



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
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September 8, 2020

Governor's Office of Planning & Research

Sep 08 2020

Mr. Christian Murdock, Senior Planner
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STATE CLEARINGHOUSE

Subject: Pacifica General Plan Update and Sharp Park Specific Plan, Notice of Preparation, SCH No. 2020089010, City of Pacifica, San Mateo County

Dear Mr. Murdock:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) prepared by the City of Pacifica for the Pacifica General Plan Update and Sharp Park Specific Plan (Project) located in San Mateo County. CDFW is submitting comments on the NOP regarding potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources (e.g., biological resources). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Native Plant Protection Act, the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION

The Project consists of an update to the City of Pacifica's (City) General Plan to guide the City's goals, objectives, and policies for the next 20 years.

The Project will be used by the City to make land use, transportation, open space, conservation, public services, environmental quality, and safety decisions. However, the Project will not make updates to the housing component of the General Plan, which will be updated as part of a separate process.

The Project will also be a policy document that will guide the protection and enhancement of open space, coastal resources, and the community.

Mr. Christian Murdock, Senior Planner
 City of Pacifica
 September 8, 2020
 Page 2 of 10

ENVIRONMENTAL SETTING

Sufficient information regarding the environmental setting is necessary to understand the Project, and its alternative's (if applicable), significant impacts on the environment (CEQA Guidelines, §§15125 & 15360). CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish, and wildlife species located and potentially located within the Project area and surrounding lands, including all rare, threatened, or endangered species (CEQA Guidelines, §15380). Threatened, endangered, and other special-status species that are known to occur, or have the potential to occur in or near the Project site, include, but are not limited to:

- Big free-tailed bat (*Nyctinomops macrotis*), SSC
- California red-legged frog (*Rana draytonii*), FT, SSC
- Franciscan thistle (*Cirsium andrewsii*), 1B.2
- Kellogg's horkelia (*Horkelia cuneata* var. *sericea*), 1B.1
- Mission blue butterfly (*Plebejus icarioides missionensis*), FE
- Pappose tarplant (*Centromadia parryi* ssp. *parryi*), 1B.2
- Perennial goldfields (*Lasthenia californica* ssp. *macrantha*), 1B.2
- Rose leptosiphon (*Leptosiphon rosaceus*), 1B.1
- saltmarsh common yellowthroat (*Geothlypis trichas sinuosa*), SSC
- San Francisco Bay spineflower (*Chorizanthe cuspidata* var. *cuspidata*), 1B.2
- San Francisco collinsia (*Collinsia multicolor*), 1B.2
- San Francisco garter snake (*Thamnophis sirtalis tetrataenia*), FE, SE, SFP
- Scouler's catchfly (*Silene scouleri* ssp. *scouleri*), 2B.2
- Steelhead - central California coast DPS (*Oncorhynchus mykiss irideus* pop. 8), FT
- Western bumble bee (*Bombus occidentalis*), SCE

Source: CDFW, California Natural Diversity Database, 2020

FE = Federally Endangered; FT = Federally Threatened; SE = State Endangered; SCE = State Candidate Endangered; SFP = State Fully Protected; SSC = State Species of Special Concern

CNPS Plant Ranks

- 1B = Rare, Threatened, or Endangered in California and Elsewhere
- 2A = Presumed Extirpated in California, But Common Elsewhere
- 2B = Rare, Threatened, or Endangered in California, But More Common Elsewhere

CNPS Threat Ranks

- 0.1-Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
- 0.2-Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 3 of 10

- 0.3-Not very threatened in California (less than 20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

Habitat descriptions and species profiles should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, and findings from “positive occurrence” databases such as California Natural Diversity Database (CNDDDB). Based on the data and information from the habitat assessment, the CEQA document can then adequately assess which special-status species are likely to occur in the Project vicinity.

CDFW recommends that prior to Project implementation surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: <https://www.wildlife.ca.gov/Conservation/Survey-Protocols>.

Botanical surveys for special-status plant species, including those listed by the California Native Plant Society (<http://www.cnps.org/cnps/rareplants/inventory/>), must be conducted during the blooming period for all sensitive plant species potentially occurring within the Project area and require the identification of reference populations. Please refer to CDFW protocols for surveying and evaluating impacts to rare plants available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Pacifica in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on biological resources.

COMMENT 1: Artificial Reefs

Issue: The most recent version of the City’s General Plan, dated March 2014, includes Implementing Policy CO-I-48, “Regional Sediment Management,” which lists the placement of multi-purpose offshore reefs (artificial reefs) as a strategy for shoreline protection. CDFW has authority for artificial reefs under a variety of roles including Statutory/Legislative Authority, an advisory role to other agencies, and Trustee Agency Status under CEQA, the Marine Life Protection Act, and the Marine Life Management Act. Fish and Game Code Sections 6420–6425 established the California Artificial Reef Program (CARP) through legislation in 1985. The program was created to investigate the potential to enhance declining species through the placement of artificial reefs and is currently unfunded with no identified source of funding. The CARP does not consider reef placement for shoreline protection, sediment retention, or dampening effects of sea level rise.

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 4 of 10

A comprehensive statewide scientifically based plan for the placement of artificial reefs in state waters is needed before CDFW can provide adequate consultation and advice to permitting agencies on reef design, development, and purpose. This effort has not yet been completed. The plan would include necessary information on scientifically based appropriate locations and materials, habitat value exchange, invasive species issues, impacts to fish populations, and fisheries management issues associated with artificial reefs.

Evidence the impact would be significant: Without a statewide plan for artificial reefs, CDFW cannot properly evaluate the issues above, and unsystematic placement of artificial reefs within California state waters could result in unforeseen significant impacts to marine habitats and resources. For this reason, CDFW does not recommend any new artificial reef or artificial habitat at this time, regardless of intent.

Recommendation: CDFW recommends that the draft Environmental Impact Report (EIR) take this into consideration when identifying alternative strategies for shoreline protection, under the theme “Protection from Natural Hazards” identified within the NOP. When discussing strategies for shoreline protection, CDFW recommends that the draft EIR focus on activities associated with managed retreat, including shoreline restoration and setback of infrastructure.

COMMENT 2: Sharp Park Golf Course

Issue: San Francisco garter snake, a state fully protected species, and California red-legged frog, a federally threatened species and a state species of special concern, is known to occur within the Sharp Park golf course. CDFW has jurisdiction over fully protected species of birds, mammals, amphibians, reptiles, and fish pursuant to Fish and Game Code §§ 3511, 4700, 5050, and 5515. Take of any fully protected species is prohibited. CDFW cannot authorize incidental take of fully protected species unless the take is for scientific purposes pursuant to Fish and Game Code Section 2081(a) or a project has an approved Natural Communities Conservation Plan pursuant to Fish and Game Code Section 2800.

Evidence the impact would be significant: If Project activities occur within the Sharp Park golf course, the Project has the potential to impact San Francisco garter snake and California red-legged frog.

Recommendation: CDFW recommends that the draft EIR fully describe Project activities at the Sharp Park golf course and evaluate all impacts to San Francisco garter snake and California red-legged frog that are associated with Project activities. Impacts include, but are not limited to, ground maintenance, temporary work, and pond/lagoon maintenance. CDFW also recommends early consultation with CDFW and the U.S. Fish and Wildlife Service (USFWS) to develop appropriate avoidance and minimization measures.

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 5 of 10

COMMENT 3: Artificial Lighting

Issue: The Project could increase artificial lighting. Artificial lighting often results in light pollution, which has the potential to significantly and adversely affect biological resources.

Evidence the impact would be significant: Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Aquatic species can also be affected, for example, salmonids migration can be slowed or stopped by the presence of artificial lighting (Tabor et al. 2004, Nightingale et al. 2006).

Recommendations to minimize significant impacts: CDFW recommends eliminating all non-essential artificial lighting. If artificial lighting is necessary, CDFW recommends avoiding or limiting the use of artificial lights during the hours of dawn and dusk, when many wildlife species are most active. CDFW also recommends that outdoor lighting be shielded, cast downward, and does not spill over onto other properties or upwards into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>).

COMMENT 4: Exterior Windows

Issue: The glass used for exterior building windows could result in bird collisions, which can cause bird injury and mortality.

Evidence the impact would be significant: Birds, typically, do not see clear or reflective glass, and can collide with glass (e.g., windows) that reflect surrounding landscape and/or habitat features (Klem and Saenger 2013, Sheppard 2019). When birds collide with glass, they can be injured or killed. In the United States, the estimated annual bird mortality is between 365-988 million birds (Loss et al. 2014).

Recommendations to minimize significant impacts: CDFW recommends incorporating visual signals or cues to exterior windows to prevent bird collisions. Visual signals or cues include, but are not limited to, patterns to break up reflective areas, external window films and coverings, ultraviolet patterned glass, and screens. For best practices on how to reduce bird collisions with windows, please go to USFWS's website for Buildings and Glass (<https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/collisions/buildings-and-glass.php>).

COMMENT 5: Stream Hydromodification

Issue: The Project could increase impervious surfaces within the Project area.

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 6 of 10

Impervious surfaces, stormwater systems, and storm drain outfalls have the potential to significantly affect fish and wildlife resources by altering runoff hydrograph and natural streamflow patterns.

Evidence the impact would be significant: Urbanization (e.g., impervious surfaces, stormwater systems, storm drain outfalls) can modify natural streamflow patterns by increasing the magnitude and frequency of high flow events and storm flows (Hollis 1975, Konrad and Booth 2005).

Recommendations to minimize significant impacts: CDFW recommends that storm runoff be dispersed as sheet flow through the property rather than funneled to stormwater outfalls. CDFW also recommends incorporating permeable surfaces throughout the Project area to allow stormwater to percolate in the ground and prevent stream hydromodification.

COMMENT 6: Fencing

Issue: The Project has the potential to build temporary and/or permanent fences.

Evidence the impact would be significant: Fencing can be a hazard to wildlife causing entanglement and mortality (van der Ree 1999, Stuart et al. 2001, Harrington and Conover 2006).

Recommendation to minimize significant impacts: CDFW recommends that if fencing is built, the Project use wildlife friendly fencing.

COMMENT 7: Nesting Birds

Issue: Project construction could result in disturbance of nesting birds.

Evidence the impact would be significant: Noise can impact bird behavior by masking signals used for bird communication, mating, and hunting (Bottalico et al. 2015). Birds hearing can also be damaged from noise and impair the ability of birds to find or attract a mate and prevent parents from hearing calling young (Ortega 2012).

Recommendations to minimize significant impacts: If ground-disturbing or vegetation-disturbing activities occur during the bird breeding season (February through early-September), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of Fish and Game Code.

To evaluate and avoid for potential impacts to nesting bird species, CDFW recommends incorporating the following mitigation measures into the Project's draft EIR, and that these measures be made conditions of approval for the Project.

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 7 of 10

Recommended Mitigation Measure 1: Nesting Bird Surveys

If ground-disturbing or vegetation-disturbing activities occur during the bird breeding season, CDFW recommends that a qualified avian biologist conduct pre-Project activity nesting bird surveys no more than seven (7) days prior to the start of ground or vegetation disturbance and if there is a four day or more lapse in ground or vegetation disturbance. CDFW recommends that nesting bird surveys cover a sufficient area around the Project area to identify nests and determine their status. A sufficient area means any area potentially affected by the Project.

During nesting bird surveys, CDFW recommends that a qualified avian biologist establish behavioral baseline of all identified nests. During Project activities, CDFW recommends having the qualified avian biologist continuously monitor nests to detect behavioral changes resulting from Project activities. If behavioral changes occur, CDFW recommends stopping the activity, that is causing the behavioral change, and consulting with a qualified avian biologist on additional avoidance and minimization measures.

Recommended Mitigation Measure 2: Nesting Bird Buffers

During Project activities, if continuous monitoring of nests by a qualified avian biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 1,000-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified avian biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified avian biologist advise and support any variance from these buffers.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Permit must be obtained if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. Issuance of a CESA Permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially impact threatened or endangered species [CEQA section 21001(c), 21083, and CEQA

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 8 of 10

Guidelines section 15380, 15064, 15065]. Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code section 2080.

Lake and Streambed Alteration Program

Notification is required, pursuant to CDFW's LSA Program (Fish and Game Code section 1600 et. seq.) for any Project-related activities that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA (Public Resources Code section 21000 et seq.) as the responsible agency.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, section 711.4; Pub. Resources Code, section 21089). Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW.

Thank you for the opportunity to comment on the Project's NOP. If you have any questions regarding this letter or for further coordination with either the Bay Delta Region-3 or the Marine Region-7, please contact Ms. Monica Oey, Region 3 Environmental Scientist, at (707) 428-2088 or Monica.Oey@wildlife.ca.gov; Ms. Amanda Canepa, Region 7 Environmental Scientist, at (831) 649-2813 or Amanda.Canepa@wildlife.ca.gov; or Ms. Randi Adair, Region 3 Senior Environmental Scientist (Supervisory), at Randi.Adair@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Gregg Erickson
Regional Manager
Bay Delta Region

ec: State Clearinghouse

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 9 of 10

REFERENCES

- Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.
- Bottalico, Pasquale & Spoglianti, Dorina & Bertetti, Carlo & Falossi, Marco. 2015. Effect of noise generated by construction sites on birds, paper presented at Internoise 2015, International Congress and Exposition on Noise Control Engineering.
- Harrington, J. L., and M. R. Conover. 2006. Characteristics of ungulate behavior and mortality associated with fences. *Wildlife Society Bulletin* 34:1295–1305.
- Hollis, G. 1975. The effect of urbanization on floods of different recurrence interval. *Water Resources Research* 11:431-435.
- Klem, D. and P. G. Saenger. 2013. Evaluating the Effectiveness of Select Visual Signals to Prevent Bird-window Collisions. *The Wilson Journal of Ornithology* 125(2):406-411.
- Konrad, C.P. and D.B. Booth. 2005. Hydrologic changes in urban streams and their ecological significance, paper presented at American Fisheries Society Symposium, American Fisheries Society.
- Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. *Frontiers in Ecology and the Environment* 2:191–198.
- Loss, S.R., T. Will, S.S. Loss, and P.P. Marra. 2014. Bird-building collisions in the United States: estimates of annual mortality and species vulnerability. *Condor* 116: 8-23.
- Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.
- Ortega, C. P. 2012. Chapter 2: Effects of noise pollution on birds: A brief review of our knowledge. *Ornithological Monographs* 47: 6-22.
- Stuart, J. N., M. L. Watson, T. L. Brown, and C. Eustice. 2001. Plastic netting: An entanglement hazard to snakes and other wildlife. *Herpetological Review* 32:162–164.
- Sheppard, C. D. 2019. Evaluating the relative effectiveness of patterns on glass as deterrents of bird collisions with glass. *Global Ecology and Conservation* 20:e00795.

Mr. Christian Murdock, Senior Planner
City of Pacifica
September 8, 2020
Page 10 of 10

Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123–1127. Elsevier Ltd.

Tabor, R. A., G. S. Brown, and V. T. Luiting. 2004. The effect of light intensity on sockeye salmon fry migratory behavior and predation by cottids in the Cedar River, Washington. *North American Journal of Fisheries Management* 24:128–145.

van der Ree, R. 1999. Barbed wire fencing as a hazard for wildlife. *The Victorian Naturalist* 116:210–217.