



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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March 29, 2021

Governor’s Office of Planning & Research

Mar 29 2021

STATE CLEARINGHOUSE

John Conley
Director of Community Development
City of Vista
200 Civic Center Drive
Vista, CA 92084
JConley@ci.vista.ca.us

Subject: City of Vista 2019 Climate Action Plan (PROJECT), Negative Declaration (ND), SCH #2021020443

Dear Mr. Conley:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Negative Declaration (ND) from the City of Vista (City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California’s **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the state. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources. The Department also administers the Natural Community Conservation Planning program (NCCP).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Vista

Project Description/Objective: The development of the City’s 2019 Climate Action Plan (CAP) provides an update to the inventory, projections, and GHG reduction measures included in the City’s 2013 CAP in compliance with applicable policies in the Vista General Plan 2030. The 2019 CAP includes a 2012 baseline GHG emissions inventory that identifies the City’s projected GHG emissions in 2020 and 2030, establishes the emissions reduction target relative to the statewide

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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targets under Assembly Bill (AB) 32 and Senate Bill (SB) 32, and identifies seven strategies and 14 measures the City will undertake to reduce GHG emissions from the following four emissions categories: Transportation, Energy, Solid Waste, and Carbon Sequestration. The 2019 CAP also identifies an implementation strategy that includes categories, time frames, and efforts needed to ensure that the strategies and measures are implemented and reduction targets are achieved. The City intends to implement the strategies and measures of the 2019 CAP through various types of policies, programs, and activities that are grouped into categories including Municipal Operations, New Ordinances and Code Updates, Planning, Financing and Incentives, Partnerships, and Education and Outreach. A detailed Implementation Plan would be developed (including a CAP Consistency Review Checklist) after adoption of the 2019 CAP. Lastly, the 2019 CAP includes adaptation strategies to help improve the City's resilience to potential climate change impacts. The adaptation strategies are meant to reduce the City's risk to hazards including increased temperatures, increased frequency of extreme heat events and heat waves, changes in precipitation patterns and water availability, increased likelihood of flooding, and increased wildfire risk.

The 2019 CAP has been structured to serve as a programmatic tiering document for future development projects pursuant to the requirements of CEQA Guidelines, Section 15183.5. Through its GHG emissions reduction measures, the updated CAP provides the means of implementing policies for GHG emissions reduction and minimizing (to the extent possible) the impacts of climate change. Through implementation of the 2019 CAP Consistency Review Checklist, the City will ensure that future development and planning activities within the City conform to the objectives of the 2019 CAP and climate change legislation passed by the state.

The 2019 CAP does not include any development proposals and would not directly result in physical environmental effects from the construction or operation of facilities. Future projects resulting from implementation of GHG reduction measures (Measures T-5 and T-6) in the 2019 CAP could involve the construction of additional bicycle lanes and paths and new mixed-use developments, which could have the potential to impact sensitive and special-status species during construction or operation.

The City is part of the regional North County Multiple Habitat Conservation Plan (MHCP) under the state's Natural Community Conservation Planning Program. Although the City does not have an approved Subarea Plan (SAP), it implements the provisions of the MHCP through the policies, goals, and Biological Preserve Overlay in the Resource Conservation and Sustainability Element of the Vista General Plan 2030.

Timeline: There is no timeline provided for the Project.

Location: The City of Vista encompasses approximately 19 square miles and is in northern San Diego County, approximately seven miles inland from the Pacific Ocean, and approximately 40 miles north of Downtown San Diego. It is bounded to the west, northwest, and southwest by the cities of Carlsbad and Oceanside, to the southeast by the City of San Marcos, and to the north and east by unincorporated San Diego County. The City's sphere of influence (SOI), representing the possible future boundaries and service area of the City, comprises a land area of approximately seven square miles of unincorporated area. The SOI borders the City to the north, northeast, and east, with a small area to the west and is entirely within unincorporated San Diego County. The City has applied land use designations to property within its SOI as an indication of its desired land uses should it annex that property in the future; however, unless or until annexation occurs, responsibility for regulating land use within the SOI belongs to the County of San Diego.

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Biological Setting: Vista is mostly built-out, and only a few areas of natural habitat remain in the City. The most extensive natural vegetation communities in the City are the riparian habitats and other wetlands, which are concentrated along major waterways and natural drainages, such as Buena Vista Creek and Agua Hedionda Creek. Open spaces areas are found mostly in the southern portion of the City, including areas in and around Dawson Los Monos Canyon Reserve, La Mirada Canyon, and Green Oak Ranch. Vegetation types in these open spaces include oak-sycamore woodland, oak savanna, riparian woodland and Diegan coastal sage scrub. Another substantial open space area with natural habitat occurs in Guajome Regional Park at the northwest corner of Vista; other smaller areas of natural habitat are scattered throughout the City.

The City faces threats related to climate change that are projected for the larger San Diego region. These include more frequent and intense heat waves; increased wildfire frequency, intensity, and duration; diminished air quality; loss of biodiversity; and reduction of plant and animal habitats.

COMMENTS AND RECOMMENDATIONS

CDFW makes the following comments and recommendations for review of projects tiering from the ND and analysis of potential impacts to biological resources. Future projects should consider climate variability and change, as well as species' adaptations throughout all phases of the project (i.e., initial project design through operations and maintenance).

1. Although the City does not yet have an approved MHCP SAP, it implements the provisions of the MHCP through the policies, goals, and Biological Preserve Overlay in the Resource Conservation and Sustainability Element of the Vista General Plan 2030. Resource Conservation and Sustainability Element Policies 6.1–6.6 under Goal 6 of the General Plan aim to implement the provisions of the regional MHCP and establish maintenance and management standards to limit development within the Biological Preserve Overlay to ensure permanent conservation. Future development projects with implementation of the 2019 CAP would be required to comply with these Vista General Plan 2030 goals and policies.

CDFW concurs with the goals of the City's General Plan 2030 to apply the conservation provisions of the MHCP to future City projects, and encourages the City to continue working towards completion of the SAP. The City's draft SAP contributes to multi-species and habitat conservation on a regional scale. A regional network of preserved lands promotes animal and plant species resilience and adaptation to the stressors resulting not just from climate change but also from expanding urbanization, recreation, and invasive species. Conserving core areas of habitat and providing connections between those core areas creates linkages that may allow for potential geographic shifts by species to more northern latitudes or higher elevations in response to climatic and temperature changes. Enhancing species resiliency to changing environmental stressors may aid in preventing or reducing extinction.

The 2019 CAP should implement land use strategies within the MHCP and planning areas that compliment maintaining and expanding native habitat abundance and diversity while simultaneously sequestering GHG emissions. Preliminary suggestions include but are not limited to: enhancing riparian areas and other open space areas, and preserving, enhancing, and increasing urban habitats, among other opportunities.

2. CDFW acknowledges that the field of climate science continues to evolve. We encourage the City to acknowledge the evolution by continuously revamping the CAP with the best available science. While not exhaustive, and intended to evolve with the CAP overtime, CDFW provides a preliminary checklist below as a sampling of recommendations for the City to include in the

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final 2019 CAP Consistency Review Checklist. Proposed projects should consider climate variability and change throughout all phases of the project, from initial project design through operations and maintenance. The checklist should demonstrate that a project has considered the following:

- a. Has the project analyzed relevant climate change science and impacts, integrating the best available science into the project design?
 - b. Has the project outlined specific climate mitigation and adaptation measures that will be implemented to mitigate project GHG emissions and increase local resiliency?
 - c. Has the project analyzed how the project may increase habitat and/or species vulnerability to climate change due to one or more of the following climate change-related stressors:
 - i. shifting fire frequency;
 - ii. drought impacts;
 - iii. shifts in vegetation types and distribution;
 - iv. increased temperatures;
 - v. increased duration and frequency of heat waves;
 - vi. fog reduction or marine layer coverage;
 - vii. project introduction or exposure to increased incident of wildlife; and/or,
 - viii. reduction in elevational or spatial habitat buffers from the effects of climate change?
3. Measures E-2 and E-3 of the 2019 CAP would involve installation of solar photovoltaic panels on existing municipal and school buildings and/or at existing parking lots. CDFW commends efforts to encourage sustainable green energy production, including the utilization of distributed-rooftop energy solutions because it co-locates energy production with existing development, thereby minimizing habitat loss associated with the physical footprint of the energy production itself.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a data base which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/CNDDDB_FieldSurveyForm.pdf. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link:
http://www.dfg.ca.gov/biogeodata/cnddb/plants_and_animals.asp.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. 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. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the ND to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Meredith Osborne, Environmental Scientist, at (858) 636-3163 or Meredith.Osborne@wildlife.ca.gov.

Sincerely,

DocuSigned by:


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David A. Mayer
Environmental Program Manager
South Coast Region

ec: CDFW

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