



DEPARTMENT OF FISH AND WILDLIFE  
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**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



March 25, 2022

Governor's Office of Planning & Research

**Mar 25 2022**

## STATE CLEARINGHOUSE

Shawn Monk, Planner  
City of Fresno  
2600 Fresno St, Room 3065  
Fresno, California 93721  
Shawn.Monk@fresno.gov

**Subject: Southeast Development Area Specific Plan (Project)  
Notice of Preparation (NOP)  
SCH No.: 2022020486**

Dear Mr. Monk:

The California Department of Fish and Wildlife (CDFW) received a NOP from the City of Fresno for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup>

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, CDFW appreciates 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 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.

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<sup>1</sup> 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.

Shawn Monk  
 City of Fresno  
 March 25, 2022  
 Page 2

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Fresno

**Objective:** The proposed project is a Specific Plan for the Southeast Development Area (SEDA) that would provide for increased density and accelerate housing production throughout the Plan Area. The proposed project would offer flexibility in meeting the evolving needs of households in the region through a multimodal transportation network and diverse housing types and affordability levels. The proposed project land use categories are shown in Table 1 (below) along with the total proposed acreage.

**Table 1:** Proposed Specific Plan Estimated Acreages

Land Use	Proposed Plan Acres	Percentages
<i>Mixed-Use Land Uses</i>		
Regional Center	310	3.5%
Community Center	290	3.3%
Neighborhood Center	520	5.9%
<i>Residential Land Uses</i>		
Mixed Residential	1,090	12.4%
Neighborhood Residential	1,520	17.3%
Rural Residential	2,160	24.5%
Rural Cluster Residential	810	9.2%
<i>Employment Land Uses</i>		
Office Center	160	1.8%
Flexible Research and Development	1,380	15.7%
Institutional	280	3.2%
<i>Other Land Uses</i>		
Flood Control Basin	280	3.2%
<b>TOTAL</b>	<b>8,799</b>	<b>100%</b>
Notes:		
* Rounded to the nearest acre.		

Shawn Monk  
 City of Fresno  
 March 25, 2022  
 Page 3

<i>Figures may not sum due to rounding.</i>		
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### **The SEDA Specific Plan**

The proposed project provides a vision and implementation mechanisms for a sustainable future for the SEDA. It has the potential to accommodate approximately 45,000 homes and 37,000 jobs within the nearly 9,000-acre planning area by the year 2050. Framed within three interrelated goals: fiscal responsibility, social equity, and environmental sustainability the proposed project would link a series of complete communities and mixed-use centers with a multimodal transportation network. The proposed project would include major transit lines, mixed-use centers, diverse residential districts, employment districts, open space, agriculture, and green infrastructure.

**Location:** The regional location of the nearly 9,000-acre SEDA Specific Plan Area (Plan Area) is in the southeast portion of the City, in Fresno County (County), California. The Plan Area is bounded on the north by the Gould Canal, on the east by McCall and Highland Avenues, on the south by Jensen and North Avenues, and on the West by Locan, Temperance, and Minnewawa Avenues.

**Timeframe:** The proposed project would be implemented over approximately 28 years, through the horizon year of 2050 per Project information.

### **COMMENTS AND RECOMMENDATIONS**

After reviewing the NOP document, CDFW has concerns regarding potential Project impacts to the following.

CDFW is concerned regarding potential impacts to special-status species including, but not limited to, the State and federally endangered California jewelflower (*Caulanthus californicus*), San Joaquin adobe sunburst (*Pseudobahia peirsonii*), San Joaquin kit fox (*Vulpes macrotis mutica*), and least Bell's vireo (*Vireo bellii pusillus*); the State endangered and federally threatened succulent owl's clover (*Castilleja campestris* var. *succulenta*), western yellow-billed cuckoo (*Coccyzus americanus occidentalis*); the federally endangered valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*); the federally threatened vernal pool fairy shrimp (*Branchinecta lynchi*); the State and federally threatened California tiger salamander (*Ambystoma californiense*); the State threatened Swainson's hawk (*Buteo swainsoni*) and tricolored blackbird (*Agelaius tricolor*); the State species of special concern burrowing owl (*Athene cunicularia*), western spadefoot (*Spea hammondi*), western pond turtle (*Emys marmorata*), American badger (*Taxidea taxus*), and coast horned lizard (*Phrynosoma blainvillii*).

Shawn Monk  
City of Fresno  
March 25, 2022  
Page 4

Special-status species may occur in previously disturbed agricultural lands, orchards, pasture, and row and field crops as well as the undisturbed areas occurring within the Project area. Based on the information provided in the NOP, CDFW cannot determine the extent of impacts that are likely to occur to fish and wildlife resources, or what mitigation measures may be necessary to reduce impacts to less than significant and/or avoid unauthorized take of species listed pursuant to CESA. Therefore, CDFW recommends that the EIR prepared for the Project analyze potential impacts for all of the previous listed species and what, if any, mitigation measures are necessary to reduce impacts to less than significant.

CDFW appreciates the opportunity to comment on the Project to assist the City of Fresno in identifying and mitigating the Project's impacts on biological resources. We are happy to meet with you to discuss the Project, our recommended mitigation measures, and/or consider alternative measures. If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, or by electronic mail at [Kelley.Nelson@wildlife.ca.gov](mailto:Kelley.Nelson@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
FA83F09FE08945A...

Julie A. Vance  
Regional Manager

ec: Patricia Cole  
United States Fish and Wildlife Service  
[Patricia.Cole@fws.gov](mailto:Patricia.Cole@fws.gov)