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State of California – Natural Resources Agency
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January 13, 2026

Julie Newton
Environmental Coordinator
Sacramento County Planning and Environmental Review
827 7th Street, Room 225
Sacramento, CA 95814
CEQA@saccounty.gov

Subject: Upper Westside Specific Plan
PARTIALLY RECIRCULATED DRAFT ENVIRONMENTAL IMPACT REPORT (PRDEIR)
SCH No. 2020100069

Dear Julie Newton:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Notice of Availability of a PRDEIR from the County of Sacramento for the Upper Westside Specific Plan (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.[1] CDFW previously submitted comments in response to the originally circulated DEIR on October 30, 2024.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish, wildlife, native plants, and their habitat. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may need to exercise 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 provides, as available, biological expertise during public agency

[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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environmental review efforts, focusing specifically on 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 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

The Project site is located is located in unincorporated Sacramento County adjacent to the existing City of Sacramento communities of North and South Natomas. The Upper Westside Specific Plan (UWSP) area is bounded by Fisherman's Lake Slough to the north, the West Drainage Canal (Witter Canal) to the east, I-80 to the south, and Garden Highway to the west.

The Project consists of construction of a new development on 2,066 acres of unincorporated land in northwestern Sacramento County. The UWSP would provide a mix of residential and non-residential land uses to accommodate 9,356 housing units with a mixture of densities that support all population segments, and over 3 million square feet of commercial, retail, and office uses that serve the community's needs. Key features of the UWSP would include a mixed-use Town Center, 10 active parks, and an extensive system of greenbelts and multi-use trails with linkages to downtown Sacramento. Development would be limited to a 1,532-acre Development Area while the remaining 534 acres would serve as an agricultural buffer (Ag Buffer) along the western edge of the UWSP area.

The PDEIR presents an analysis of a new Alternative 5: Revised Project Alternative which introduces Natomas Central Mutual Water Company (NCMWC) as a potential domestic water supply source and considers the removal of regular vehicular traffic connection on Radio Road between Bryte Bend Road and Garden Highway, and implementation of traffic calming on San Juan Road between Garden Highway and El Centro Road to discourage its use by through traffic.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County of Sacramento in adequately identifying and, where appropriate, mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, CDFW concludes that an Environmental Impact Report is appropriate for the Project.

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CDFW is primarily concerned with the project impacts to the water availability of the Sacramento River for fish species.

COMMENT 1: Cumulative Effects on the Sacramento River, Far-Field Impacts, pages 2-26 – 2-29

Issue: The Project's Alternative 5 aims to divert an additional 3,139 acre-feet per year from the Sacramento River using the nearby NCMWC's Riverside Pumping Plant with a majority of the diversion occurring during the months of September to March when a majority of fish species (e.g., Sacramento River winter-run Chinook salmon ESU (*Oncorhynchus tshawytscha* pop. 7), Central Valley spring-run Chinook ESU (*Oncorhynchus tshawytscha* pop. 11), California Central Valley steelhead DPS (*Oncorhynchus mykiss irideus* pop. 11), Southern DPS of green sturgeon (*Acipenser medirostris* pop. 1), white sturgeon (*Acipenser transmontanus*), etc.) are more prevalent in the river due to their migration period. This additional diversion from the Sacramento River may compound other reasonably foreseeable major diversions on the Sacramento River, such as the Sites Reservoir Project, Water + Treatment Plants Resiliency and Improvements Project, the Delta Conveyance Project, and the RiverArc Project. With the potential for several significant and compounding new diversions along the Sacramento River, the PRDEIR does not analyze how the Project will add to the cumulative effects that these other diversions will have on fish species reliant on the Sacramento River. Low water levels in the Sacramento River create deadly conditions for fish species by increasing water temperatures, reducing habitat, stranding juveniles, blocking migration, and concentrating predators, leading to high egg/fry mortality and threatening fish species populations. The cold water needed for spawning becomes scarce, while shallow, clear, warm water increases native fish mortality.

In addition, NCMWC is also the water supplier for the Natomas Basin Conservancy's aquatic habitats (including aquatic agriculture) created under the NBHCP. CDFW is concerned that the additional water delivery to the Project would impact the delivery level of needed water to sustain the aquatic habitat mitigation during extreme drought years (water delivery may be reduced) and impact the viability of the giant garter snake (*Thamnophis gigas*) population within the Natomas Basin.

Recommendation or Recommended Mitigation Measure: CDFW suggests the PRDEIR evaluate the cumulative impacts the additional water diversion from the Sacramento River may have on fish and wildlife species and provide sufficient information for meaningful review based on contemporary, foreseeable, large-scale Sacramento River projects and operations. CDFW also suggests that the PRDEIR provides evaluation on whether the Project's need for water from the NCMWC alternative will deprive the Natomas Basin Conservancy of its ability to provide water to its aquatic habitat mitigation during extreme drought years and therefore negatively impact the giant garter snake population in the Natomas Basin. Further, CDFW recommends that the PRDEIR include minimization or mitigation measures that will reduce project impacts to fish and wildlife species due to the additional water diversion to a less than significant level. Mitigation may be in the form of providing for the acquisition, permanent protection, and perpetual management of off-

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channel rearing habitat and wetland bench habitat for the Chinook salmon and tidal habitat for steelhead, and/or providing spawning area supplementation of gravel to boulder sized substrate with the potential to improve egg survival in areas of known sturgeon spawning.

COMMENT 2: Continued Viability and Re-analysis of the Incidental Take Permits (ITPs) for Natomas Basin Habitat Conservation Plan (NBHCP) and the Metro Airpark Conservation Plan (MAP HCP), Comparative Analysis of Environmental Effects, pages 2-49 – 2-50

Issue: CDFW has concerns regarding the integrity and viability of NBHCP and MAP HCP and the biological viability of the HCPs being compromised by the failure of other Potential Permittees to participate in the NBHCP and execute the Implementation Agreement (IA). CDFW has expressed these concerns in past comment letters provided for the draft Environmental Impact Reports of Airport South Industrial Project and Upper Westside Specific Plan, and the Notice of Preparation for GrandPark Southwest Specific Plan. These concerns are of even greater importance in regard to the ongoing lawsuit *Advocates for the Environment v. Sacramento Local Agency Formation Commission, et al*. CDFW's concerns about the future development projects and their impacts are summarized below:

- Persistence of NBHCP and MAP HCP Covered Species in the Natomas Basin;

- Impacts to established reserve land managed by the Natomas Basin Conservancy (TNBC), specifically adding urban land uses adjacent to open space. These urban uses could introduce additional pesticides, trespass, vandalism, trash, noise, other pollutants, and excess light to existing reserves potentially reducing the reproductive success of Covered Species within the existing reserves;

- Reduction of available reserve land in the Natomas Basin under the NBHCP and MAP HCP (with appropriate buffers and setbacks as detailed in the NBHCP);

- Reduction of available agricultural land in the Natomas Basin that serves as buffers for habitat reserves and supporting ecological functions of the Covered Species that rely on agricultural resources (Natomas Basin Habitat Conservation Plan, Page IV-11 through Page IV-13);

- Reduction of ability for TNBC to establish or enhance Covered Species range and habitats in the southern Natomas Basin;

- Continued viability of the land uses in the Natomas Basin as detailed in the NBHCP and MAP HCP, specifically adding more urban development instead of habitat preserve or agricultural uses. This could result in increased disturbance, pollution, and/or disruption to ongoing habitat management and agricultural practices. In addition, existing habitat preserves and agricultural lands could be affected by additional pollution, trash, and other effects from developed lands;

- Financial impacts to TNBC and feepayers under the NBHCP and MAP HCP; and

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- Cumulative impacts of the projects, in combination with other development in the Natomas Basin approved since 2003 that are outside of the City of Sacramento (the City) and Sutter County's permitted area under the NBHCP (e.g., levee improvements by the Sacramento Area Flood Control Agency and the Greenbriar project).

Although not a Permittee, Sacramento County is the CEQA Lead Agency for projects carried out in the MAP HCP and as such, the County has vested interest in the success of the MAP HCP. The two plans are linked, such that MAP HCP cannot be implemented without the structure of the NBHCP. The MAP HCP and the related ITP authorization under CESA serve as a regulatory platform for development of 1,892 acres of mixed use and industrial uses directly adjacent to the Sacramento International Airport, with over 1,000 acres still to be built out under the MAP HCP, providing significant economic benefit to the County. The Project's potential effect on the continued success of the MAP HCP should be an important consideration for the County as it considers the proposed developments, and the MAP HCP's reliance on structure provided by the NBHCP.

The Natomas Basin continues to serve as an important habitat for many special-status species, which speaks to many documented successes of both HCPs in their over 20 years of implementation; however, those successes do not detract from the effort that is still needed over the next 20 years to ensure the HCPs and the associated Covered Species populations to remain viable. The County, while not signatory to either HCP, plays an integral role in ensuring that both the NBHCP and MAP HCP are successful for both the species and residents of the Sacramento Region.

Recommendation or Recommended Mitigation Measure: CDFW suggests the PRDEIR further evaluate the Project's impact to the viability of both the NBHCP and MAP HCP.

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 (CNDDB). The CNNDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be submitted online or mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov.

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.)

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CONCLUSION

Pursuant to Public Resources Code § 21092 and § 21092.2, CDFW requests written notification of proposed actions and pending decisions regarding the proposed project. Written notifications shall be directed to: California Department of Fish and Wildlife North Central Region, 1701 Nimbus Road, Rancho Cordova, CA 95670 or emailed to R2CEQA@wildlife.ca.gov.

CDFW appreciates the opportunity to comment on the PRDEIR for the Upper Westside Specific Plan to assist the County of Sacramento in identifying and mitigating Project impacts on biological resources. CDFW personnel are available for consultation regarding biological resources and strategies to minimize and/or mitigate impacts. Questions regarding this letter or further coordination should be directed to Harvey Tran, Senior Environmental Scientist (Specialist) at (916) 358-4035 or harvey.tran@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Morgan Kilgour
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Morgan Kilgour
Regional Manager

ec: Dylan Wood, Senior Environmental Scientist (Supervisory)
Harvey Tran, Senior Environmental Scientist (Specialist)
California Department of Fish and Wildlife

Office of Land Use and Climate Innovation, State Clearinghouse, Sacramento