



DEPARTMENT OF FISH AND GAME

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North Central Region
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September 18, 2008

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Calaveras County
Community Development Agency
Building Planning OSS

Robert Sellman
Calaveras County Department of Planning
891 Mountain Ranch Road
San Andreas, CA 95249

Dear Mr. Sellman :

The Department of Fish and Game (DFG) has reviewed the revised draft Environmental Impact Report (RDEIR) for the Ridge at Trinitas project (SCH#2005122135). The project proposes to subdivide 280 acres into 14 lots, consisting of 13 single family residential lots, as well as, one 244 acre lot accommodating recreational facilities (golf course, clubhouse, lodge, and overnight accommodations). The project is located approximately 3 miles south of Wallace, in Calaveras County.

Wildlife habitat resources consist of a large area of rolling oak grassland habitat with stands of chaparral. Significant natural resources of the project include habitat for sensitive species. The U.S. Fish and Wildlife Service (FWS) has designated critical habitat for the California tiger salamander (Ambystoma californense) less than one mile from the project site. Additionally, files kept by the California Natural Diversity Database contain records for tiger salamander, vernal pool fairy shrimp (Branchinecta lynchi), and western spadefoot (Scaphiopus hammondi), as well as, State and Federal-listed plants. Three tributaries to Indian Creek cross the project site and there are other water features include man-made ponds, vernal pools, and swales.

In our comments on the Notice of Preparation (NOP) for this RDEIR, dated August 7, 2007, we recommended that in developing appropriate mitigation : 1) a pre-project aerial photo should be used to calculate the amount and kind of habitat present on the project site prior to construction of the golf course, and 2) impacts to sensitive species likely to occur on the project site should be assumed. Using these means, we recommended that the RDEIR provide habitat compensation at a ratio of 3 acres preserved for each acre impacted, that the replacement habitat be protected with a perpetual conservation easement, and be provided a financial commitment necessary for perpetual management .

Mr. Sellman
September 18, 2008
Page Two

The preparers of the RDEIR failed to follow our recommendation, and instead proposed to mitigate the project's effects by requiring the applicant to "consult with the USFWS and DFG". Requiring the applicant to consult with resource agencies does not constitute mitigation. We provided our counsel when we made the recommendations noted above. Again, in order to lessen the project's impacts below a level that is significant we recommend that the RDEIR be revised to contain an actual mitigation proposal consisting of the amount and location of suitable habitat that will be set aside to mitigate the impacts of the proposed project. In addition to mitigation for subsequent development, the proposal should include mitigation for the portions of the project that have already been constructed using the method we described in our NOP comment letter and re-stated above.

Regarding the RDEIR's proposal to mitigate loss of wildlife habitat with Mitigation Measure 3.5.8.; Mitigation Measure 3.5.8 is designed to off-set the loss of Prime Agricultural lands. The purpose of Mitigation Measure 3.5.8 is to ensure that preserved agricultural land remain available for farming. The RDEIR's proposal for agricultural mitigation is 1:1, or 200 acres. While some agricultural practices may be compatible with wildlife habitat protection (live stock grazing) , others are not (vineyards, orchards). As proposed, Mitigation Measure 3.5.8 does not provide enough habitat to compensate the loss of wildlife habitat resulting from the project, nor does it provide for adequate protection and management of suitable habitat. We find that Mitigation Measure 3.5.8 does not provide adequate mitigation for loss of wildlife habitat and recommend that it be removed from consideration.

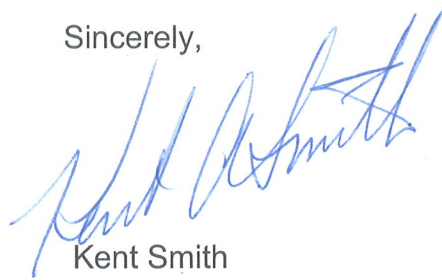
This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Mr. Sellman
September 18, 2008
Page Three

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Staff Environmental Scientist, telephone (209) 369-8851 or, Mr. Jeff Drongesen, telephone (916) 358-2919..

Sincerely,



Kent Smith
Environmental Program Manager

cc. Kent Smith
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