



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Northern Region
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GAVIN NEWSOM, Governor
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April 10, 2023

Dusty Duley
City of Willits
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**SUBJECT: City of Willits Land Use Element & Sphere of Influence Update Project
NOP - Notice of Preparation of a Programmatic Environmental Impact
Report ([SCH#2023030321](#))**

Dear Dusty Duley:

The California Department of Fish and Wildlife (CDFW) has reviewed the Notice of Preparation (NOP) for the above-referenced project (Project) dated March 10, 2023. The Programmatic Environmental Impact Report (PEIR) will address the environmental impacts associated with the adoption and implementation of the proposed Project and the zoning amendments necessary to implement the City of Willits' (City) General Plan, as well as planning for an expansion of its Sphere of Influence (SOI). CDFW appreciates this opportunity to comment on the scope and content of the Project, relative to public trust resources and impacts upon them.

The Project will update and amend the City's existing General Plan Land Use Element, which was last updated in 1992, and address the goals, policies, and implementation programs that will guide the City's long-term physical and economic development. The Land Use Element will include the general distribution, location, and extent of the uses for housing, business, industry, open space, agriculture, natural resources, and recreation and its Planning Area will include land outside of the City's boundaries. The proposed Project will require zoning amendments to implement the Land Use Element and SOI update.

As the Trustee for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary to sustain their populations. As a Responsible Agency, CDFW administers the California Endangered Species Act and other provisions of the Fish and Game Code (FGC) that conserve the State's fish and wildlife public trust resources. CDFW offers the following comments and recommendations in our role as Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA; California Public Resource Code §21000 *et seq.*). CDFW participates in the regulatory process in its roles as Trustee and Responsible Agency to minimize the Project impacts

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and avoid potential significant environmental impacts by recommending avoidance and minimization measures. These comments are intended to reduce the Project's impacts on public trust resources.

Comments and Recommendations

The NOP states the implementation of the Land Use Element may have a significant effect on the environment, which may include direct and indirect impacts from development, as well as cumulative impacts. The PEIR will disclose potential impacts of the proposed Project, and propose mitigation measures to avoid and/or reduce impacts deemed potentially significant. CDFW has reviewed the Land Use Element in the City's current Vision 2020 General Plan (1992). CDFW has also reviewed the goals and policies of the current General Plan, and recommends the City expand them to provide further protection for natural resources.

Recommendation 1: CDFW encourages the City to develop additional goals and policies, and incorporate protective measures and implementing programs that would avoid or minimize potential impacts to natural resources including riparian areas and streams, wetlands, sensitive natural communities, rare and endangered plant species; protect native trees and natural communities including oaks and oak woodlands; and encourage invasive species removal and landscaping with locally native plant species.

Riparian, Stream and Wetland Protection Zones and Setbacks

Riparian corridors, streams, and wetlands provide vital habitat for the majority of plant and wildlife species (CDFW 2014), and riparian areas are important foraging and movement corridors for wildlife.

The City of Willits should consider strengthened protection of wetlands through establishment of no-net-loss wetland policies, and requiring biological scoping or assessment as condition of approval for proposed projects adjacent to wetlands, riparian areas, and streams. These protections could be accomplished through adoption of programs containing specific implementation plans. One local example includes the City of Ukiah General Plan 2040, which includes the establishment of a Creek and Stream Protection Zone implementing program which identifies minimum buffers and extended buffers in areas with riparian habitat and wetlands. Additionally, the City of Ukiah update includes an Erosion Prevention Program, which will help avoid potential impacts to streams through erosion and sedimentation.

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Recommendation 2: Develop a wetland and stream protection zone as part of the updated zoning amendments to provide adequate disturbance buffers for riparian areas, streams, and wetlands. CDFW recommends that minimum buffer distances are measured from the top of the stream bank or the edge of the riparian drip-line, whichever is greater, on either side of perennial and intermittent streams. For wetlands, CDFW recommends a minimum setback to be measured from the delineated edge of the wetland.

Conservation of Oaks and Oak Woodlands

In California, oak woodlands have the greatest wildlife species richness of any other habitat in the state with over 330 species of amphibians, birds, and mammals relying upon these habitats at some point during their lives (CalPIF 2002). Oak woodlands have experienced ongoing declines due to conversion for agricultural uses, and oak woodlands are also impacted by low recruitment, competition from invasive species, and fire suppression (Whipple et al. 2011). California has lost approximately 1/3 of its historic oak woodland habitat statewide (CalPIF 2002). Because oaks are slow-growing trees, the substantial habitat and ecosystem value that mature trees provide is difficult to replace.

Recommendation 3: Develop an oak tree and oak woodland retention and protection policy and implementing program for new development that emphasizes the avoidance or minimization of oak tree and oak woodlands removal.

Invasive Species Control and Native Plant Landscaping

The predominance of non-native ornamental and invasive plant species in landscaping are generally not water-wise options (Valliere et al. 2019) and provide little habitat or food foraging opportunities for native wildlife including insects and bird species (Myjer 2019, Narango et al. 2017). Since 2013, the City of Fort Bragg and the City of Ukiah have each updated their General Plan elements to include new goals, policies, and implementation programs that encourage local, native plant landscape planting, retaining native trees, and removal of invasive plant species.

The City of Fort Bragg's General Plan Goals and Policies encourage native plants and discourage planting or retaining non-native, invasive plants and trees. Their policies condition development to require that 50% of all plantings are native plants, and requires discretionary development projects to prohibit the planting of any species of broom, pampas grass, gorse, or other species of invasive non-native plants deemed undesirable by the City. Their policies also conditionally require site planning, construction, and maintenance to preserve existing healthy trees and native vegetation on the site.


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The City of Ukiah's 2040 General Plan update includes a program to develop an Urban Forest Master Plan that includes the types of trees appropriate for Ukiah and locations where the City would receive the greatest benefits from new trees, including trees within commercial and residential areas, as well as city parks and facilities.

Recommendation 4: Encourage the use of locally native plants for landscaping, encourage the removal of non-native invasive plant species where feasible, and prohibit the planting of any plant or tree species in new development that are (a) listed as problematic and/or invasive by the California Invasive Plant Council, and/or by the State of California, or (b) listed as a "noxious weed" by the California Department of Food and Agriculture (CDFA 2023).

CDFW looks forward to reviewing the draft PEIR and is available for consultation. Should the City have any questions or concerns, please contact Senior Environmental Scientist Specialist [Jennifer Garrison](#); (707) 477-7792.

Sincerely,

DocuSigned by:

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California Department of Fish and Wildlife

References:

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City of Fort Bragg. Inland General Plan. 2013.
<https://www.city.fortbragg.com/departments/community-development/general-plan-zoning-information/inland-land-use-development-and-general-plan>.

City of Ukiah, 2040 General Plan. 2022.
https://ukiah2040.com/images/docs/202212_release/UKGP_EntireGP.pdf.

City of Willits. Vision 2020 Plan. 1992.
<https://cityofwillits.org/DocumentCenter/View/108/General-Plan-PDF>.

California Department of Fish and Wildlife, Northern Region. 2014. Technical Memorandum: Development, Land Use, and Climate Change Impacts on Wetland and Riparian Habitats – A Summary of Scientifically Supported Conservation Strategies, Mitigation Measures, and Best Management Practices.

California Department of Food and Agriculture. 2021. Noxious weed list (state and federal). https://www.cdfa.ca.gov/plant/IPC/encycloweedia/weedinfo/winfo_table-sciname.html.

CalPIF (California Partners in Flight). 2002. The oak woodland bird conservation plan: a strategy for protecting and managing oak woodland habitats and associated birds in California. Version 2.0 (S. Zack, lead author). Point Reyes Bird Observatory, Stinson Beach, CA. <http://www.prbo.org/calpif/plans.html>.

Myjer, Serena, "Drought Tolerant Landscaping Trends in Claremont, California" (2022). CMC Senior Theses. 3048. https://scholarship.claremont.edu/cmc_theses/3048.

Narango D.L., Tallamy D.W, and Marra P.P. 2017. Native plants improve breeding and foraging habitat for an insectivorous bird. *Biological Conservation* 213, 42–50.

Valliere J.M., Escobedo E.B., Bucciarelli G.M., ad Sharifi M.R., Rundel P.W. 2019. Invasive annuals respond more negatively to drought than native species. *New Phytologist* 223:1647–1656.

Whipple A.A., Grossinger R.M., and Davis F.W. 2011. Shifting baselines in a California oak savanna: nineteenth century data to inform restoration scenarios. *Restoration Ecology* 19 (101):88-101.