



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



October 4, 2018

Ms. Makana Nova
City of Newport Beach Planning Division
100 Civic Center Drive, Bay 1-B
Newport Beach, CA 92658-8915
Mnova@newportbeachca.gov

Subject: Comments on the Notice of Intent to Adopt a Mitigated Negative Declaration for the Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A, Newport Beach, CA (SCH# 2018081098)

Dear Ms. Nova:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Big Canyon Coastal Habitat Restoration and Adaptation Project - Phase 2A Mitigated Negative Declaration (MND), dated August 4, 2018. Thank you for granting the Department request to submit late comments. 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 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 § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning program (NCCP). The City of Newport Beach (City) and the County of Orange (County) are participating landowners under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP). Additionally, the Department owns and manages the Upper Newport Bay Ecological Reserve.

Collectively, Big Canyon Coastal Habitat Restoration and Adaptation Project endeavors to restore the undeveloped parcels of the watershed, remove dominant invasive species, improve water quality, and increase habitat value; the Department commented on the draft MND for Phases 1A and 1B in a letter dated April 4, 2016.

Phase 2A of the project, analyzed in the draft MND, involves the restoration of at least 9.2 acres of Big Canyon Creek, including alkali wet meadow, dry meadow, and arroyo willow scrub habitats. The project is located on an 11.32-acre parcel within the eastern portion of the 60-acre Big Canyon Nature Park, east of Upper Newport Bay, west of Jamboree Road, in the City. Big Canyon is the only natural, undeveloped portion of the Big Canyon Watershed and the only significant remaining natural canyon on the east side of Newport Bay. Directly downstream of the project area, the lower 15-acre portion of Big Canyon Nature Park is owned by the Department and is a part of the Upper Newport Bay Ecological Reserve. Big Canyon Nature Park is located in the Upper Newport Bay State Marine Conservation Area and is part of southern California's coastal estuarine environment. In addition, Newport Bay discharges adjacent to the Newport Coast Area of Special Biological Significance.

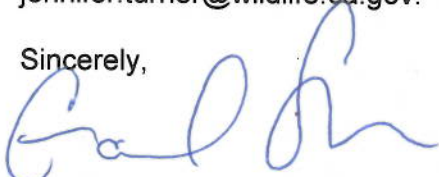
Ms. Makana Nova
City of Newport Beach Planning Division
October 4, 2018
Page 2 of 2

Our primary concern regarding the proposed project is appropriate disposal of cleared vegetation and management of the spread of invasive Polyphagous and Kuroshio shot hole borers (collectively, ISHBs). We offer the following comments and recommendations to assist the City in avoiding or minimizing potential project impacts on biological resources.

The Biological Technical Report (Appendix C) states that, "the proposed project will use pest management techniques in consultation with experts from the University of California Riverside" (page 8); however, the draft MND states that, "project implementation would result in the need for disposal of vegetative debris from construction and maintenance activities" at Prima Deshecha Landfill in San Juan Capistrano" (pages 140-141). Currently, this facility does not have the US Composting Council's Seal of Testing Assurance (STA) as recommended by Dr. Eskalen's lab at the University of Riverside(<http://eskalenlab.ucr.edu/pshb.html>). The Department, therefore, recommends consideration of a disposal facility that meets this criteria. More information can be found at <https://compostingcouncil.org/seal-of-testing-assurance/>.

We appreciate the opportunity to comment on the MND for this project and to assist the City in further minimizing and mitigating project impacts to biological resources. The Department requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of the forthcoming hearing date for the project (CEQA Guidelines; §15073(e)). If you have any questions or comments regarding this letter, please contact Jennifer Turner, Environmental Scientist at (858) 467-2717 or via email at jennifer.turner@wildlife.ca.gov.

Sincerely,



Gail K. Sevens
Environmental Program Manager
South Coast Region

ec: Christine Medak (U.S. Fish and Wildlife Service)
Scott Morgan (State Clearinghouse)