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February 20, 2025

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**SUBJECT: NOTICE OF PREPARATION OF A PROGRAMMATIC ENVIRONMENTAL
IMPACT REPORT FOR THE SANTA BARBARA COUNTY RECREATION
MASTER PLAN AND RELATED AMENDMENTS TO COMPREHENSIVE
PLAN AND ZONING ORDINANCES PROJECT, SCH NO. 2025010342,
SANTA BARBARA COUNTY, CA**

Dear Jeff Lindgren:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) from Santa Barbara County (County) for the Santa Barbara County Recreation Master Plan and Related Amendments to Comprehensive Plan and Zoning Ordinances (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

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, CDFW appreciates 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 (Fish & G. Code, § 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

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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projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act 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 proposed, for example, the Project may be subject to CDFW's lake and streambed alteration 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 law² of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: County

Objective: The objective of the Project is to implement the proposed Recreation Master Plan, which describes a long-range plan to fund, guide, and develop new public parks and trails. The Project also includes the introduction of the Recreation Benefit Project (RBP) Program. This Program supports private developments to contribute to the County's public recreation system. The Project would amend the County's Comprehensive Plan and zoning ordinances to support the permitting of public parks and trails to allow for public rights-of-way on privately owned land. Primary Project activities include the development of, but are not limited to, sports and aquatic facilities, public parks, and trails. These activities involve grading, construction, and landscaping. Projects that qualify as an RBP must include a public recreation component that aligns with the Project and a private use or development component, such as campgrounds, country clubs, or housing. Per conversation with the County, a Programmatic Environmental Impact Report (PEIR) will be implemented, and an unknown amount of individual site-specific projects will be subject to additional CEQA review (Personal Communication January 2025).

Location: The Project areas include unincorporated inland and coastal areas of Santa Barbara County. There are five Recreation Planning Areas defined by the proposed Project: Santa Maria Valley, Lompoc Valley, Santa Ynez Valley, Cuyama Valley, and the South Coast (Figure 1). Areas that are owned and/or managed by federal agencies are excluded from the Project.

Timeframe: The Project is proposed to occur over the course of 10 to 20 years.

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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Biological Setting: The Project area includes a variety of vegetation communities such as oak and riparian woodlands, chaparral and coastal sage scrub, vernal pools, native grasslands, and coastal wetlands. Additionally, three river or large stream systems, such as the Santa Ynez River, Santa Maria River, and San Antonio Creek, perennial and intermittent creeks, and coastal and inland wetlands occur within the Project area.

The County did not prepare an Initial Study, and biological surveys were not provided. Given the size and scope of the Project, species that are of potential concern include but are not limited to: southern California steelhead (*Oncorhynchus mykiss irideus* pop. 10; Endangered Species Act (ESA)-listed endangered; CESA candidate endangered), tidewater goby (*Eucyclogobius newberryi*; ESA-listed endangered; California Species of Special Concern (SSC)), monarch butterfly – California overwintering population (*Danaus plexippus plexippus*; ESA proposed threatened), western burrowing owl (*Athene cunicularia*; CESA candidate endangered), Crotch’s bumble bee (*Bombus crotchii*; CESA candidate endangered), California red-legged frog (*Rana draytonii*; ESA-listed threatened; SSC), California tiger salamander – Santa Barbara County Distinct Population Segments (*Ambystoma californiense* pop. 2; ESA-listed endangered; CESA-listed threatened; CDFW Watch List), northern California legless lizard (*Anniella pulchra*; SSC), western spadefoot (*Spea hammondi*; ESA proposed threatened; SSC), coast horned lizard (*Phrynosoma blainvillii*; SSC), arroyo toad (*Anaxyrus californicus*; ESA-listed endangered; SSC), black-flowered figwort (*Scrophularia atrata*; California Rare Plant Rank (CRPR) 1B.2), sand mesa manzanita (*Arctostaphylos rudis*; CRPR 1B.1), La Purisima manzanita (*Arctostaphylos purissima*; CRPR 1B.1), tricolored blackbird (*Agelaius tricolor*; CESA-listed threatened; SSC), and other nesting birds and raptors. No compensatory mitigation is proposed in the NOP for this Project.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Specific Comments

- 1) Future Tiering. The NOP does not provide an inventory of individual, site-specific projects that would be subject to additional CEQA review and those that would rely on the PEIR with no further analysis. The PEIR should explicitly discuss what further CEQA actions are anticipated for future projects, what further analysis will be provided, and whether this analysis will be available for public review. For projects that will be tiered off the PEIR, CDFW recommends that the County set aside findings of significance until those aspects can be fully studied in a subsequent or supplemental CEQA document (see CEQA Guidelines §§ 15162 and 15163). In addition to this recommendation, CDFW would appreciate the opportunity to review and provide feedback on CEQA addendums associated with this PEIR. We are also available for scoping prior to additional public review periods.

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- 2) Impacts from Recreation. The NOP states the Project has the potential to directly and indirectly impact biological resources, hydrology, and surface water quality through the increased implementation of recreational activities. The PEIR should discuss impacts of the Project on biological resources as a result of increased recreational use, mitigation measures to offset impacts, and the implementation of compensatory mitigation. This discussion should address the following potential impacts:
- a. the potential of Project activities or Project implementation to influence wildlife's spatial distribution, abundance, predator avoidance behavior, foraging efficiency, vocal frequency, amplitude, or timing, physiology, and reproductive success;
 - b. the loss of suitable habitat, encroachment, injury or mortality, ongoing edge effects (i.e., noise, artificial night lighting), or attraction of nuisance wildlife to trash receptacles;
 - c. the effects on plants and wildlife from artificial lighting, through attraction and disorientation, loss of connectivity, interference with pollination and foraging, and disruption of circadian rhythms and lunar and seasonal cycles; and
 - d. the effect of outdoor motorbikes and electric bikes (e-bikes) on biological resources. E-bikes may lead to changes in habitat; alter diurnal activity patterns; result in excess soil compaction and erosion; and lead to direct, indirect, and/or cumulative impacts.

Additionally, the PEIR should discuss what recreational activities will be allowed, what areas will be open for public access as opposed to activities more limited in their occurrence, and how regulations will be enforced.

- 3) Wildlife Movement. CDFW recommends the County analyze the impacts of the Project on local wildlife movement, given that buildout of the Project area will reduce natural habitat and contribute to further habitat fragmentation. Impacts that should be analyzed include but are not limited to: habitat loss and fragmentation, narrowing of wildlife corridors, and introduction of barriers to wildlife movement. Technical detail such as data, maps, diagrams, and similar relevant information should be provided to permit full assessment of significant environmental impacts by reviewing agencies and members of the public (CEQA Guidelines, §15147). If avoidance of corridor encroachment is not feasible, the PEIR should provide measures to mitigate the Project's significant impacts to wildlife movement. CDFW is available for scoping of possible mitigation pathways prior to the circulation of the PEIR.
- 4) Impacts From Trails. The Project proposes trail management and trail creation in the Project area. Incorporating trails would increase human foot traffic resulting in increased noise levels in sensitive areas, increased trash or pet waste, introduce unnatural food sources via trash and trash receptacles, along with other indirect

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impacts. Additionally, trails and further buildout of the Project may create edge effects resulting in the restriction of wildlife movement. The PEIR should provide a discussion pertaining to the direct and indirect impacts the trails would have on biological resources and special-status species. The location of the trail system, description of trail materials (i.e., paved asphalt, gravel, etc.), and level of access to the trails should be discussed in the PEIR. The PEIR should also contain a mitigation measure that calls for the creation of a Recreational Trails Plan. The Plan should include, but is not limited to, installation of appropriate signage, trash receptacles, allowable and prohibited trail uses, and best management practices.

Additionally, fencing associated with trail creation and maintenance could obstruct wildlife movement and result in wildlife injury or mortality due to impalement and entanglement (e.g., chain link fencing). If the Project includes temporary and/or permanent fencing, prior to preparation of the PEIR, CDFW recommends the County provide wildlife friendly fencing designs. Fencing designs should be disclosed and evaluated in the PEIR for potential impacts on biological resources and wildlife movement. The PEIR should discuss how fencing proposed for the Project would minimize impacts on biological resources, specifically wildlife movement. CDFW supports the use of wildlife-friendly fencing. Wildlife-friendly fencing should be used and strategically placed in areas of high biological resource value to protect biological resources, habitat, and wildlife movement. CDFW recommends [A Landowner's Guide to Wildlife Friendly Fences](#) for information wildlife-friendly fences (MFWP 2012).

- 5) CESA and CESA Candidate Species. Western burrowing owl, Crotch's bumble bee, and California tiger salamander, species that are afforded protection under CESA, have the potential to occur within the Project area and be adversely impacted by Project activities. In preparation of the PEIR, CDFW recommends the County retain a qualified biologist with the appropriate handling permits to conduct focused surveys per established protocol.

CDFW considers adverse impacts to a species protected by CESA to be significant. Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options (Fish & G. Code, §§ 2080.1, 2081, subs. (b) and (c)). Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit.

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To ensure CDFW will be able to use the County's CEQA document for the issuance of an ITP, the PEIR or supplemental CEQA analysis should address all Project impacts to CESA-listed species and specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP.

- 6) Monarchs. There have been multiple observations of monarchs within the Project area through the [California Natural Diversity Database](#) (CNDDDB; CDFW 2025a). Additionally, sections of the Project area fall within monarch Areas of Conservation Emphasis (ACE), which displays the Project area having potential monarch overwintering habitat (CDFW 2025b). As the Project area likely provides suitable habitat for monarchs, Project activities such as tree trimming and vegetation removal may directly impact monarch butterfly overwintering habitat. Additionally, noise from construction activities may disturb overwintering roosts. The PEIR should evaluate the Project's potential direct, indirect, and cumulative impacts on monarchs and overwintering habitat during the construction and operational phase of the Project. Findings should be incorporated in the PEIR for public review.

For individual projects associated with the Recreation Master Plan, CDFW recommends the County retain a qualified biologist to assess the Project area for monarchs and overwintering habitat. The qualified biologist should survey eucalyptus and other trees within the Project area that are suitable for overwintering monarchs. The qualified biologist should conduct multiple surveys for overwintering monarchs where potential overwintering habitat has been identified. Monitoring should be done as frequently as possible during the overwintering season (typically September 15 through March 11) to capture changing distributions throughout the season and in response to storm events.

CDFW also recommends the County also consult the following resources to develop appropriate measures to mitigate the Project's potential impacts on monarchs.

- [Western Monarch Butterfly Conservation Plan](#) (WAFWA 2019);
- [Overwintering Site Management and Protection](#) (Western Monarch Count 2022);
- [Protecting California's Butterfly Groves](#) (Xerces Society 2017);
- [Managing Monarch Habitat in the West](#) (Xerces Society 2025a);
- [Pollinator-Friendly Native Plant Lists](#) (Xerces Society 2025b); and,
- CDFW's [Monarch Butterfly](#) webpage (CDFW 2025c).

Given the candidate listing under the ESA, we also recommend the County scope the impacts to this species and possible mitigation options with the USFWS.

- 7) ESA-Listed Fish Species. According to CNDDDB, there have been multiple observations of tidewater goby and southern California steelhead within the Project Area. Tidewater goby spend all of their life stages in lagoons, estuaries, and river mouths (USFWS 2005). Southern California steelhead are anadromous fish that will spawn within a creek, migrate downstream for smoltification, migrate to the ocean,

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and return to its spawning grounds as a mature adult (NMFS 2012). Project activities may result in temporary or permanent habitat modification, direct injury, reduced capacity, and population decline for these species. As such, the PEIR should analyze and discuss the Project's potential impact on fish species population, habitat, substrate, and passage. The PEIR should also analyze the Project's effect on the hydrology and hydraulics (velocity, depth, and temperature) of potentially impacted waterways within the Project area and how those effects may impact special-status fish species.

While we acknowledge that additional CEQA analysis may occur for certain projects associated with the PEIR, CDFW recommends that Project activities be conditioned to fully avoid all impacts to tidewater goby and southern California steelhead. No work should occur during the winter rainy season, which typically occurs between December 1 through March 31 (NMFS 2012). Additionally, no work should occur during peak breeding activities for tidewater goby, April 1 through June 31, and during November 1 through June 15 when periods of high flow and steelhead smolt are likely to be in the area during periods of receding flows. Tidewater goby and southern California steelhead are protected under the ESA and meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines CEQA § 15065). In addition, southern California steelhead are designated as a candidate species under CESA and afforded full protection. CEQA provides protection not only for ESA-listed and CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. Take of SSC could require a mandatory finding of significance by the County (CEQA Guidelines, § 15065). Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW or USFWS. Take under the federal ESA is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, to comply with ESA, is advised well in advance of any Project-related ground-disturbing activities where impacts to special-status fish will occur.

- 8) Species of Special Concern. A review of CNDDDB indicates observations of western spadefoot, northern California legless lizard, coast horned lizard, and arroyo toad within the Project area. The Project area provides suitable habitat for a variety of SSC. Project activities may result in death or injury of adults, juveniles, eggs, or hatchlings. Moreover, the Project may eliminate foraging, breeding, or nesting habitat and refugia for these species. In preparation of the PEIR, CDFW recommends the County thoroughly discuss the potential for impacts to SSC and include mitigation measures that provide compensatory mitigation for Project impacts on SSC.

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- 9) Rare Plants. According to CNDDDB, black-flowered figwort, sand mesa manzanita, La Purisima manzanita, and more rare plants were observed within the Project area. The Project area contains multiple different vegetation communities that provide suitable habitats for rare plants. Project activities, such as landscaping, vegetation removal, and the implementation of staging areas, may have impacts to plant species with a CRPR 1 and 2 and should be analyzed in the PEIR as they meet the definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). CDFW recommends the County provide full disclosure of the Project's impact on rare plants and their associated seedbank. CDFW also recommends the County incorporate measures in the PEIR that avoid, minimize, and mitigate potential impacts on rare plants and supporting habitat. The County should also retain a qualified biologist with the appropriate handling permits to conduct a rare plant survey throughout the Project area to confirm presence/absence of rare plants. Surveys should adhere to CDFW's [Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Populations and Sensitive Natural Communities](#) (CDFW 2018). Findings of the rare plant survey should be disclosed in the PEIR.
- 10) Nesting Birds and Raptors. The vegetation communities and trees within the Project area provides suitable habitat for nesting birds and raptors. Implementation of the Project activities, such as tree removal, during bird breeding and nesting season may result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. CDFW recommends the County provide a discussion of the Project's impact on nesting birds and raptors. Additionally, the County should incorporate measures in the PEIR to fully avoid impacts on nesting birds.

To avoid impacts to nesting birds, CDFW recommends that clearing of vegetation occur outside of the peak avian breeding season, which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting breeding bird surveys should conduct a nesting bird survey within three days prior to work in the area. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. For the given Project area, CDFW generally recommends a 100-foot buffer from common avian species, 300 feet for listed or highly sensitive, and 500 feet for raptors. The buffer should be delineated by temporary fencing and remain in effect as long as construction is occurring. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

The California Fish and Game Code (Sections 3503, 3503.5, and 3513), prohibits take of all birds and their active nests, including raptors and other migratory nongame birds as listed under the Federal Migratory Bird Treaty Act of 1918 (Code

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of Federal Regulations, Title 50, § 10.13). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any nesting bird.

- 11) Landscaping. The Project proposes landscaping as part of the creation of new parks and trails. CDFW recommends the County provide a native plant palette for the Project. The Project's landscaping plan should be disclosed and evaluated in the PEIR for potential impacts on biological resources such as natural communities adjacent to the Project area (e.g., introducing non-native, invasive species). CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as 'Moderate' or 'High' by the [California Invasive Plant Council](#). CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project area. In addition, CDFW supports planting species of trees and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors. Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

General Comments

- 1) Disclosure. The PEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).
- 2) Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the PEIR.
 - a. A complete discussion of the purpose and need for, and description of the proposed Project.
 - b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the County select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the County consider establishing appropriate setbacks from sensitive and special-status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends

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reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.

- c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The PEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
- d. Where the Project may impact aquatic and riparian resources, CDFW recommends the County select Project designs and alternatives that would fully avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level, which may cause the watercourse to alter its course of flow.

3) Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project site and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The PEIR should include the following information.

- a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The PEIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities webpage](https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities)³.

³ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

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- b. A thorough, recent, floristic-based assessment of special-status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special-status Native Plant Populations and Sensitive Natural Communities](#)⁴. Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special-status plants are present.
- c. Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the Project site and within adjacent areas. The [Manual of California Vegetation](#)⁵, second edition, (Sawyer, Keeler-Wolf, & Evens, 2009) should also be used to inform this mapping and assessment. Adjoining habitat areas should be included in this assessment where the Project's construction and activities could lead to direct or indirect impacts offsite.
- d. A complete and recent assessment of the biological resources associated with each habitat type in the Project site and within adjacent areas. A full literature review includes but is not limited to CDFW's [California Natural Diversity Database](#)⁶ (CNDDDB). The CNDDDB should be accessed to obtain current information on any previously reported sensitive species and habitat. An assessment should include a minimum nine-quadrangle search of the CNDDDB to determine a list of species potentially present in the Project site. A nine-quadrangle search should be provided in the Project's CEQA document for adequate disclosure of the Project's potential impact on biological resources.
- e. A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas, including SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when

⁴ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

⁵ <https://vegetation.cnps.org/>

⁶ <https://wildlife.ca.gov/Data/CNDDDB>

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the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See [CDFW's Survey and Monitoring Protocols and Guidelines](#)⁷ for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and U.S. Fish and Wildlife Service.

- f. A recent wildlife and rare plant survey. A lack of records in the CNDDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003(i)). CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.
- 4) Direct and Indirect Impacts on Biological Resources. The PEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The PEIR should address the following.
- a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).
 - b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, § 15126.2(a)).
 - c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the PEIR.
 - d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential

⁷ <https://wildlife.ca.gov/conservation/survey-protocols>

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resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.

- e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the PEIR.

- 5) Cumulative Impact. Cumulative impacts on biological resources can result from collectively significant projects which are individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The Project may have the potential to substantially reduce the number or restrict the range of endangered, rare, or threatened species. Species that may be impacted by the Project include, but are not limited to, the biological resources described in this letter.

Accordingly, CDFW recommends the PEIR evaluate the Project's potential cumulative impacts on biological resources. The Project may have a "significant effect on the environment" if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (Pub. Resources Code, § 21083(b)). The County's conclusions regarding the significance of the Project's cumulative impact should be justified and supported by evidence to make those conclusions. Specifically, if the County concludes that the Project would not result in cumulative impacts on biological resources, the County, "shall identify facts and analysis supporting the Lead Agency's conclusion that the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

- 6) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Pursuant to CEQA Guidelines section 15126.4, an environmental document shall describe feasible measures which could mitigate impacts below a significant level under CEQA. Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4).
 - a. The PEIR should provide mitigation measures that are specific and detailed (i.e., responsible party, timing, specific actions, location) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation

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monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

- b. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the PEIR should include a discussion of the effects of proposed mitigation measures (CEQA Guidelines, § 15126.4(a)(1)). In that regard, the PEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.
- 7) Compensatory Mitigation. The PEIR should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special-status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. 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 inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.
 - 8) Long-term Management of Mitigation Lands. For proposed mitigation lands, the PEIR should include measures to protect the targeted habitat values in perpetuity. The mitigation should offset Project-induced qualitative and quantitative losses of biological resources. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.
 - 9) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. These efforts are experimental, and the outcome is unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.
 - 10) Scientific Collecting Permit. A Scientific Collecting Permit would be necessary if there is a plan to capture and relocate wildlife. Pursuant to the California Code of

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Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). A Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). For more information, please see CDFW's [Scientific Collecting Permit webpage](#)⁸.

11) Lake and Streambed Alteration. CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. CDFW recommends that the City assess whether notification is appropriate. A Notification package for a LSAA may be obtained by accessing CDFW's [Lake and Streambed Alteration Program website](#)⁹.

12) Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the [Fish and Game Commission's \(Commission\) policies](#)¹⁰. Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the

⁸ <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

⁹ <http://www.wildlife.ca.gov/Conservation/LSA>

¹⁰ <https://fgc.ca.gov/About/Policies/Miscellaneous>

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development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a “no net loss” of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the PEIR and these measures should compensate for the loss of function and value.

- b. The Fish and Game Commission’s Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

- 13) Use of Native Plants and Trees. CDFW recommends the County require the Project Applicant to provide a native plant palette for the Project. The Project’s landscaping plan should be disclosed and evaluated in the PEIR for potential impacts on biological resources such as natural communities adjacent to the Project site (e.g., introducing non-native, invasive species). CDFW supports the use of native plants for the Project especially considering the Project’s location adjacent to protected open space and natural areas. CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as ‘Moderate’ or ‘High’ by the [California Invasive Plant Council](#)¹¹ CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project site. In addition, CDFW supports planting species of trees, such as oaks (*Quercus* genus), and understory vegetation (e.g., ground cover, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors.

¹¹ <https://www.cal-ipc.org/plants/inventory/>

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Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

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 website](#)¹² provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special-status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)¹³.

The County should ensure data collected for the preparation of the PEIR is properly submitted.

FILING FEES

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

CONCLUSION

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

¹² <https://wildlife.ca.gov/Data/CNDDDB>

¹³ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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Questions regarding this letter or further coordination should be directed to Joleena De La Fe¹⁴, Environmental Scientist.

Sincerely,

DocuSigned by:

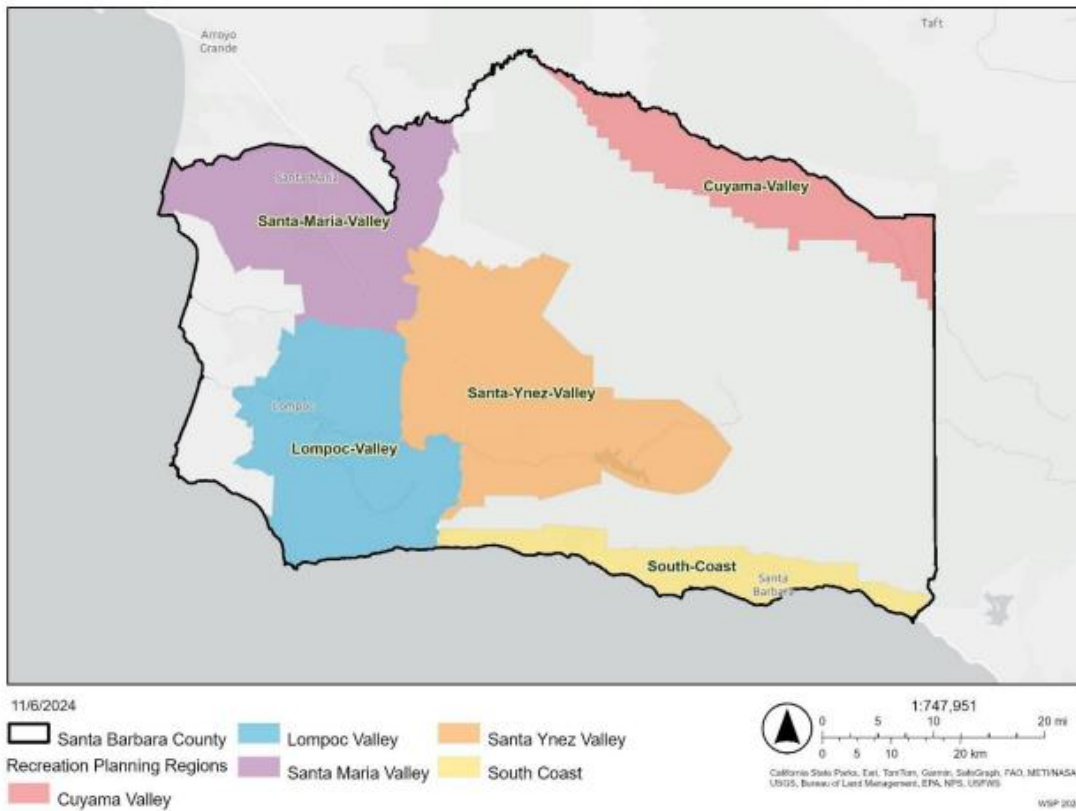


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Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Figure 1. Santa Barbara County Recreation Master Plan – Recreation Planning Areas



cc: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Jennifer Turner, CEQA Supervisor
Joleena De La Fe, CEQA Staff

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