



United States Department of the Interior

FISH AND WILDLIFE SERVICE



Stone Lakes National Wildlife Refuge
1624 Hood-Franklin Road
Elk Grove, California 95757
(916) 775-4421

SENT VIA EMAIL (cnuproject@elkgrovecity.org)

February 8, 2021

Sarah Kirchgessner, Project Manager
Development Services Department, City of Elk Grove
8401 Laguna Palms Way
Elk Grove, CA 96758

RE: California Northstate University Medical Center, DEIR, PLNG 18-110

Dear Ms. Kirchgessner:

The Stone Lakes National Wildlife Refuge (Refuge) acknowledges the work the City of Elk Grove has done in developing the FEIR for the proposed California Northstate University Medical Center (CNU) hospital and medical center and the staff appreciates the time and information the planners and consultants have provided. The Refuge continues to offer written comments concerning the EIR which continue to reflect our concerns outlined in our previous letters dated 9/24/2020, 5/16/2019 and 12/6/2019.

As stated in previous letters, the CNU site is nearly encircled to the west and south by managed wildlife areas, within the 18,000 acre Refuge Project Boundary. In 1994, the U.S. Fish & Wildlife Service began land protection efforts and habitat enhancement on private and public lands. The Service currently manages approximately 6,500 acres of wetland, grassland and riparian habitat that were acquired and restored with federal, state and private funds. The Refuge habitats attract thousands of migratory birds each year that include ducks, geese and sandhill cranes. The Refuge along with the other surrounding protected areas such as the Bufferlands, Cosumnes River Preserve and the Yolo Wildlife Area and the remaining private farmland, provides an essential wintering and stop over area for these birds and other resident wildlife.

We continue to have concerns with the project as currently proposed related to the location, height and lighting of the building and helicopter flight path in an area that has no buildings taller than three stories. A recent publication in Ornithological Applications titled *The Colorado River Delta and California's Central Valley are critical regions for many migrating North American landbirds*, *Ornithological Applications* used eBird data to measure the importance of the Colorado River Delta and California's Central Valley to birds that migrate through western North America. The study concluded that in the Central Valley, up to ~65 million landbirds migrate through in the spring and up to ~48 million in the fall, and that many species including Anna's hummingbirds have substantial portions of their populations that depend on these locations during migration. The results provide evidence of population-level importance of the Central Valley for

many migratory landbirds. Therefore the conservation of the Central Valley habitats is important for the entire populations of many breeding landbird species of North America, and these factors should be taken into consideration in land planning decisions, particularly when substantial efforts are being made to improve habitats for migratory birds in the adjacent Stone Lakes National Wildlife Refuge. (Reference: William V DeLuca, Tim Meehan, Nat Seavy, Andrea Jones, Jennifer Pitt, Jill L Deppe, Chad B Wilsey, *The Colorado River Delta and California's Central Valley are critical regions for many migrating North American landbirds*, *Ornithological Applications*, 2021; <https://doi.org/10.1093/ornithapp/duaa064>)

The 3-year post construction mortality plan based on the standardized protocol by Hager and Cosentino (2014) should include additional information to adequately ascertain the effect the buildings may have on local bird populations because the FEIR concludes that...*“Mortality of common songbirds as a result of building collisions is not expected to eliminate or reduce local songbird populations below self-sustaining levels...”* The mortality plan should also include the construction period when collisions could occur as well. Details of the study that should be included are qualifications of the avian biologist, number of surveys to be conducted weekly, data management, and statistical methods for evaluating results and parameters of evaluating how many bird strikes demonstrate substantial mortality.

The modified helicopter flight path now passes over the Wetland Preserve Unit, an area protected from development and managed for a variety of wildlife including species of special concern. The grasslands and wetlands support a variety of wetland dependent species with thousands of arctic nesting geese, waterfowl, shorebirds and sandhill cranes grazing and loafing directly in the flight path during the winter months. Both the Wetland Preserve Unit and the North Stone Lakes Unit support Swainson's hawk by providing grassland foraging and nesting habitat. The Service has management purview over both units through long term lease agreements with Sacramento County and a Conservation Easement with AKT Development. As both of these units are privately and publicly owned and fall under state and county regulatory provisions, an incidental take permit for Swainson's hawk should be considered since the species is fully protected under state code and the proposed structure is within the flight path of the birds nesting and feeding habitats. The City of Elk Grove also has a Swainson's Hawk Program that “contains policies aimed at protecting the City's natural resources, which would include the loss of Swainson's hawk foraging habitat”.

In conclusion, although the FEIR analysis does address some building design features that may reduce bird strikes, it is by no means complete, and does not support the conclusion that the projects impacts will be less than significant. Again we ask that you address these vital issues and concerns, and we look forward to providing you with additional information if requested.

Respectfully,

Bart McDermott
Wildlife Refuge Manager
Stone Lakes National Wildlife Refuge

Cc: Don Nottoli, Sacramento County Supervisor, District 5 (NottoliD@saccounty.net)
Stone Lakes NWR Comment Letter DEIR CNU Hospital and Medical Center