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STATE CLEARINGHOUSE

Subject: Comments on the Draft Initial Study with Proposed Mitigated Negative Declaration Project, San Diego County (SCH #2019059069)

Dear Ms. Li:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Draft Initial Study with Proposed Mitigated Negative Declaration (IS/MND) for the Interstate 8 (I-8) Culvert Rehabilitation Project (Project) dated May 9, 2019. The Department has identified potential effects of this Project on wildlife and sensitive habitats. The following statements and comments have been prepared pursuant to the Department's authority as Trustee Agency with jurisdiction over natural resources affected by the proposed project (California Environmental Quality Act [CEQA], Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (CESA; Fish and Game Code [FGC] § 2050 et seq.) and FGC section 1600 et seq. The Department also administers the Natural Community Conservation Planning (NCCP) program. The comments provided herein are based on the information provided in the IS/MND, the Natural Environment Study (NES) dated May 31, 2019, the Biological Assessment (BA) provided May 30, 2019, and our knowledge of sensitive and declining habitats.

The California Department of Transportation (Caltrans) Project involves restoring serviceability of 14 existing, deteriorated culverts along I-8 from the Los Coches Creek crossing to the Miller Creek crossing along approximately 40 miles of freeway between the City of El Cajon and the community of Boulevard, in San Diego County, California. The westernmost portion of the project is located directly north of the Department-owned Crestridge Ecological Reserve. Additionally, a significant portion of the project area is located within the draft East County Multiple Species Conservation Program (ECMSCP) area, whose western boundary intersects I-8 at Viejas Creek.

The rehabilitation efforts vary by culvert, and include clearing and grubbing for temporary access roads, removing debris deposited in the culverts and channels, paving some culvert inverts and lining others, channel erosion restoration, and armoring channel slopes.

The biological study area (BSA) includes the Project impact area and a 300-foot buffer and proposed staging/storage areas. A habitat assessment was conducted beginning in February 2017 to determine the potential for appropriate habitat for sensitive species including the state and federally listed least Bell's vireo (*Vireo bellii pusillus*), the state species of special concern (SSC) and federally listed endangered arroyo toad (*Anaxyrus californicus*), and the federal candidate species Hermes copper butterfly (*Lycaena hermes*). The NES reports positive detections for these three species within the Project area based on surveys conducted between

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1990 and 2008. It also discloses that the BSAs for Culverts 2 and 6 are located within designated critical habitat for arroyo toad. According to the NES, the BSA was inspected during multiple field visits from July 11, 2017 through March 12, 2019 to identify habitat types, potential wetlands, and evaluate the potential for presence of rare species. NES Table 2 indicates no special status species were detected during the BSA surveys; however, the IS/MND indicates that potential impacts to least Bell's vireo, arroyo toad, and Hermes copper butterfly will be mitigated through avoidance and minimization.

The IS/MND proposes to mitigate impacts to 0.75 acre of southern coast live oak riparian forest, riparian scrub, and streambed, through the purchase of 1.73 acres of "riparian woodland" credits at the Rancho San Diego Mitigation Bank (Bank), managed by U.S. Fish and Wildlife Service (USFWS).

The Department offers the following comments and recommendations to assist Caltrans in avoiding or minimizing potential project impacts on biological resources while implementing the Project.

1. According to Caltrans' Project Development Process, prior to preparation and approval of the IS/MND, technical support documents are prepared and provided to the Resource Agencies for review. The Department received the date stamped transmittal document and Summary Form with an attached compact disc on May 17, 2019. The disc included the Draft IS/MND but did not include any of the technical support. Upon request to Caltrans, the Department subsequently received the Biological Assessment for the USFWS on May 29, 2019, and the NES on May 31. The Department recommends that future projects be submitted to the State Clearinghouse bundled with all supporting documentation to enable the resource agencies and public to conduct an informed review.
2. The Department was unable to verify the record of species observed within the BSA because neither the IS/MND nor the supporting biotechnical report include an illustration of the BSA relative to the project and species observations. While the NES refers to Figure 2, this map does not contain the delineated BSA or the staging areas for the entirety of the project. To enable the Department to fully analyze the Project's potential impacts to species within the BSA, we recommend Caltrans revise the IS/MND to include a map showing not only the culvert locations but also the BSA overlay and impact areas, including storage and staging locations.
3. NES Table 2 provides a list of sensitive species evaluated for habitat and species presence. Although the table indicates species observed/not observed during surveys of the BSA, it is not clear if focused surveys for special-status species were conducted where suitable habitat is present since 2008. The Department recommends that seasonally appropriate surveys are conducted for all special-status species with habitat present within the final year prior to project commencement. This should include, but not necessarily limited to:
 - a. Focused botanical surveys conducted according to the Department *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*
(<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

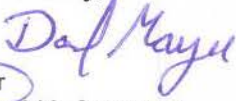
- b. Bat emergence surveys and culvert inspections for presence of bats, conducted by an experienced bat biologist.
 - c. If practicable, install camera traps at culvert undercrossings to assess functionality as wildlife crossings and quantify species use.
4. The IS/MND identifies Waters of the State and Waters of the United States within the Project footprint. However, there does not appear to be a jurisdictional delineation for the reviewer to evaluate. The Department recommends a jurisdictional delineation be conducted (if not already completed) and included pursuant to the USFWS wetland definition adopted by the Department.
5. The IS/MND identifies Rancho San Diego Mitigation Bank as the source for riparian and streambed permanent impact mitigation credits. According to the "Agreement on Mitigation Strategy pertaining to Implementation and Operation of the Rancho San Diego Mitigation Bank," (Agreement) the Bank was established to offset impacts from transportation and other government-sponsored projects by the San Diego Association of Governments, Caltrans, USFWS, and the Department and all resource agencies must agree to use of the Bank "as compensation for specific habitat losses." It is intended to provide mitigation for project impacts in the cis-montane area of San Diego County, which it describes as "generally characterized as western San Diego County below the 2000 foot elevation level."
6. Culverts 2 through 12 appear to be above 3,000 feet. Additionally, the Agreement only offers riparian/streambed-type replacement habitat in the forms of "Riparian woodland/scrub" and "Marsh/Riparian scrub." The Department recommends the IS/MND be revised to include details regarding the applicability of utilizing the Bank for this Project, including, but not limited to the following:
 - a. the applicability of the service area covered by the Bank;
 - b. comparison of impacted habitats and the habitats selected for mitigation; and
 - c. confirmation that the credits have already been purchased.
7. NES Table 3 differentiates between riparian habitat and streambed. The NES does not define "streambed" habitat identified in Table 3. Additionally, the Bank does not appear to offer any "streambed" credits. Please clarify the intended meaning of streambed habitat and discuss how Caltrans will ensure no net loss of streambed.
8. Landscape features such as roadways, which bisect connected habitats, can substantially interfere with or impede movement of native resident or migratory wildlife species. Such impediments, including traffic volume and medians, interrupt habitat connectivity and prevent species from meeting daily and seasonal needs. Maintaining continuity of the preferred habitats is essential for genetic dispersal and survival and becomes increasingly important as habitat is converted, developed and otherwise impacted. Stream crossings and drainage culverts can

function as valuable corridors for wildlife movement between these habitats on either side of a freeway.

9. As discussed above, the Project is located within the ECMSCP. Although this plan is not finalized, the Project should be consistent with the conservation objectives of the ECMSCP. As stream crossings and other drainage structures reach a point of deterioration that requires repair, an opportunity is presented to assess the structures' effectiveness to provide a functional wildlife passage between segmented habitats. For example, Culverts 3, 4, and 5 are located on a segment of I-8 that bisects three areas identified in the ECMSCP as Highest Level of Ecological Protection, including Pine Creek Wilderness, Hauser Wilderness, and Cuyamaca Mountain State Wilderness. Enhancing functional corridors between these areas could benefit wildlife and reduce the safety risk of freeway collisions with wildlife. According to data from the UC Davis Road Ecology Center, between 2015 and 2017, at least 19 wildlife collisions occurred along the I-8 segment between Culverts 1 through 12, 10 of which occurred in the immediate vicinity of the culverts in this Project (Waetjen and Shilling, 2017). The reported collisions involved mule deer and coyotes. Each of these incidents comes with high ecological and economic costs. Therefore, the Department recommends that Caltrans evaluate the culverts for their wildlife value and impacts to wildlife connectivity. Please identify culverts that may impede wildlife passage and provide potential feasible solutions to enhance wildlife mobility across I-8.
10. Uneven surfaces and steep drops may occur when adding riprap and/or gabion structures to stream inlets and outlets. These surfaces can impede wildlife use of the crossing. The Department recommends Caltrans revise the IS/MND to include the use of state-of-the-art techniques to smooth the armored slopes, maintain appropriate stream gradients, and revegetate armoring to provide accessibility for wildlife.
11. The culvert rehabilitation includes adding materials to the interior of the culverts. This could reduce the capacity of the culverts to pass high flows and debris. The Department recommends the IS/MND include an analysis of the effects of changing culvert sizes with respect to conveyance of 100-year flood flows and debris.
12. The IS/MND specifies that an Arroyo Toad Translocation Monitoring Program will be developed and implemented. FGC sections 1002, 1002.5, and 1003 authorize the Department to issue Scientific Collecting Permits for the capture of wildlife, including SSC. As noted above, arroyo toad is an SSC. The Department recommends Caltrans coordinate with Department staff to determine if a permit is required to be obtained for this Project.
13. The Department respectfully requests a site visit to observe the culvert locations and associated habitat and to better understand the scope of work, including gabion cages and riprap installation. The Department requests the site visit be conducted well in advance of finalizing the IS/MND.

14. The CNDDDB is a powerful tool used by environmental reviewers in scoping for potential listed and sensitive species and habitats, as evidenced by its use in the IS/MND. For this resource to remain relevant, it is essential that survey detection data be reported to CNDDDB. An online reporting form is now available to help streamline reporting. The Department recommends that all relevant data collected related to this Project be reported to CNDDDB annually.
15. We appreciate the opportunity to comment on the referenced DEIR. Questions regarding this letter and further coordination on these issues should be directed to Simona Altman at (858) 467-4283 or email at simona.altman@wildlife.ca.gov.

Sincerely,



for
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Literature Cited

Waetjen, D.P. and F.M. Shilling (2017) Large extent roadkill and wildlife observation systems as sources of reliable data. *Frontiers in Ecology and Evolution*. doi: 10.3389/fevo.2017.00089