



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 8, 2024

Governor’s Office of Planning & Research

February 09 2024

Nancy Graham
City of San Diego
525 B. St. MS 908A
San Diego, CA 92101
nhgraham@sandiego.gov

STATE CLEARINGHOUSE

Dear Nancy Graham:

SUBJECT: FAIRMOUNT AVENUE FIRE STATION (PROJECT) NOTICE OF PREPARATION (NOP) SCH #2024010280

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of an Environmental Impact Report (EIR) from the City of San Diego 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.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW oversees implementation

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.

Conserving California’s Wildlife Since 1870

Nancy Graham
City of San Diego
February 9, 2024
Page 2 of 6

of the Natural Community Conservation Planning (NCCP) program. The City of San Diego participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP). This affords the City “take” of MSCP covered species that are listed under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 *et seq.*). If any CESA-listed species may be impacted by the Project that are not covered by the MSCP, the project proponent may seek related take authorization as provided by the Fish and Game Code.

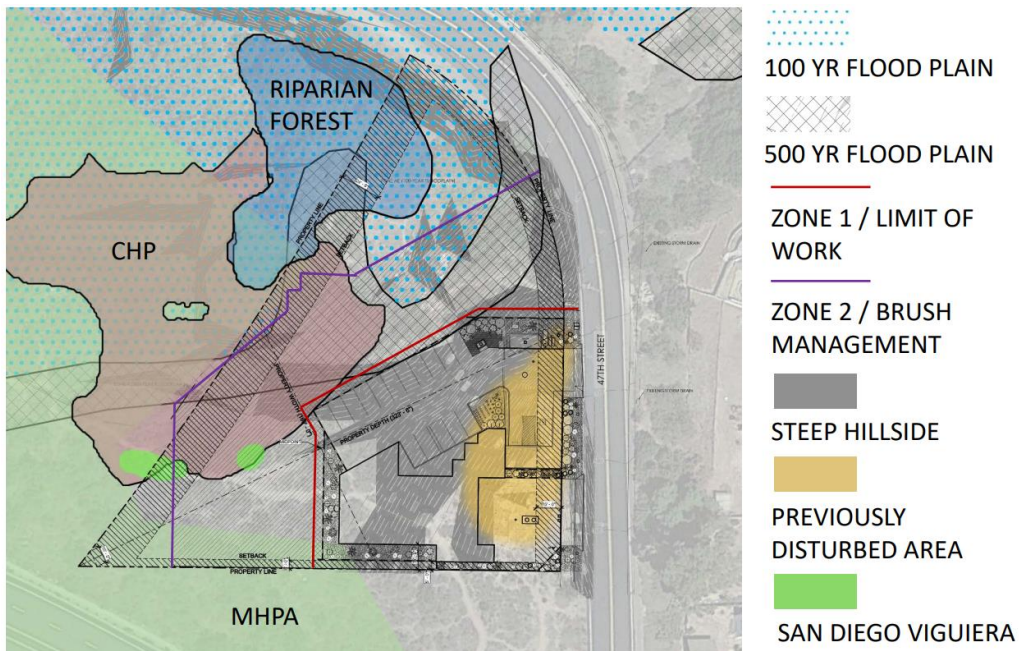
PROJECT DESCRIPTION SUMMARY

Proponent: City of San Diego (City)

Objective: The objective of the Project is to construct a fire station to serve the communities of Mid-City and City Heights. Project activities include vegetation removal, artificial slope creation, grading, installation of sewer and water lines; and construction of a 4-story fire station, a 15-stall parking lot, one garage, two apparatus bays, and a trash enclosure. Off-site improvements include new 22-foot-wide and 40-foot-wide drive aprons, a new crosswalk, curb cut, and power pole on 47th Street.

Location: The Project site is located east of Interstate 805, on the corner of 47th Street and Fairmount Avenue, in the City. Land uses surrounding the Project site include open space to the north and west, low-density residential housing to the east and north, industrial buildings to the south, and a school to the southeast.

Biological Setting: The 1.2-acre Project site is adjacent to, and partially overlaps, the City’s Multi-Habitat Planning Area (MHPA). Chollas Creek is situated approximately 450 feet to the northwest of the Project site.



Nancy Graham
City of San Diego
February 9, 2024
Page 3 of 6

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below 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.

To enable CDFW to adequately review and comment on the proposed Project from the standpoint of the protection of plants, fish, wildlife, and natural habitats, we recommend the following information be included in the EIR:

Specific Comments

- 1) **City of San Diego SAP:** CDFW issued NCCP Approval and Take authorization for the City of San Diego SAP per section 2800, *et seq.*, of the California Fish and Game Code on July 16, 1997. The SAP establishes a Multiple Species Conservation Program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit. Compliance with approved habitat plans, such as the SAP, is discussed in CEQA. Specifically, section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and NCCPs. The proposed Project occurs within the SAP Plan Area and is subject to its provisions and policies. For Project activities to be considered covered under the SAP, the City needs to demonstrate that proposed actions are consistent with the SAP and its associated Implementing Agreement. We encourage the City to include a thorough discussion of consistency of Project activities with the SAP in the draft environmental document. Given the proximity to the MHPA, the discussion should include consistency with the Land Use Adjacency Guidelines as described in Section 1.4.3 of the SAP.

General Comments

- 2) **Biological Resource Inventory:** The document should contain a complete description of the Project, including purpose and need. All habitats within and adjacent to the Project area should be described, including staging areas and access routes to the construction and staging areas. The EIR should identify any areas of overlap with the MHPA boundary. The document should also provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). Seasonal variations in use of the Project area by wildlife should also be addressed. A general reconnaissance survey should be conducted, as well as focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service (USFWS).

Nancy Graham
City of San Diego
February 9, 2024
Page 4 of 6

3) **Biological Impacts:** To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the EIR:

a) Please provide a discussion of potential adverse impacts from lighting, noise, human activity, exotic species, recreational uses, and drainage.

b) Please provide a discussion regarding indirect Project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands.

c) CDFW also recommends that a habitat gain/loss table be included, which calculates the expected net habitat losses and gains of each type of habitat area lost, restored, enhanced, and created.

4) **Mitigation for Project-related Biological Impacts:** The EIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project impacts and be consistent with the Subarea Plan. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be discussed.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database 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 filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 environmental document filing fee is required 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.)

Nancy Graham
City of San Diego
February 9, 2024
Page 5 of 6

CONCLUSION

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

Questions regarding this letter or further coordination should be directed to Jessie Lane, Environmental Scientist at Jessie.Lane@wildlife.ca.gov.

Sincerely,

DocuSigned by:

C3D449ECB7C14DE...
Jennifer Turner signing for

Victoria Tang
Environmental Program Manager
South Coast Region

ec: California Department of Fish and Wildlife

Cindy Hailey
Cindy.Hailey@wildlife.ca.gov

Office of Planning and Research

State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov