



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
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 San Diego, CA 92123
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www.wildlife.ca.gov

GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



September 22, 2022

Oscar Romero
 Development Services Department
 City of Chula Vista
 276 Fourth Avenue
 Chula Vista, CA 91910
ORomero@chulavistaca.gov



Subject: Proposed Shinohara Business Center (PROJECT), Draft Mitigated Negative Delcaration (MND), SCH #2022080431

Dear Mr. Romero:

The California Department of Fish and Wildlife (CDFW) received a Notice of Availability of a MND from the City of Chula Vista (City) for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ The Project details referenced here are based on information provided in the MND and its associated documents, as well as through prior meetings and correspondence between CDFW and Project proponents.

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. CDFW also administers the Natural Community Conservation Planning (NCCP) program. The City participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan. Per the draft MND, the City has determined that the Project conforms with the Chula Vista MSCP Subarea Plan (Subarea Plan) and the Habitat Loss and Incidental Take (HLIT) Ordinance.

The Project is located on a 10-acre site within an urban area of the City designated as a "Development Area Outside of Covered Projects" per the Subarea Plan. Construction of the Project would result in impacts to 0.54 acre of disturbed coastal sage scrub and 7.05 acres of non-native grassland. Per the draft MND, these impacts to sensitive habitats would be mitigated through the purchase of credits at the San Miguel Conservation Bank in accordance with the ratios identified in Table 5-3 of the Subarea Plan. Additional mitigation measures to lessen potential direct and indirect impacts to sensitive species below a level of significance include burrowing owl take avoidance surveys and breeding season avoidance for avian species.

CDFW appreciates the opportunity to participate in early consultation for the Project and comment on the draft MND to assist the City in identifying and mitigating Project impacts on biological


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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resources. We concur that the Project is consistent with the conservation strategies put forth in the Subarea Plan and the HLIT Ordinance. Questions regarding this letter or further coordination should be directed to Heather Schmalbach, Environmental Scientist, at Heather.Schmalbach@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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