



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



December 21, 2020

Governor's Office of Planning & Research

**Dec 23 2020**

Ms. Crystal Acker  
Sonoma County PRMD  
2550 Ventura Avenue  
Santa Rosa, CA 95403  
[Crystal.Acker@sonoma-county.org](mailto:Crystal.Acker@sonoma-county.org)

## STATE CLEARINGHOUSE

Subject: Stage Gulch Organics Compost Facility, Notice of Preparation of a Draft Environmental Impact Report, SCH No. 2020110450, City of Petaluma, Sonoma County

Dear Ms. Acker:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft Environmental Impact Report (EIR) for the Stage Gulch Organics Compost Facility (Project).

CDFW is a Trustee Agency with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a Responsible Agency if a project would require discretionary approval, such as a California Endangered Species Act (CESA) or Native Plant Protection Act Permit, a Lake and Streambed Alteration (LSA) Agreement, or approval under other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our jurisdiction, CDFW has the following concerns, comments, and recommendations regarding the Project.

### PROJECT DESCRIPTION AND LOCATION

The Project includes the construction and operation of a composting facility with an advanced, circular-turned aerated pile composting system. The Project has been designed to process 185,000 tons of organic materials per year and would produce high quality, certified organic compost that meets all applicable quality standards including registration with the California Department of Food and Agriculture Organic Input Material program. The Project would include a 557-foot by 557-foot concrete aerated pad for composting operations and minor structures. The Project site would occupy an approximately 17-acre portion of a larger parcel located at 2535 Stage Gulch Road, Petaluma, Sonoma County.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the draft EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's

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environmental impact (CEQA Guidelines, §§ 15124 and 15378). Please include a complete description of the following Project components in the Project description:

- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes.
- Area and plans for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems.
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features.
- Construction schedule, activities, equipment, and crew sizes.

## **ENVIRONMENTAL SETTING**

The draft EIR should provide sufficient information regarding the environmental setting (“baseline”) to understand the Project’s, and its alternative’s (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 and 15360).

CDFW recommends that the draft EIR 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). The draft EIR should describe aquatic habitats, such as wetlands and/or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site. Fully protected, threatened or 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:

- Sonoma spineflower (*Chorizanthe valida*), State and Federal Endangered
- Sonoma sunshine (*Blennosperma bakeri*), State and Federal Endangered
- Contra Costa goldfields (*Lasthenia conjugens*), Federal Endangered
- California red-legged frog (*Reithrodontomys raviventris*), Federal Threatened and California Species of Special Concern (SSC)
- Bank swallow (*Riparia riparia*), State Threatened
- Foothill yellow-legged frog (*Rana boylei*) (Northwest/North Coast clade), SSC
- Red-bellied newt (*Taricha rivularis*), SSC
- Townsend’s big-eared bat (*Corynorhinus townsendii*), SSC
- American badger (*Taxidea taxus*), SSC

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- Pallid bat (*Antrozous pallidus*), SSC
- San Pablo song sparrow (*Melospiza melodia samuelis*), SSC
- Western pond turtle (*Emys marmorata*), SSC

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. Based on the data and information from the habitat assessment, the CEQA document should adequately assess which special-status species are likely to occur on or near the Project site and be impacted.

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-Protocol>.

Botanical surveys for special-status plant species, including those with a California Rare Plant Rank (<http://www.cnps.org/cnps/rareplants/inventory/>), must be conducted during the blooming period for species potentially impacted by the project within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrology, and require the identification of reference populations. Please refer to CDFW protocols for surveying and evaluating impacts to rare plants, and survey report requirements, available at: <https://www.wildlife.ca.gov/Conservation/Plants>.

## **IMPACT ANALYSIS AND MITIGATION MEASURES**

The draft EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Encroachments into riparian and aquatic habitats, wetlands or other sensitive areas;
- Potential for “impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alteration of soils and hydrology, and removal of habitat structural features (e.g. snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence; and
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features.

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The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the lead agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the draft EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 and 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service. These measures should be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

## **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 restrict the range or reduce the population of a threatened or endangered species (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, and 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 CESA.

### *Lake and Streambed Alteration Agreement*

CDFW will require an LSA Agreement, pursuant to Fish and Game Code section 1600 et. seq. for Project-related activities within any 1600-jurisdictional waters within the

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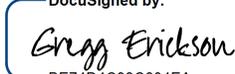
proposed Project area. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake 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 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, § 711.4; Pub. Resources Code, § 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.

If you have any questions, please contact Mr. James Hansen, Environmental Scientist, at [James.Hansen@Wildlife.ca.gov](mailto:James.Hansen@Wildlife.ca.gov); or Ms. Melanie Day, Acting Senior Environmental Scientist (Supervisory), at [Melanie.Day@Wildlife.ca.gov](mailto:Melanie.Day@Wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
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Gregg Erickson  
Regional Manager  
Bay Delta Region

cc: State Clearinghouse No. 2020110450