



September 30, 2024

Monica Ly, Planning Manager

City of Foster City

610 Foster City Boulevard

Foster City, CA 94404

MLy@fostercity.org

Subject: Foster City Canada Goose Adaptive Management Plan Project, Mitigated Negative Declaration, SCH No. 2024090125, City of Foster City, San Mateo County

Dear Ms. Ly:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from City of Foster City for the Foster City Canada Goose Adaptive Management Plan Project (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 expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As

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.

Monica Ly
City of Foster City
September 30, 2024
Page 2

proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) 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.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Derek Schweigart, Parks and Recreation Director

Objective: The objective of the Project is to deter Canada Goose [*Branta canadensis*] from using City parks and the Foster City lagoon and encourage geese to relocate to more natural habitats. Primary Project activities include geese management by habitat modification and multiple harassment techniques.

Location: Seven parks in Foster City, San Mateo County: 1) Gull Park, Assessor's Parcel Number (APN): 094231010 (Latitude: 37.568970, Longitude: -122.264800), 2) Erckenbrack Park, APN: 094071500 (Latitude: 37.562820, Longitude: -122.260840), 3) Marlin Park, APN: 094271320 (Latitude: 37.564090, Longitude: -122.250060), 4) Leo J. Ryan Park, APN: 094470130 (Latitude: 37.5569452, Longitude: -122.2712594), 5) Catamaran Park, APN: 094470290 (Latitude: 37.5526113, Longitude: -122.2652772), 6) Edgewater Park, APN: 094402010 (Latitude: 37.548711, Longitude: -122.27624), and 7) Sea Cloud Park, APN: 097080070 (Latitude: 37.54362, Longitude: -122.255355).

Timeframe: TBD

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Foster City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document.

COMMENT 1: Nuisance Canada Goose (*Branta canadensis*; CAGO) and Management Strategies

Issue: Irrigated grass used in landscaping is known to attract grazing CAGO and therefore habitat modification is potentially one of the most effective deterrent techniques for reducing goose numbers. Effective non-lethal management of persistent CAGO populations has potential to work but may require a substantial habitat modification component to be successful. Accordingly, CDFW appreciates habitat

Monica Ly
City of Foster City
September 30, 2024
Page 3

modification is included in the Project MND however, the location and extent of this prescription is unclear and may be improved with additional considerations.

Supporting Evidence: Hazing or harassment strategies alone may not be effective at displacing established CAGO populations as they habituate and adapt to harassment techniques causing it to be difficult to make them leave (Askren et al., 2022; Canadian Wildlife Service, 2010). If people feed geese in park environments which contain large areas of grass lawns and open terrain, existing CAGO populations will likely persist and increase (Askren et al., 2022; Canadian Wildlife Service, 2010; Parkhurst, 2022).

Suitable habitat and food availability are key factors in affecting CAGO population size and rates of growth (Canadian Wildlife Service, 2010). Canada Geese are herbivores and may seek out manicured lawns especially near water in urban park environments as ideal habitat for nesting. Grass lawns are a desirable food source for CAGO, so removal of grass lawns also reduces the likelihood CAGO will adopt the area for nesting. Where landscape changes are not feasible, it is critical to discourage the public from feeding wildlife and to begin harassment immediately when CAGO appear to prevent them from developing a habit of using the area. Changing the landscaping in the Project areas is the best long-term solution to prevent increasing CAGO populations and human-wildlife conflicts (Canadian Wildlife Service, 2010; Parkhurst, 2022). Project site-wide habitat modification particularly in areas nearest water, including lawn removal and replacement with native shrubs and trees can be an effective deterrent to CAGO nesting and population growth (Askren et al., 2022; Canadian Wildlife Service, 2010). Habitat modification when combined with persistent use of multiple harassment techniques deployed frequently, and rendering eggs infertile can be effective strategies to reduce CAGO populations (Askren et al., 2022; Canadian Wildlife Service, 2010; Curtis & Braband, 2022; Parkhurst, 2022).

Recommendation: CDFW recommends the Project adopt a habitat modification centric approach to CAGO deterrence. The Project MND should identify specific areas where irrigated grass overlap with nuisance CAGO and prioritize those areas for habitat modification as an initial prescription wherever possible. Replace manicured lawns particularly along shorelines and in preferred nesting areas with tall native drought tolerant plants and shrubs. Mow existing lawns that cannot be removed less frequently and consider changing the type of grass used in turfs to a variety that is unappealing to CAGO. Finally, CDFW recommends the CAGO management plan emphasize the enforcement of a no-feed policy that may include public education campaign and signs placed in areas of the parks with CAGO populations are present.

Editorial Comments and/or Suggestions

Canada geese and other native birds typically nest between February 1 and September 1. If they are making a nest and not yet with eggs, the nests can be

Monica Ly
City of Foster City
September 30, 2024
Page 4

removed to preclude nuisance birds. There are provisions in state regulations (CA Code of Regs, Title 14, Section 503(c), and (2)) that allow for destruction of resident Canada goose nests and eggs if a federal depredation order permit is obtained. The Canada Goose Nest and Egg Depredation Order (50 CFR 21.50) authorizes landowners and local governments who register with the U.S. Fish & Wildlife Service (USFWS) to destroy resident Canada goose nests and eggs on their property from March 1-June 30, when necessary, to resolve or prevent injury to people, property, agricultural crops, or other interests.

Mitigation Measure BIO-1 is reasonably protective of native and special status avian species. We recommend the qualified biologist notify CDFW when nesting birds (other than CAGO) or other special status species occur in the Project area and consult with CDFW on avoidance and mitigation plans.

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 in order for the underlying project approval to be operative, vested, and final. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

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

Questions regarding this letter or further coordination should be directed to Jason Teichman, Environmental Scientist, at (707) 210-5104 or Jason.Teichman@wildlife.ca.gov.

Monica Ly
City of Foster City
September 30, 2024
Page 5

Sincerely,

DocuSigned by:

Erin Chappell

B77E9A6211EF486...

Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Planning and Research, State Clearinghouse (SCH No. 2024090125)

REFERENCES

- Askren, R. J., M. W. Eichholz, C. M. Sharp, B. E. Washburn, S. Beckerman, C. K. Pullins, A. M. V. Fournier, J. A. Vonbank, M. D. Weegman, H. M. Hagy, and M. P. Ward. 2022. Behavioral responses of Canada geese to winter harassment in the context of human-wildlife conflicts. *Wildlife Society Bulletin* 46:e1384. <https://doi.org/10.1002/wsb.1384>
- Canadian Wildlife Service. 2010. Handbook, Canada and Cackling Geese: Management and Population Control in Southern Canada. Canada. Environment Canada. Retrieved September 2024 from electronic resource: https://www.canada.ca/content/dam/eccc/migration/main/mbc-com/6d2b893b-c671-41af-8439-713305db384c/handbook_canada_cackling_geese_e-5B1-5D.pdf
- Curtis, Paul D., Braband, Lynn A. Management of Nuisance Geese on School Properties and Public Spaces, *Journal of Integrated Pest Management*, Volume 13, Issue 1, 2022, 28, <https://doi.org/10.1093/jipm/pmac025>
- Parkhurst, J. 2022. Managing Human-Wildlife Interactions: Canada Goose (*Branta canadensis*). Virginia Cooperative Extension, Virginia Tech. Retrieved September 2024 from electronic resource: https://www.pubs.ext.vt.edu/content/dam/pubs_ext_vt_edu/420/420-203/CNRE-160.pdf