



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

Bay Delta Region

2825 Cordelia Road, Suite 100

Fairfield, CA 94534

(707) 428-2002

www.wildlife.ca.gov**GAVIN NEWSOM, Governor****CHARLTON H. BONHAM, Director**

May 17, 2024

Jonathan Perisho, Project Manager
San Mateo County Flood and Sea Level Rise Resiliency District
1700 S El Camino Real, Suite 502
San Mateo, CA 94402
Projects@OneShoreline.org

Subject: Routine Maintenance on Bayside Creeks Project, Mitigated Negative Declaration, SCH No. 2024040760, San Mateo County

Dear Mr. Jonathan Perisho:

The California Department of Fish and Wildlife (CDFW) has reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) prepared for the San Mateo County Flood and Sea Level Rise Resiliency District, also known as OneShoreline, (District) for the Routine Maintenance on Bayside Creeks Project (Project), located seven (7) distinct maintenance sites along five (5) creeks in San Mateo County (County). CDFW is submitting comments on the IS/MND regarding potentially significant impacts to biological resources associated with the Project.

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; California Environmental Quality Act [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.) 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 expects that it may need to exercise regulatory authority over the Project pursuant to the Fish and Game Code. For example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) regulatory authority, if the Project impacts the bed, channel or bank of any river, stream or lake within the State (Fish & G. Code, § 1600 et seq.). Likewise, to the extent the Project may result in "take" as defined by state law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, §

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 2

2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

REGULATORY REQUIREMENTS

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in “take” of plants or animals listed under CESA, either during construction or over the life of the Project. Under CESA, “take” means “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” (Fish & G. Code, § 86). CDFW’s issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain a CESA Permit.

CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the Lead Agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the Lead Agency makes and supports Findings of Overriding Consideration (FOC) for impacts that remain significant despite the implementation of all feasible mitigation. FOC under CEQA, however, do not eliminate the Project proponent’s obligation to comply with the Fish and Game Code.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting rivers, lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank (including associated riparian or wetland resources); or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, drainage ditches, washes, watercourses with a subsurface flow, and floodplains is generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Therefore, any impact to the mainstems, tributaries, or floodplains or associated riparian habitat caused by the proposed Project will likely require an LSA Notification. CDFW may not execute a final LSA Agreement until it has considered the final Environmental Impact Report (EIR) and complied with its responsibilities as a responsible agency under CEQA.

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 3

Migratory Birds and Raptors

CDFW has authority over actions that may result in the disturbance or destruction of active bird nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include section 3503 (regarding unlawful take, possession, or needless destruction of the nests or eggs of any bird), section 3503.5 (regarding the take, possession, or destruction of any birds-of-prey or their nests or eggs), and section 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

PROJECT DESCRIPTION

The Project proposes to reduce flood threats posed by surface waters in the County through waterway maintenance by removing accumulated sediment, vegetation, and debris in seven (7) targeted reaches of five (5) creeks: Atherton, Cordilleras, Belmont, San Bruno, and San Mateo Creeks. Operational maintenance activities are not anticipated to occur annually but on an as needed basis as necessitated by site conditions.

ENVIRONMENTAL SETTING AND LOCATION

The Project site is located at seven (7) distinct maintenance sites along five (5) creeks within San Mateo County (Exhibit B, IS/MND, Figure 1, p. 2-3): 1) San Bruno Creek at 7th Street (37.631618, -122.405077); 2) San Mateo Creek at Arroyo Court (37.563160, -122.327380); 3) San Mateo Creek at Highway 101 (37.571210, -122.313630); 4) Belmont Creek at Sem Lane (37.525607, -122.265811); 5) Belmont Creek at Highway 101 (37.520409, -122.266074); 6) Cordilleras Creek at El Camino Real (37.494170, -122.244141); and, 7) Atherton Channel at Haven Avenue (37.486845, -122.180905).

COMMENTS AND RECOMMENDATIONS

The proposed Project activities where special-status species and/or sensitive habitat may occur, include but are not limited to the following (California Natural Diversity Database [CNDDDB], 2024; IS/MND, pp. 49-65):

- **San Bruno Creek at 7th Street (37.631618, -122.405077):**
 - Alameda song sparrow (*Melospiza melodia pusillula*)
 - California black rail (*Laterallus jamaicensis coturniculus*)
 - California red-legged frog (*Rana draytonii*)
 - Hoary bat (*Lasiurus cinereus*)

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 4

- Pickleweed (*Salicornia pacifica*)
- San Francisco garter snake (*Thamnophis sirtalis tetrataenia*)
- **San Mateo Creek at Arroyo Court (37.563160 -122.327380):**
 - Alameda song sparrow (*Melospiza melodia pusillula*)
 - Franciscan onion (*Allium peninsulare var. franciscanum*)
 - Pacific walker (*Pomatiopsis californica*)
 - Pallid bat (*Antrozous pallidus*)
 - Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*)
 - Steelhead Central California Coast DPS (*Oncorhynchus mykiss*)
 - Townsend's big-eared bat (*Corynorhinus townsendii*)
 - Western bumble bee (*Bombus occidentalis*)
- **San Mateo Creek at Highway 101 (37.571210, -122.313630):**
 - Alameda song sparrow (*Melospiza melodia pusillula*)
 - California black rail (*Laterallus jamaicensis coturniculus*)
 - Franciscan onion (*Allium peninsulare var. franciscanum*)
 - Pacific walker (*Pomatiopsis californica*)
 - Pallid bat (*Antrozous pallidus*)
 - Ricksecker's water scavenger beetle (*Hydrochara rickseckeri*)
 - Steelhead Central California Coast DPS (*Oncorhynchus mykiss*)
 - Western bumble bee (*Bombus occidentalis*)
- **Belmont Creek at Sem Lane (37.525607, -122.265811):**
 - Alameda song sparrow (*Melospiza melodia pusillula*)
 - American peregrine falcon (*Falco peregrinus anatum*)

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 5

- California black rail (*Laterallus jamaicensis coturniculus*)
- California least tern (*Sternula antillarum browni*)
- California Ridgway's rail (*Rallus longirostris obsoletus*)
- Point Reyes salty bird's-beak (*Chloropyron maritimum ssp. Palustre*)
- Saline clover (*Trifolium hydrophilum*)
- Salt marsh harvest mouse (*Reithrodontomys raviventris*)
- Salt marsh wandering shrew (*Sorex vagrans halicoetes*)
- Short-eared owl (*Asio flammeus*)
- **Belmont Creek at Highway 101 (37.520409, -122.266074):**
 - California black rail (*Laterallus jamaicensis coturniculus*)
 - California Ridgway's rail (*Rallus longirostris obsoletus*)
 - Green sturgeon - southern DPS (*Acipenser medirostris pop.*)
 - Point Reyes salty bird's-beak (*Chloropyron maritimum ssp. Palustre*)
 - Pallid bat (*Antrozous pallidus*)
 - Pickleweed (*Salicornia pacifica*)
 - Saline clover (*Trifolium hydrophilum*)
 - Townsend's big-eared bat (*Corynorhinus townsendii*)
- **Cordilleras Creek at El Camino Real (37.494170, -122.244141):**
 - Alameda song sparrow (*Melospiza melodia pusillula*)
 - Hoary bat (*Lasiurus cinereus*)
 - Short-eared owl (*Asio flammeus*)
 - Western bumble bee (*Bombus occidentalis*)
- **Atherton Channel at Haven Avenue (37.486845, -122.180905):**

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 6

- Alameda song sparrow (*Melospiza melodia pusillula*)
- Green sturgeon - southern DPS (*Acipenser medirostris pop. 1*)
- Hoary bat (*Lasiurus cinereus*)
- California Ridgway's rail (*Rallus obsoletus obsoletus*)
- Northern slender pondweed (*Stuckenia filiformis ssp. Alpina*)
- Northern Coastal Salt Marsh
- Point Reyes salty bird's-beak (*Chloropyron maritimum ssp. palustre*)
- Salt marsh harvest mouse (*Reithrodontomys raviventris*)
- Salt marsh wandering shrew (*Sorex vagrans halicoetes*)
- Western bumble bee (*Bombus occidentalis*)
- Western pond turtle (*Emys marmorata*)
- Western snowy plover (*Charadrius nivosus nivosus*)
- Yellow rail (*Coturnicops noveboracensis*)

The Project proposes annual maintenance activities that will produce both permanent and temporary impacts (IS/MND, Table 1, p. 2-19 – 2-20). The IS/MND proposes Best Management Practices (BMPs) (IS/MND, Table 3, p. 2-22 – 2-26), and avoidance and mitigation measures (BIO-1–BIO-13) to address the Project impacts on biological resources (IS/MND, p.2-22 – 2-26).

CDFW offers the following comments and recommendations to assist the District in adequately identifying and/or mitigating the Project's significant, or potentially significant, temporary, permanent, direct, and indirect impacts on biological resources.

COMMENT 1: Special Status Species, Fully Protected Species and Take

Issue 1: The IS/MND proposes to remove trees, vegetation, sediment, and debris in areas where fully protected species may occur. There is potential for the Project to cause “take” of fully protected species from these activities.

Fully protected species, including, but not limited to: California least tern (*Sternula antillarum browni*), California black rail (*Laterallus jamaicensis coturniculus*), California Ridgway's rail (*Rallus obsoletus obsoletus*), salt marsh harvest mouse

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 7

(*Reithrodontomys raviventris*), San Francisco Garter Snake (*Thamnophis sirtalis tetrataenia*), may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species, live capture and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).

Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met (See Fish & G. Code § 2081.15). Project proponents should consult with CDFW early in the Project planning process.

Issue 2: The IS/MND includes protective measures to avoid nesting birds and fully protected and/or CESA listed species, however CDFW recommends additional measures to completely avoid take of fully protected and/or CESA listed species with potential to be impacted by the Project. Language in the IS/MND such as “reasonable efforts” to “capture and move” CESA listed and/or fully protected species may be prohibited without an ITP.

Evidence of impacts: According to the IS/MND: “Even with adherence to Project BMPs, impacts to special-status mammal species and their habitat would occur” (p. 3-26). BMP-13 and other avoidance and minimization measures include language such as “to the extent feasible” that is not specific enough to ensure the protection of fully protected and/or CESA listed species and their habitats.

Recommendation: To avoid impacts to CESA listed and/or fully protected species, the final IS/MND should include updates to proposed BIO-Measures to ensure impacts to fully protected species with the potential to occur at the Project sites are avoided.

Recommended update to Bio-1 Worker Awareness Training: According to measure Bio-1 in the IS/MND, worker awareness training will be provided to maintenance personnel involved in the Project. CDFW recommends the term maintenance personnel be defined within the final IS/MND to include equipment operators.

Recommended Nesting Bird Bio-Measure(s):

1. A qualified biologist shall conduct pre-construction surveys for nesting birds no more than one week prior to construction. If a lapse in Project activity of one week occurs,

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 8

surveys shall be repeated. Surveys shall consist of observations made at an appropriate time of day and in appropriate weather conditions. If nests are found the qualified biologist shall establish an appropriate buffer to be in compliance with MBTA and Fish and Game Codes § 3503 and § 3503.5. The protective buffers between each identified nest site and the ground-disturbing activities and tree removal shall be determined as necessary by the qualified biologist/biological monitor in consultation with CDFW. CDFW reserves the right to extend or contract buffers as necessary to protect nesting birds;

2. The qualified biologist shall monitor the nesting birds and shall increase the buffer if the qualified biologist determines the birds are showing signs of unusual or distressed behavior by Project activities. Atypical nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority, to order the cessation of all Project activities if the nesting birds exhibit atypical behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established;
3. To prevent encroachment, the established buffer(s) shall be clearly marked by high visibility material. The established buffer(s) shall remain in effect until the young have fledged or the nest has been abandoned as confirmed by the qualified biologist. Any sign of nest abandonment shall be reported to CDFW within 48 hours; and
4. No nesting habitat removal or modification shall occur within the exclusionary fenced nest zone until the qualified biologist (in consultation with CDFW) has determined the young have fully fledged and will no longer be adversely affected by the Project. Any trees or shrubs that are removed shall be “downed” in such a manner as to minimize disturbance to stable soil conditions.

Recommended Stop Work Bio-Measure: A qualified biologist shall be on-site daily, including prior to ground and vegetation disturbing activities. The qualified biologist shall have stop work authority to ensure impacts to any CESA listed or fully protected species is avoided. If a fully protected species or CESA listed species is or becomes present within the Project area, Project activities shall cease immediately, and the qualified biologist shall notify and consult with CDFW to determine next steps.

Recommended Fully Protected Species Avoidance: In the event a fully protected species is found within or adjacent to the Project site, CDFW recommends that a qualified biologist develops an appropriate no-disturbance buffer to be implemented. The qualified biologist should also be on-site during all Project activities to ensure that the fully protected species are not being disturbed by Project activities.

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 9

Recommended Survey Bio-Measure: Conduct an appropriately timed, protocol level survey for fully protected species and their habitat and include results of the surveys to inform additional Project avoidance measures.

COMMENT 2: California Ridgway's Rail and California Black Rail

Issue: California black rail, a state fully protected species, has the potential to occur within the Project area. Both California black rail and California Ridgeway rail (*Rallus longirostris obsoletus*) could be impacted by Project activities. Complete avoidance measures should be incorporated into the Project to ensure full take avoidance of the species.

Evidence of Impacts: California black rail populations have been documented as declining in California in recent decades primarily as a result of habitat loss and degradation, (Evens et al. 1991, Conway and Sulzman 2007). Black rail populations and their required habitat features are vulnerable to both human-caused and natural stressors.

Habitat removal, compacting, dewatering activities, and vegetation removal, could cause direct habitat loss which is a major factor in the decline of rails (Evens et al. 1991). Project activities near a wetland or water feature supporting these species would impact the quality of their habitat if dust, debris, petroleum, or other contaminants are discharged from the Project site into their habitat.

Vegetation clearing may impact rails where they require a dense cover of upland vegetation for protection from predators (Eddleman et al. 1994, Evens and Thorne 2015).

Disturbance to nesting rails, such as humans or pets intruding into the marsh, have been reported to cause rails to abandon nests or to try to defend nests, exposing eggs (Flores and Eddleman 1993). Intrusion can alter habitat and cause mortality through crushing of rails that generally freeze in place and are hesitant to flush (Evens and Thorne 2015).

Recommendations: To avoid impacts to California black rail and California Ridgeway's rail, CDFW recommends that activities within or adjacent to tidal marsh or suitable rail habitat, be avoided during rail breeding season, January 15 – August 31 for Ridgway's rail and February 1 – August 31 for California black rail.

CDFW also recommends the in-water work period for the Project is June 1 – November 30; however, with the presence of ridgeway rails, the in-water work period should be reduced to September 1 – November 30 to avoid impacts. All in stream work should be completed prior to the onset of precipitation capable of generating run-off, e.g., by October 15.

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 10

If Project activities within 700 feet of habitat will be conducted during the nesting season (January 15 to August 31) multiple, pre-sediment or vegetation management activities call back surveys should be required prior to initiation. A minimum of four surveys should be conducted between January and April, a minimum of two to three weeks apart. The listening stations should be established at 150-meter intervals along roads, trails, and levees that will be affected by Project implementation.

If California black rail is detected through surveys, then Project activities should not occur within 700 feet of an identified calling center. If the activity occurs where the Project site is across a major channel or slough from the Project site greater than 700 feet in distance the activity may continue. If bird activity is surveyed or discovered within the buffer limits immediate consultation with CDFW should be required. If rails are observed within the Project area at any time work should be stopped immediately by a qualified biologist and the rail species allowed to leave the area on its own. If the rail species does not leave the area, then no work should commence until CDFW has made a determination on how to proceed with work activities.

Daily monitoring surveys of Project sites should occur until the Project is complete. If an injured or dead rail is discovered at the Project sites, it should be reported to CDFW immediately for consultation and all Project activities cease.

COMMENT 3: Salt Marsh Harvest Mouse

Issue: Impacts to salt marsh habitat, including vegetation removal/disturbance, could cause take of salt marsh harvest mouse if the species is present during Project activities; and such take should be considered a significant impact under CEQA. Salt marsh harvest mouse is a fully protected species under the Fish and Game Code section 4700; therefore, CDFW cannot issue a Project permit for their take. Complete avoidance measures must be incorporated into the Project to ensure full take avoidance of the species.

Evidence of Impacts: Salt marsh harvest mice are endemic to the San Francisco Bay in salt marsh and brackish wetland habitats. The species has lost a significant amount of tidal marsh habitat in the last century as a result of filling and diking, changes in water salinity, invasive plant species, and pollution (Smith et al. 2014, U.S. Fish and Wildlife Service 2010). The continued fragmentation and degradation of salt marsh and wetland habitat is also a concern for the species. As salt marsh harvest mice are restricted to salt marsh and wetland habitats, activities that compromise these habitats may negatively affect the species.

Vegetation removal may impact salt marsh harvest mice as they need non-submerged vegetation for cover from predators and utilize grasses, seeds, and other vegetation as a food source (Zeiner et al. 1990). Areas with non-submerged vegetation are

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 11

particularly used during high tides (Smith et al. 2020). Additionally, vegetation clearing can cause fragmentation and create edge effects that permeate far beyond the Project site (Smith et al, 2020, U.S. Fish and Wildlife Service 2010).

Recommendations: CDFW recommends that an approved qualified biologist, familiar with salt marsh harvest mouse walk through and inspect suitable habitat immediately prior to vegetation removal and search for signs of harvest mice, Salt Marsh Wandering Shrew, or other sensitive wildlife and plants.

Prior to Project activities (e.g., vegetation removal, disturbance to vegetation) occurring in potential salt marsh harvest mouse habitat each day, an approved qualified biologist, familiar with salt marsh harvest mice, shall walk through and inspect suitable habitat and search for signs of harvest mice or other sensitive wildlife and plants. If a salt marsh harvest mouse is discovered, no work shall occur within 150 feet of that location. Following inspection, personnel, under the supervision of the qualified biologist, will disturb (e.g., flush) vegetation to force movement of salt marsh harvest mice into adjacent marsh areas. Immediately following vegetation flushing, personnel, under the supervision of the qualified biologist, will remove vegetation with hand tools (e.g., weed-eater, hoe, rake, trowel, shovel, grazing) so that vegetation is no taller than two inches. If string trimmers (a.k.a. weed whackers) are used, they shall be used to the minimum extent necessary and shall be used to take down vegetation height a couple inches at a time so that the biological monitor can search for potential salt marsh harvest mouse nests. If a nest is discovered, all work shall stop immediately and CDFW shall be notified. Work shall not resume until CDFW provides written permission to do so.

COMMENT 4: Vague Language

The IS/MND has several avoidance and mitigation measures that are not strong enough or specific enough to be implemented. Wording such as “to the extent feasible”, “if necessary”, “if feasible”, and “all reasonable efforts”, in the IS/MND and portions of BMPs and Bio-Measures that will be determined later, including survey protocols, avoidance actions proposed when special status species are present, buffer distances are not able to be implemented consistently during project activities.

Evidence of impacts: The vague language used in the IS/MND provides uncertainty that can result in no protection to CESA listed and/or fully protected species.

Recommendations: To reduce the risk to species, CDFW suggests revising any minimization or mitigation measure that includes language such as “to the extent feasible”, undefined areas, survey protocols (BMP-13), buffers, or other vague language to better define measures to be implemented.

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 12

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 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>.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish and Game Code, section 711.4; Pub. Resources Code, section 21089). 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.

CONCLUSION

Thank you for the opportunity to comment on the Project's IS/MND. If you have any questions regarding this letter or for further coordination with CDFW, please contact Mr. Jason Teichman, Environmental Scientist, at (707) 707-210-5104 or Jason.Teichman@wildlife.ca.gov; or Mr. Wesley Stokes, Senior Environmental Scientist (Supervisory), at Wesley.Stokes@wildlife.ca.gov.

Sincerely,

DocuSigned by:

Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2024040760)

REFERENCES

California Natural Diversity Database (CNDDDB) Rarefind Electronic database. California Department of Fish & Wildlife Sacramento, CA. Accessed April-May 2024.

Jonathan Perisho
San Mateo County Flood and Sea Level Rise Resiliency District
May 17, 2024
Page 13

Conway, C. J., and C. Sulzman. 2007. *Status and habitat use of the California black rail in the southwestern USA*. *Wetlands* 27:987–998.

Eddleman, W. R., R. E. Flores, and M. Legare. 1994. Black Rail (*Laterallus jamaicensis*). A. Poole and F. B. Gill, editors. *The Birds of North American Online*. Cornell Lab of Ornithology, Ithica, NY, USA.
<http://bna.birds.cornell.edu/bna/species/123>.

Evens, J. G., G. W. Page, S. A. Laymon, and R. W. Stallcup. 1991. *Distribution, relative abundance, and status of the California black rail in Western North America*. *The Condor* 93:952–966.

Evens, J., and K. Thorne. 2015. Appendix 5.1- Case Study- California black rail (*Laterallus jamaicensis corturniculus*). In *Baylands Ecosystem Habitat Goals Science Update (2015)*, Science Foundation Chapter 5.

Flores, R. E., and W. R. Eddleman. 1993. *Nesting biology of the California black rail in southwestern Arizona*. *Western Birds* 24:81–88.

Initial Study/Mitigated Negative Declaration (IS/MND) San Mateo County Flood and Sea Level Rise Resiliency District Routine Maintenance on Bayside Creeks Project, prepared by Montrose Environmental, dated April 2024.

Smith, Katherine R., Lauren M Barthman-Thompson, Sarah K Estrella, Melissa K Riley, Sadie N Trombley, Candice A Rose, Douglas A Kelt. Demography of the salt marsh harvest mouse (*Reithrodontomys raviventris halicoetes*) and associated rodents in tidal and managed wetlands, *Journal of Mammalogy*, Volume 101, Issue 1, 21 February 2020, Pages 129–142,
<https://doi.org/10.1093/jmammal/gyz183>

Smith, Katherine R., Lauren Barthman-Thompson, William R. Gould, Karen E. Mabry. Effects of Natural and Anthropogenic Change on Habitat Use and Movement of Endangered Salt Marsh Harvest Mice, *PLOS ONE*, Volume 9, Issue 10, 13 October, 2014, <https://doi.org/10.1371/journal.pone.0108739>

U.S. Fish and Wildlife Service [USFWS]. 2010. Salt marsh harvest mouse (*Reithrodontomys raviventris*) 5-year review: summary and evaluation. Sacramento Fish and Wildlife Office, USFWS, Sacramento, CA, USA

Zeiner, D. C., W. F. Laudenslayer, Jr, K. E. Mayer, and M. White. 1990. California's Wildlife Volume I-III. California Department of Fish and Game, editor. Sacramento, CA, USA.