



STATE OF CALIFORNIA  
DEPARTMENT OF FISH AND WILDLIFE

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GAVIN NEWSOM, Governor  
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March 16, 2026

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**Subject: Draft Program Environmental Impact Report for the Oceanside Sewer Improvements Program, SCH No. 2021030277, San Diego County, CA**

Dear Mabel Uyeda:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Program Environmental Impact Report (DPEIR) from City of Oceanside (City) for the Oceanside Sewer Improvements Program (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines<sup>1</sup>.

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;

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<sup>1</sup> 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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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 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<sup>2</sup> 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. CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program (Fish and Game Code 2800 *et seq.*).

## PROJECT DESCRIPTION SUMMARY

**Proponent:** City of Oceanside (City)

**Objective:** The Project proposes sewer improvements in Oceanside:

- **Oceanside Mesa Garrison Force Main (OMG FM) Project:** Construction of 16,100 linear feet (LF) of 36-inch sewer force main between the San Luis Rey Water Reclamation Facility (SLRWRF) and the El Corazon Lift Station (discussed below). Much of the pipeline would occur outside of paved roadways within City utility easements.
- **El Corazon Lift Station Project:** Construction of a five-million-gallons-per-day sewer lift station near Mesa Drive and Garrison Street at the former Garrison Elementary School property. The 11.2-acre parcel would be subdivided, with 3 acres used for the lift

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<sup>2</sup> "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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station and facilities, including a wet well, emergency storage, future pipeline connections, parking, training area, and equipment storage. The Project would also reroute gravity flows in Mesa Drive and Garrison Street to the new lift station and connect to existing or planned sewer mains.

- **Land Outfall Replacement Project:** Replacement of 27,000 LF of existing 24-inch pipe to 36-inch pipe between the SLRWRF and the La Salina Wastewater Treatment Plant (LSWWTP). Approximately 19,000 LF would follow the same corridor as the Proposed OMG FM project between SLRWRF and the southern entrance to the Garrison Elementary School Property. The remaining 10,000 LF would be replaced in segments near the North County Transit District railroad right-of-way, Oceanside Boulevard, and Garrison Street.
- **Mission Avenue Lift Station Force Main (MALS FM) Replacement Project:** Replacement of 13,000 LF of existing 24-inch sewer force main between SLRWRF and the Mission Avenue Lift Station with a new parallel pipeline or in-place replacement. If a new pipeline is constructed, the existing pipeline may be retained as a backup force main after cleaning and repair.
- **Mission Avenue Gravity Sewer Lining and Replacement Project:** Cured-in-place lining of 600 LF of 24-inch gravity sewer pipe from 3560 Mission Avenue to Fireside Street. From Fireside Street to the Mission Avenue Lift Station, 1,600 LF of pipe would be replaced and upsized to a 30-inch or 36-inch pipe. Portions of the existing pipelines occur within private easements through the Marketplace Del Rio shopping center and undeveloped Ocean KAMP parcels; where feasible, the replacement pipeline would be relocated to Mission Avenue.

Project activities include vegetation trimming and clearing, grubbing, grading, trenching, and other ground-disturbing activities associated with pipeline construction. Pipelines will be installed using open-trench methods in areas of uplands habitats (e.g. grasslands, disturbed habitat, developed areas) while trenchless techniques such as jack-and-bore, horizontal directional drilling, or tunneling will be utilized in areas beneath roadways, waterways, or wetlands.

**Location:** The 30.14-acre Project site includes linear underground infrastructure extending south from the SLRWRF (3950 North River Road) to Oceanside Boulevard, then southwest to the LSWWTP, in the City of Oceanside. The Project will be constructed within existing roadways or developed areas except in four locations: Pilgrim Creek, the San Luis Rey River,

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Fireside St, and Garrison Creek. The Project alignment also abuts several conserved properties including Vista De La Valle preserve, the San Luis Rey River Park, and Whelan Ranch. An aerial map of the Project alignment is provided in Attachment A. Figure 1.

**Biological Setting:** Per the Biological Technical Report (BTR; Helix 2026), the 30.14-acre Project site is nested within a survey area encompassing 107.9 acres of the San Luis Rey River Valley. The San Luis Rey River represents one of the largest remaining river systems in northern San Diego County and serves as an important regional wildlife movement corridor and riparian habitat network supporting numerous sensitive species.

The Project site supports a mosaic of riparian, coastal sage scrub, grassland, and developed land cover types. Upland habitats include Diegan coastal sage scrub (including disturbed; 2.20 acres), *Baccharis* scrub (0.20 acre), native grassland (0.20 acre), salt grass grassland (<0.10 acre), non-native grassland (24.2 acres), non-native vegetation (3.20 acres), eucalyptus woodland (0.30 acre), disturbed habitat (16.8 acres), and developed land (57.5 acres). Sensitive wetland vegetation communities occur primarily along the San Luis Rey River corridor and include southern riparian forest (1.73 acres), southern willow scrub (1.21 acres), mule fat scrub (0.35 acre), and freshwater marsh (0.05 acre).

Based on CDFW's review of the BTR and the California Natural Diversity Database <sup>3</sup>(CNDDDB; CDFW 2026), the following species<sup>4</sup> were detected or have the potential to occur within the Project site:

Plants:

- thread-leaved brodiaea (*Brodiaea filifolia*; ESA-listed threatened, CESA-listed endangered, CRPR 1B.1)
- Brand's phacelia (*Phacelia stellaris*; CRPR 1B.1)

Invertebrates:

- Crotch's bumble bee (*Bombus crotchii*; CESA-listed candidate endangered)

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<sup>3</sup> <https://wildlife.ca.gov/Data/BIOS>

<sup>4</sup> Nomenclature and species status follows the CNDDDB Special Animals List (CDFW, January 2026) and Special Vascular Plants, Bryophytes, and Lichens List (CDFW, January 2026). ESA = Federal Endangered Species Act, CESA = California Endangered Species Act, FP = state Fully Protected Species, SSC = state Species of Special Concern, WL = state Watch List, CRPR = California Rare Plant Rank

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Birds:

- light-footed Ridgway's rail (*Rallus obsoletus levipes*; ESA-listed endangered, CESA-listed endangered, FP)
- white-tailed kite (*Elanus leucurus*; FP)
- least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered, CESA-listed endangered; vireo)
- southwestern willow flycatcher (*Empidonax traillii extimus*; ESA-listed endangered, CESA-listed endangered)
- burrowing owl (*Athene cunicularia*; CESA-listed candidate)
- coastal California gnatcatcher (*Polioptila californica*; ESA-listed threatened, SSC; gnatcatcher)
- yellow warbler (*Setophaga petechia*; SSC)
- yellow-breasted chat (*Icteria virens*; SSC)
- northern harrier (*Circus hudsonius*; SSC)
- Cooper's hawk (*Accipiter cooperii*; WL)
- California horned lark (*Eremophila alpestris actis*; WL)

Mammals:

- Stephens' kangaroo rat (*Dipodomys stephensi*; ESA-listed endangered, CESA-listed threatened)

The Project survey area includes U.S. Fish and Wildlife Service (USFWS) designated critical habitat for thread-leaved brodiaea, coastal California gnatcatcher, and least Bell's vireo; however, the Project impact area avoids direct impacts to critical habitat areas. HELIX biologists conducted general biological surveys within the survey area in 2020, 2022, and December 2023. Rare plant surveys for thread-leaved brodiaea and Brand's phacelia were completed in 2021, 2022, and 2023. Six individuals of each species were detected outside of the Project impact area in 2021.

Focused wildlife surveys were conducted within the Project survey area between 2020 and 2023 for least Bell's vireo, southwestern willow flycatcher, light-footed Ridgway's rail, Stephens' kangaroo rat, burrowing owl, and coastal California gnatcatcher. Surveys for southwestern willow flycatcher, burrowing owl, and Stephens' kangaroo rat were negative. However, multiple vireos, two gnatcatchers, and one light-footed Ridgway's rail were detected adjacent to the Project survey area. The following species were also incidentally observed within or adjacent to the Project area: California horned lark, white-tailed kite,

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yellow-breasted chat, northern harrier, and Cooper's hawk. Crotch's bumble bee was not detected during general biological surveys in 2021 and was determined to have low potential to occur (HELIX 2026).

The Project will impact 30.14 acres, including 26.8 acres of upland habitat and 3.34 acres of wetland and riparian habitat (Table 1). The BTR and DPEIR do not distinguish between permanent and temporary impacts associated with the Project.

**Table 1. Project Impacts**

<b>Vegetation Community / Habitat Type</b>	<b>Acres</b>
Diegan coastal sage scrub (incl. disturbed)	2.20
Baccharis scrub	0.20
Native grassland	0.20
Salt grass grassland	<0.10
Non-native grassland	24.2
<i>Uplands impacts subtotal</i>	<b>26.8</b>
Freshwater marsh	0.05
Southern riparian forest	1.73
Mule fat scrub	0.35
Southern willow scrub	1.21
<i>Wetland impacts subtotal</i>	<b>3.34</b>
<b>Impacts total</b>	<b>30.14</b>

The DPEIR incorporates Mitigation Measures (MM) BIO-1 through BIO-9 to avoid and minimize impacts to sensitive habitats, jurisdictional resources, special-status plants, and wildlife through design modifications, pre-construction surveys, breeding season restrictions, construction fencing, biological monitoring, and implementation of best management practices (BMPs). Where impacts cannot be avoided, the measures require coordination with wildlife agencies and compliance with applicable regulatory requirements, including consultation and permitting under the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and the Lake and Streambed Alteration provisions of the California Fish and Game Code (§§ 1600–1603). The measures also require compensatory mitigation and restoration through the purchase of mitigation bank credits and implementation of revegetation plans in consultation with the Wildlife Agencies.

**Project History:** In 2021, CDFW provided a comment letter on the Notice of Preparation for the Project (SCH No 2021030277). Our letter recommended focused surveys be completed

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for sensitive bird species, including gnatcatcher, vireo, and southwestern willow flycatcher and suggested nesting season avoidance measures. In 2025, USFWS provided an informal Section 7 Consultation letter (Consultation). Their letter concluded that the Project was not likely to adversely affect thread-leaved brodiaea, vireo, gnatcatcher, southwestern willow flycatcher, or light-footed Ridgway's rail. CDFW was not involved in the Consultation process or 2025 site visit; however, the biological information provided in the Consultation was considered for our letter.

**Timeframe:** Project construction is estimated to begin in May 2026 and continue until February 2030, with the phasing schedule provided in Table 2 below.

**Table 2. Project Schedule**

<b>Project Component</b>	<b>Construction Start</b>	<b>Construction End</b>
Oceanside Mesa Garrison Lift Station	May 2026	February 2028
Oceanside Mesa Garrison Force Main	May 2026	December 2027
Land Outfall Replacement (SLRWRF to former Garrison Elementary School Entrance)	May 2026	October 2027
Land Outfall Replacement (along Oceanside Blvd between Garrison Street and Canyon Drive)	October 2027	October 2028
Land Outfall Replacement (along Oceanside Boulevard between Canyon Drive and LSWWTP)	June 2028	February 2029
Mission Avenue Lift Station Force Main Replacement	May 2026	December 2027
Mission Avenue Gravity Sewer Lining and Replacement	November 2028	September 2029

**COMMENTS AND RECOMENDATIONS**

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

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## **COMMENT #1: Temporary Versus Permanent Impact Quantification**

**Issue:** The DPEIR's impacts analysis does not clearly distinguish temporary and permanent impacts to sensitive natural communities.

**Specific impact:** The DPEIR identifies 30.14 acres of impacts to sensitive vegetation communities (Table 1) but does not specify how much of these impacts would be temporary or permanent. While mitigation measure BIO-8a states that compensatory mitigation will be required for both permanent and temporary impacts, and while BIO-8b proposes restoration of temporarily disturbed areas, the DPEIR does not clearly quantify the acreage of each impact type by vegetation community.

**Why impact would occur:** Construction of pipelines, trenching, staging areas, and other ground-disturbing activities may result in temporary disturbance of vegetation, while lift station construction, permanent infrastructure placement, and areas subject to long-term maintenance (e.g., sewer easements) may result in permanent loss or conversion of vegetation communities. Without clear differentiation between temporary and permanent impacts, it is difficult to determine the extent of habitat loss and whether the proposed mitigation is appropriate. Clear disclosure and quantification of temporary and permanent impacts is necessary to ensure appropriate mitigation is applied.

**Evidence impact may be significant:** In accordance with CEQA Guidelines §15126.2(a), an EIR must describe the nature and extent of environmental impacts. The DPEIR should clarify which impacts represent temporary construction disturbance versus permanent habitat loss or conversion, quantify these impacts separately, and identify the appropriate mitigation measures.

### **Recommended Potentially Feasible Mitigation Measure(s)**

**CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:**

**Recommendation #1 Revised Impacts Table:** CDFW recommends the DPEIR include a revised impacts analysis that clearly discloses and quantifies temporary construction disturbance and permanent habitat loss separately for each vegetation community and clarify how

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mitigation requirements would be applied for each impact type. Temporary impacts that require restoration should be clearly identified and accompanied by performance standards and monitoring requirements to ensure successful habitat recovery, while permanent impacts should identify the applicable mitigation ratios and mitigation mechanism (e.g., habitat restoration, enhancement, or conservation bank credits).

## **COMMENT #2: Take Authorization for CESA-listed Species**

**Issue:** CDFW has not issued any incidental take authorization pursuant to CESA for the above-referenced species; therefore, any avoidance, minimization, and mitigation measures for CESA-listed species will also require coordination with CDFW. Several of the DPEIR's Mitigation Measures (MM BIO-1 and MM BIO-3 through 6) rely primarily on USFWS consultation and do not consistently reference CDFW permitting requirements for dually listed species.

**Specific Impact:** While MM BIO-2 acknowledges that, "*...If the Program would impact a state listed species, then it shall be demonstrated that a Section 2081(b) Incidental Take Permit or Section 2080.1 Consistency Determination for impacts to the applicable species has been issued by CDFW or that none was required*", MM BIO-1 and MM BIO-3 through BIO-6 reference coordination only with the USFWS. As written, these measures do not consistently reference coordination with CDFW or adherence to CESA where incidental take of state-listed species could occur.

**Why Impact Would Occur:** The DPEIR incorporates MM BIO-1 and MM BIO-3 through BIO-6 to address several dually listed species including light-footed Ridgway's rail, least Bell's vireo, southwestern willow flycatcher, thread-leaved brodiaea, and Stephen's kangaroo rat. As written, these measures do not reflect input or coordination with CDFW to address our regulatory authority over dually listed species.

**Evidence Impact May Be Significant:** Under the California Endangered Species Act, take of a state-listed species is prohibited except as authorized by the California Department of Fish and Wildlife (Fish and Game Code §2080). As mentioned in MM BIO-2, CDFW may authorize incidental take through issuance of an incidental take permit pursuant to Fish and Game Code §2081; however, as written, MM BIO-1 and MM BIO-3 through BIO-6 do not consistently reflect CDFW's regulatory authority under CESA.

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### **Recommended Potentially Feasible Mitigation Measure(s)**

CDFW requests the following recommendations and mitigation measures be incorporated into the final CEQA document:

**Recommendation #2 CDFW Authorization:** The DPEIR should revise MM BIO-1 and MM BIO-3 through BIO-6 to consistently reference both federal and state regulatory requirements. Measures requiring agency coordination, biological monitoring, or species-specific avoidance should clarify that: (1) Take of species listed under CESA requires authorization from CDFW, such as a Section 2081 (b) Incidental Take Permit or Section 2080.1 Consistency Determination and (2) Coordination with CDFW may be required in addition to any consultation with USFWS where impacts to state-listed species could occur. Revisions would ensure the mitigation measures accurately reflect CDFW's regulatory authority and permitting requirements under CESA.

### **COMMENT #3: Impacts to Light-footed Ridgway's Rail**

**Issue:** The DPEIR does not clearly address the CDFW's regulatory requirements for light-footed Ridgway's rail, a State Fully Protected species, nor does it clearly demonstrate how Project activities would avoid impacts to this species.

**Specific Impact:** Per the DPEIR, one light-footed Ridgway's rail was detected approximately 500 feet west of the Project survey area in the San Luis Rey River corridor. Although the DPEIR includes breeding season restrictions and/or nesting pre-construction survey requirements, the mitigation measures primarily rely on coordination with the USFWS and do not clearly address the species' Fully Protected status or how Project activities would avoid potentially significant impacts to the rail. Additionally, the measures focus on detection of active nests, which may not adequately protect Ridgway's rail because nests are difficult to detect within dense marsh vegetation.

**Why Impact Would Occur:** Light-footed Ridgway's rail occupy marsh and riparian habitats and may be sensitive to disturbance from nearby construction activities. Project activities such as horizontal directional drilling, vegetation removal, staging, and operation of heavy equipment within the San Luis Rey River corridor may result in disturbance to nearby rail habitat. Construction-related noise, vibration, and increased human activity occurring near occupied habitat during the breeding season could also disrupt breeding behavior or result in nest abandonment, which may constitute take under the Fish and Game Code § 3503.

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**Evidence Impact May Be Significant:** Light-footed Ridgway's rail is designated as a Fully Protected species under the California Fish and Game Code §3511 and take of Fully Protected species is prohibited. Project activities must be designed to avoid take of the species. Additionally, light-footed Ridgway's rail is listed as endangered under both the federal Endangered Species Act and the California Endangered Species Act and take of the species is prohibited unless authorized by law (Fish & G. Code, §§ 2080, 3511).

### **Recommended Potentially Feasible Mitigation Measure(s)**

CDFW requests the following recommendations and mitigation measures be incorporated into the final CEQA document:

**Recommendation #3 Light-footed Ridgway's Rail Disclosure:** The DPEIR should clarify how Project activities will avoid potentially significant impacts to light-footed Ridgway's rail and revise the mitigation measures to address the species' Fully Protected status. The DPEIR should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.

**Mitigation Measure #1 Light-footed Ridgway's Rail Avoidance and Monitoring:** Take of light-footed Ridgway's rail shall be fully avoided (Fish & G. Code § 3511). Project activities within 500 feet of suitable native wetland and riparian habitats (e.g. San Luis Rey River crossing) shall occur between September 16 and March 14 to avoid the breeding season for light-footed Ridgway's rail. Outside of the breeding season, a qualified biologist shall be present on site to survey and monitor for light-footed Ridgway's rail, during all work within 500 feet of marsh habitat. If rail is detected within 500 feet of work areas during biological monitoring, the qualified biologist shall implement a 500-foot avoidance buffer from occupied habitat. No flushing of rail shall be authorized. The qualified biologist shall have the authority to stop work if deemed necessary for any reason to protect the species. Additional avoidance measures such as noise attenuation or limited operating periods may be required in consultation with CDFW to ensure take of light-footed Ridgway's rail does not occur.

### **COMMENT #4: Impacts to Crotch's Bumble Bee**

**Issue:** The Project has the potential to adversely impact Crotch's bumble bee. The DPEIR does not provide sufficient analysis of suitable habitat within the Project footprint or potential impacts to Crotch's bumble bee.

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**Specific Impact:** The DPEIR concludes Crotch's bumble bee has low potential to occur within the Project site based on negative detections during general biological surveys in 2021; however, a focused habitat assessment and protocol-level surveys for Crotch's bumble bee have never been completed. Consequently, the DPEIR does not include measures to address potential impacts to Crotch's bumble bee.

**Why Impact Would Occur:** The DPEIR identifies the presence of native grassland, non-native grassland, *Baccharis* scrub, and Diegan coastal sage scrub within the Project footprint. These vegetation communities may contain suitable foraging or nesting habitat for Crotch's bumble bee. Crotch's bumble bee can use a variety of upland land cover types for foraging and often nest underground, sometimes occupying abandoned rodent burrows (Hatfield et al., 2015). If Crotch's bumble bee is using burrows within and/or adjacent to the Project site for nesting, direct and/or indirect impacts could result from ground disturbing activities (i.e. vegetation clearing, trenching, horizontal directional drilling) which could lead to death or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success. The absence of detections during general surveys does not necessarily confirm absence of the species, particularly if focused surveys were not conducted during peak activity periods or did not specifically target pollinators. Additionally, because the DPEIR does not evaluate the availability of floral resources or nesting habitat within the impact area, the potential for impacts to Crotch's bumble bee are not adequately addressed.

**Evidence Impact May Be Significant:** The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as threatened or endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. Crotch's bumble receives the same protections as a listed species while it is a candidate species under CESA. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, §786.9). In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often five or fewer populations). Crotch's bumble bee is also listed as an invertebrate of conservation priority under the Terrestrial and Vernal Pool Inverts of Conservation Priority List<sup>5</sup>. Crotch's bumble bee also meets the CEQA definition of rare, threatened, or endangered species

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<sup>5</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=149499&inline>

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(CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by the City (CEQA Guidelines, § 15065).

### **Recommended Potentially Feasible Mitigation Measure(s)**

CDFW requests the following recommendations and mitigation measures be incorporated into the final CEQA document:

**Recommendation #4 Crotch's Bumble Bee Analysis:** The DPEIR should further evaluate the potential for Crotch's bumble bee to occur within the Project footprint, including an assessment of suitable foraging and nesting habitat, as well as floral resources present within impacted vegetation communities. If suitable habitat occurs, the DPEIR should incorporate avoidance and minimization measures to address Crotch's bumble bee.

**Mitigation Measure #2 Surveys and Disclosure:** The Project Proponent shall retain a qualified biologist familiar with the species to survey the Project site for Crotch's bumble bee and suitable habitat prior to construction. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Surveys should also occur within one year prior to vegetation removal and/or ground disturbance and adhere to the Survey Considerations for CESA Candidate Bumble Bee Species<sup>6</sup>. The DPEIR should provide full disclosure of the presence of Crotch's bumble bee and the Project's potential impact on Crotch's bumble bee.

**Mitigation Measure #3 Avoidance, Minimization, and Mitigation:** If the Project site or adjacent areas are determined to be occupied by Crotch's bumble bee, the DPEIR should include measures to avoid impacts on Crotch's bumble bee. If Crotch's bumble bee is present, the qualified biologist should identify the location of all nests in or adjacent to the Project site. If nests are identified, 50-foot no-disturbance buffer zones should be established around nests to reduce the risk of unauthorized take. Additionally, the DPEIR should require consultation with CDFW to determine if a CESA Incidental Take Permit (ITP) is required. In addition, the Project Proponent should provide compensatory mitigation for removal or damage to any floral resources associated with Crotch's bumble bee. Floral resources should be replaced as close to their original location as is feasible.

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<sup>6</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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## **COMMENT #5: Impacts to White-tailed Kite**

**Issue:** The DPEIR does not disclose nor analyze potential impacts to white-tailed kite, a State Fully Protected species. Take of Fully Protected species must be avoided.

**Specific Impact:** The DPEIR acknowledges an incidental observation of white-tailed kite adjacent to the Project survey area; however, the DPEIR does not clearly evaluate nor disclose whether suitable nesting habitat occurs within the Project footprint or whether Project activities could have impacts to the species.

**Why Impact Would Occur:** White-tailed kite nest in trees or large shrubs typically located adjacent to open grassland or agricultural areas used for foraging. The DPEIR identifies grassland habitats within the Project area, which may provide suitable foraging habitat. Construction-related noise, vegetation removal, or human activity occurring near active nests during the breeding season could result in disturbance or nest abandonment, which may constitute take under the Fish and Game Code. Project activities may also result in temporary disturbance or loss of foraging habitat.

**Evidence Impact May Be Significant:** White-tailed kite is designated as a Fully Protected species under the California Fish and Game Code § 3511. A Fully Protected species may not be taken or possessed at any time. Given that Fully Protected species are afforded protections beyond state or federal listing status, minimization of significant impacts is not sufficient for Fully Protected species, and impacts must be fully avoided.

### **Recommended Potentially Feasible Mitigation Measure(s)**

CDFW requests the following recommendations and mitigation measures be incorporated into the final CEQA document:

**Recommendation #5 White-tailed Kite Analysis:** The DPEIR should include an analysis of whether suitable nesting habitat for white-tailed kite occurs within or adjacent to the Project footprint. Additionally, the DPEIR should include a discussion of how potential direct, indirect, and cumulative impacts to white-tailed kite will be fully avoided.

### **ADDITIONAL COMMENTS**

- 1. Mitigation and Monitoring Reporting Plan.** CDFW recommends the Project's environmental document include mitigation measures recommended in this letter.

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CDFW has provided comments via a Mitigation Monitoring and Reporting Plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment B).

2. **Lake and Streambed Alteration.** The DPEIR identifies jurisdictional aquatic resources within the Project area, including riparian habitat, freshwater marsh, and other waters associated with the San Luis Rey River corridor. Construction activities such as trenching, horizontal directional drilling, jack-and-bore installation, access road development, and staging near these resources may alter the bed, bank, or channel of a river, stream, or lake. CDFW acknowledges that the City has submitted written notification to CDFW pursuant to Fish & G. Code, § 1602 et seq. We look forward to coordinating with the City further on this notification.
3. **Mitigation for Directional Drilling.** CDFW recommends that the environmental document include a mitigation measure or measures which will avoid, minimize, or mitigate impacts to aquatic biological resources as a result of "frac-outs" associated with directional drilling and jack-and-bore techniques. If a frac-out occurs or drilling fluid is not contained in or adjacent to environmentally sensitive areas, the release of fine particles into the stream system can constitute a significant impact under CEQA. Even where the Project drills beneath an intermittent stream and/or a concrete-lined channel, aquatic habitats may be impacted downstream in the event of a frac-out. Mitigation measures in the environmental document and subsequent wetland permits gives the Project proponent assurances that in the event of an unanticipated event, the clean-up activities can be quickly authorized, and construction delays can be minimized or avoided.
4. **Avoidance of Nesting Birds and Raptors.** CDFW appreciates the inclusion of MM BIO-4 to address impacts to nesting birds and raptors protected under the California Fish and Game Code. Specifically, MM BIO-4 requires pre-construction nesting surveys no earlier than seven (7) days prior to start of construction activities to confirm the presence or absence of nesting birds and/or raptors. However, nesting birds may initiate nests quickly during the breeding season, and surveys conducted several days

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prior to construction may not accurately reflect current nesting conditions. Therefore, CDFW recommends MM BIO-4 be revised to require pre-construction nesting surveys to occur within three (3) days prior to the start of activities to ensure active nests are not inadvertently disturbed. CDFW also recommends that MM BIO-4 clarify that if construction activities are delayed for more than three (3) days after completion of the nesting bird survey, additional surveys shall be conducted prior to the initiation of construction.

5. **California Brown Pelican.** The BTR indicates that California brown pelican (*Pelecanus occidentalis californicus*) was observed within the survey area and designates it as a California Fully Protected Species. Please note, California brown pelican was delisted under CESA in 2009 and removed from the Fully Protected species list in July 2023 by Senate Bill no. 147.

## 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 website<sup>7</sup> provides directions 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<sup>8</sup>.

The City should ensure data collected for the preparation of the DPEIR is properly submitted.

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<sup>7</sup> <https://wildlife.ca.gov/Data/CNDDDB>

<sup>8</sup> <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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## 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 DPEIR to assist the City of Oceanside in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Alison Kalinowski, Environmental Scientist, at (858) 775-6320 or [Alison.Kalinowski@wildlife.ca.gov](mailto:Alison.Kalinowski@wildlife.ca.gov).

Sincerely,

Signed by:  
  
AD7D070BCB66466...

Glen M. Lubcke  
Environmental Program Manager  
South Coast Region

## ATTACHMENTS

- A. Figure 1. Project Location
- B. Draft Mitigation Monitoring and Reporting Plan (MMRP) Table

ec: California Department of Fish and Wildlife  
Glen M. Lubcke, Environmental Program Manager  
Jennifer Turner, Senior Environmental Scientist (Supervisor)  
Alison Kalinowski, Environmental Scientist

United States Fish and Wildlife Service  
Jonathan Snyder, [jonathan\\_d\\_snyder@fws.gov](mailto:jonathan_d_snyder@fws.gov)

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Office of Planning and Research  
State.Clearinghouse@opr.ca.gov

## REFERENCES

California Department of Fish and Wildlife. (2017). *Terrestrial and Vernal Pool Inverts of Conservation Priority List*. Available at:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=149499&inline>

California Department of Fish and Game. (2026). *California Natural Diversity Database (webpage)*. Available at: <https://wildlife.ca.gov/Data/CNDDDB>

California Fish and Game Commission. (2005). *Miscellaneous Policies*. Available at: <https://fgc.ca.gov/About/Policies/Miscellaneous>

Hatfield, R., Jepsen, S., Foltz Jordan, S., Blackburn, M., Code, Aimee. (2018). A Petition to the State of California Fish and Game Commission to List Four Species of Bumblebees as Endangered Species. Available at: <https://www.xerces.org/sites/default/files/2019-10/CESA-petition-Bombus-Oct2018.pdf>

HELIX Environmental Planning (HELIX). (January 2026). Oceanside Sewer Improvements Program Biological Technical Report.

Thorp, R. W., Horning, D. S., Jr., & Dunning, L. L. (1983). *Bumble bees and cuckoo bumble bees of California (Hymenoptera: Apidae)*. Bulletin of the California Insect Survey, 23, 1-79. Available at: <https://essig.berkeley.edu/documents/cis/cis23.pdf>

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### ATTACHMENT A: FIGURE 1. PROJECT LOCATION (SOURCE: HELIX 2026)



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**ATTACHMENT B: DRAFT MITIGATION MONITORING AND REPORTING PLAN (MMRP)**

CDFW provides the following language to be incorporated into the MMRP for the Project.

<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<p><b>Recommendation #1 Revised Impacts Table:</b> CDFW recommends the DPEIR include a revised impacts analysis that clearly discloses and quantifies temporary construction disturbance and permanent habitat loss separately for each vegetation community and clarify how mitigation requirements would be applied for each impact type. Temporary impacts that require restoration should be clearly identified and accompanied by performance standards and monitoring requirements to ensure successful habitat recovery, while permanent impacts should identify the applicable mitigation ratios and mitigation mechanism (e.g., habitat restoration, enhancement, or conservation bank credits).</p>	<p>Prior to adoption of CEQA document</p>	<p>City</p>
<p><b>Recommendation #2 CDFW Authorization:</b> The DPEIR should revise MM BIO-1 and MM BIO-3 through BIO-6 to consistently reference both federal and state regulatory requirements. Measures requiring agency coordination, biological monitoring, or species-specific avoidance should clarify that: (1) Take of species listed under CESA requires authorization from CDFW, such as a Section 2081 (b) Incidental Take Permit or Section 2080.1 Consistency Determination and (2) Coordination with CDFW may be required in addition to any consultation with USFWS where impacts to state-listed species could occur. Revisions would ensure the mitigation measures accurately reflect CDFW's regulatory authority and permitting requirements under CESA.</p>	<p>Prior to adoption of CEQA document</p>	<p>City</p>

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<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<p><b>Recommendation #3 Light-footed Ridgway's Rail Disclosure:</b> The DPEIR should clarify how Project activities will avoid potentially significant impacts to light-footed Ridgway's rail and revise the mitigation measures to address the species' Fully Protected status. The DPEIR should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.</p>	<p>Prior to adoption of CEQA document</p>	<p>City</p>
<p><b>Mitigation Measure #1 Light-footed Ridgway's Rail Avoidance and Monitoring:</b> Take of light-footed Ridgway's rail shall be fully avoided (Fish &amp; G. Code § 3511). Project activities within 500 feet of suitable native wetland and riparian habitats (e.g. San Luis Rey River crossing) shall occur between September 16 and March 14 to avoid the breeding season for light-footed Ridgway's rail. Outside of the breeding season, a qualified biologist shall be present on site to survey and monitor for light-footed Ridgway's rail, during all work within 500 feet of marsh habitat. If rail is detected within 500 feet of work areas during biological monitoring, the qualified biologist shall implement a 500-foot avoidance buffer from occupied habitat. No flushing of rail shall be authorized. The qualified biologist shall have the authority to stop work if deemed necessary for any reason to protect the species. Additional avoidance measures such as noise attenuation or limited operating periods may be required in consultation with CDFW to ensure take of light-footed Ridgway's rail does not occur.</p>	<p>Prior to Project Initiation, During Project Activities</p>	<p>City, Qualified Biologist</p>

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<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<p><b>Recommendation #4 Crotch's Bumble Bee Analysis:</b> The DPEIR should further evaluate the potential for Crotch's bumble bee to occur within the Project footprint, including an assessment of suitable foraging and nesting habitat, as well as floral resources present within impacted vegetation communities. If suitable habitat occurs, the DPEIR should incorporate avoidance and minimization measures to address Crotch's bumble bee.</p>	<p>Prior to adoption of CEQA document</p>	<p>City</p>
<p><b>Mitigation Measure #2 Surveys and Disclosure:</b> The Project Proponent shall retain a qualified biologist familiar with the species to survey the Project site for Crotch's bumble bee and suitable habitat prior to construction. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Surveys should also occur within one year prior to vegetation removal and/or ground disturbance and adhere to the Survey Considerations for CESA Candidate Bumble Bee Species<sup>9</sup>. The DPEIR should provide full disclosure of the presence of Crotch's bumble bee and the Project's potential impact on Crotch's bumble bee.</p>	<p>Prior to adoption of the CEQA document</p>	<p>City</p>
<p><b>Mitigation Measure #3 Avoidance, Minimization, and Mitigation:</b> If the Project site or adjacent areas are determined to be occupied by Crotch's bumble bee, the DPEIR should include measures to avoid impacts on Crotch's bumble bee. If Crotch's bumble bee is present, the qualified</p>	<p>Prior to Project Initiation, During Project Activities</p>	<p>City, Qualified Biologist</p>

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<sup>9</sup> <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<p>biologist should identify the location of all nests in or adjacent to the Project site. If nests are identified, 50-foot no-disturbance buffer zones should be established around nests to reduce the risk of take. Additionally, the DPEIR should require consultation with CDFW to determine if a CESA Incidental Take Permit (ITP) is required. In addition, the Project Proponent should provide compensatory mitigation for removal or damage to any floral resource associated with Crotch's bumble bee. Floral resources should be replaced as close to their original location as is feasible.</p>		
<p><b>Recommendation #5 White-tailed Kite Analysis:</b> The DPEIR should include an analysis of whether suitable nesting habitat for white-tailed kite occurs within or adjacent to the Project footprint. Additionally, the DPEIR should include a discussion of how potential direct, indirect, and cumulative impacts to white-tailed kite will be fully avoided.</p>	<p>Prior to adoption of the CEQA document</p>	<p>City</p>