the Project activities may substantially adversely affect an existing fish or wildlife resource, a Lake and Streambed Alteration (LSA) Agreement will be issued which will include reasonable measures necessary to protect the resource. CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if one is necessary, the EIR 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 Project may avoid or reduce impacts to fish and wildlife resources. All LSA Notification types must be submitted online through CDFW's Environmental Permit Information Management System (EPIMS). For more information about EPIMS, please visit <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>. More information about LSA Notifications, paper forms and fees may be found at <https://www.wildlife.ca.gov/Conservation/Environmental-Review/LSA>.

Please note that other agencies may use specific methods and definitions to determine impacts to areas subject to their authorities. These methods and definitions often do not include all needed information for CDFW to determine the extent of fish and wildlife resources affected by activities subject to Notification under Fish and Game Code section 1602. Therefore, CDFW does not recommend relying solely on methods developed specifically for delineating areas subject to other agencies' jurisdiction (such as United States Army Corps of Engineers) when mapping lakes, streams, wetlands, floodplains, riparian areas, etc. in preparation for submitting a Notification of an LSA.

CDFW relies on the lead agency environmental document analysis when acting as a responsible agency issuing an LSA Agreement. CDFW recommends lead agencies coordinate with us as early as possible, since potential modification of the proposed Project may avoid or reduce impacts to fish and wildlife resources and expedite the Project approval process.

The following information will be required for the processing of an LSA Notification and CDFW recommends incorporating this information into any forthcoming CEQA document(s) to avoid subsequent documentation and Project delays:

1. Mapping and quantification of lakes, streams, and associated fish and wildlife habitat (e.g., riparian habitat, freshwater wetlands, etc.) that will be temporarily and/or permanently impacted by the Project, including impacts from access and staging areas. Please include an estimate of impact to each habitat type.
2. Discussion of specific avoidance, minimization, and mitigation measures to reduce Project impacts to fish and wildlife resources to a less-than-significant level. Please refer to section 15370 of the CEQA Guidelines.

The Project area supports several lakes, streams, and associated riparian habitat. CDFW recommends the EIR fully identify the Project's potential impacts to the lakes, streams, and/or associated vegetation and wetlands.

Placer County Conservation Program

Placer County 2050 General Plan Update

July 30, 2026

Page **15** of **17**

A portion of the Project area is located within Placer County Conservation Program (PCCP) Plan Area. The PCCP encompasses three planning documents published by Placer County: the Western Placer County Habitat Conservation Plan and Natural Community Conservation Plan (HCP/NCCP), the Western Placer County Aquatic Resources Program, and the Western Placer County In-Lieu Fee Program.

CEQA Guidelines section 15125(d) states that EIRs must discuss any inconsistencies between projects and applicable plans (including habitat conservation plans/natural community conservation plans). CDFW recommends the EIR include a discussion of the Project's consistency with the PCCP and how Placer County will ensure that implementation of the Project does not impede the PCCP's ability to meet its biological goals and objectives.

Particular focus in the EIR's analysis should be directed to:

- Analysis of potential impacts to all PCCP Covered Species.
- Assessment of project impacts to natural communities and constituent habitats identified in the PCCP.
- Identification of applicable PCCP avoidance, minimization, or mitigation measures.
- Analysis of any impacts to reserve land commitments of the PCCP.
- Discussion of any inconsistencies between the Project and the PCCP.

To identify any potential inconsistencies with the PCCP and provide special emphasis on rare or unique resources in compliance with CEQA, CDFW recommends that the EIR also address the following:

- Impacts to established or future reserve lands managed under the Placer Conservation Authority (PCA).
- Reduction of available reserve land in the PCCP (with appropriate buffers and setbacks as detailed in the PCCP).
- Impacts to PCCP conservation zones and key habitat linkages.
- Financial impacts to the PCA and fee payers under the PCCP.

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 CNDDb. The CNDDb field survey form

Placer County 2050 General Plan Update

July 30, 2026

Page 16 of 17

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 effect on fish and wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by Placer County 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.)

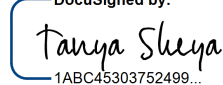
CONCLUSION

Pursuant to Public Resources Code sections 21092 and 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the 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 Notice of Preparation of the EIR for the Placer County 2050 General Plan Update and recommends that Placer County address CDFW's comments and concerns in the forthcoming EIR. CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts.

If you have any questions regarding the comments provided in this letter, or wish to schedule a meeting and/or site visit, please contact Patrick Moeszinger, Senior Environmental Scientist (Specialist) at (916) 767-3935 or patrick.moeszinger@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Tanya Sheya
Environmental Program Manager

ec: Billie Wilson, Senior Environmental Scientist (Supervisory)
Patrick Moeszinger, Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife

Office of Land Use and Climate Innovation, State Clearinghouse, Sacramento

Placer County 2050 General Plan Update

July 30, 2026

Page 17 of 17

REFERENCES

Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A Manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California.
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