



November 21, 2022

Erin Chappell
Regional Manager Bay Delta Region
California Department of Fish & Wildlife
2825 Cordelia Road, Suite 100
Fairfield, CA 94534

Subject: Response to Comments on Aldersly Planned Development Amendment
Draft Environmental Impact Report, SCH No. 2021110398

Dear Ms. Chappell,

The City of San Rafael received your letter dated September 27, 2022, which included comments and recommendations to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

In accordance with PRC § 21092.5, we are providing you with a written response to the comments contained in the September 27, 2022, letter in advance of the San Rafael City Council's action on certification of the Final EIR, which is scheduled for December 5, 2022.

Your September 27, 2022, comment letter is included as **Comment Letter A-1** and the responses to CAFW comments are Page 3.1-2 of the Final EIR Response to Comments document, which can be viewed [here](#) on the project webpage. In addition, a letter report prepared by WRA that addresses comments in your September 27, 2022, letter can be accessed [here](#).

As discussed in the Final EIR Response to Comments from California Department of Fish and Wildlife (CDFW), no bats or indicators of on-site roosting (e.g., guano/staining) were observed by the biologist during their site visit. For these reasons, we believe that bats (including special-status species) are unlikely to roost on the project site. However, in order to mitigate the potential for bats to roost on the project site, the following measures recommended in your September 27, 2022, letter are included in the Final EIR Response to Comments document, the Draft Resolution certifying the Final EIR, and the Draft Mitigation Monitoring and Reporting Program (MMRP):

Mitigation Measure BIO-2 (Roosting Bat Habitat Assessment and Surveys): Prior to any tree removal, a qualified biologist shall conduct a habitat assessment for bats. A qualified bat biologist shall have: 1) at least two years of experience conducting bat surveys that resulted in detections for relevant species, such as pallid bat, with verified project names, dates, and references, and 2) experience with relevant equipment used to conduct bat surveys. The habitat assessment shall be conducted a minimum of 30 to 90 days prior to tree removal and shall include a visual inspection of potential roosting features (e.g., cavities, crevices in wood and bark, exfoliating bark, suitable canopy for foliage roosting species). If suitable habitat trees are found, or bats are observed, mitigation measure BIO-3 shall be implemented.

Mitigation Measure BIO-3 (Roosting Bat Tree Protections): If the qualified biologist identifies potential bat habitat trees, then tree trimming and tree removal shall not proceed unless the following occurs: 1) a qualified biologist conducts night emergence surveys or completes visual examination of roost features that establishes absence of roosting bats, or 2) tree trimming and tree removal occurs only during seasonal periods of bat activity, from approximately March 1 through April 15 and September 1 through October 15, and tree removal occurs using the two-step removal process. Two-step tree removal shall be conducted over two consecutive days. The first day (in the afternoon), under the direct supervision and instruction by a qualified biologist with experience conducting two-step tree removal, limbs and branches shall be removed by a tree cutter using chainsaws only; limbs with cavities, crevices or deep bark fissures shall be avoided. The second day the entire tree shall be removed.

We appreciate your input on addressing potential project impacts on fish and wildlife (biological) resources. If you have questions or comments, please do not hesitate to contact me at 415-706-0443 or by email at jayni.allsep@cityofsanrafael.org.

Sincerely,



Jayni Allsep
CITY OF SAN RAFAEL
Contract Planner

cc: Leslie Mendez, Planning Manager