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From: Donaldson, Hailey@Wildlife
Sent: Friday, June 13, 2025 11:59 AM
To: jdellamonica@lodi.gov
Cc: Wildlife R2 CEQA; Wood, Dylan@Wildlife; Sheya, Tanya@Wildlife; Kilgour, Morgan@Wildlife
Subject: CDFW Comments on the Lodi 2025 General Plan Update Draft Subsequent Environmental Impact Report

Dear John Della Monica:

The California Department of Fish and Wildlife (CDFW) received and reviewed the Draft Subsequent Environmental Impact Report (DSEIR) from the City of Lodi for the Lodi 2025 General Plan Update (Project) pursuant the California Environmental Quality Act (CEQA) statute and guidelines.[1] CDFW previously submitted comments in response to the Notice of Preparation (NOP) of the DSEIR on February 16, 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, we appreciate 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 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 throughout the City of Lodi (City), an incorporated city in the San Joaquin Valley. The City is located between Stockton to the south; Sacramento to the north, and unincorporated

San Joaquin Valley lands in the east and west. The City is bisected by State Route (SR) 99 and the main line of the Union Pacific Railroad. Regional access to the City is also provided by SR-12 and Interstate 5.

The Project consists of minor adjustments to designations on the General Plan Land Use Map, in many cases for land that is already developed but not identified as the correct designation on the Land Use Map. Additionally, the proposed project recognizes the 2023 expansion of the City's Sphere of Influence (SOI) to include an additional area of approximately 850 acres located south of Kettleman Lane and east of Highway 99. The City is also updating its Vehicle Miles Traveled (VMT) model and is amending the Transportation Element to reflect the results of this VMT analysis. Separately, the City is preparing to adopt General Plan updates to its Housing Element and Safety Element as well as adopt policies to address Environmental Justice.

COMMENTS AND RECOMMENDATIONS

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

CDFW appreciates the City of Lodi's efforts to address biological resources within the plan area. However, CDFW would like to highlight and a few remaining concerns about the principles the City of Lodi has incorporated into the DSEIR based on CDFW's previous comments.

COMMENT 1: Lack of Specific Mitigation Measures and Performance Standards

Issue: CEQA Guidelines §15126.4 (a)(1)(B) states that formulation of mitigation measures should not be deferred until some future time. However, throughout the DSEIR, CDFW noted areas where the City of Lodi has relied on general statements that future compliance with state and federal laws will address impacts on biological resources as a means to bring identified significant environmental effects to below a level of significance. Because there is no guarantee that these approvals or cooperation with all of the involved entities will ultimately occur, the mitigation measures are unenforceable and do not reduce the impacts to biological resources to a less-than-significant level. The DSEIR does not include performance standards such as no-net-loss policy for wetlands, riparian habitat, or special-status species habitat which are necessary to ensure effective mitigation.

Recommendation or Recommended Mitigation Measure: CDFW recommends that the City incorporate explicit performance standards into the General Plan. These may include requiring permanent protection and management of habitat to offset impacts at a minimum of 3:1 ratio of greater, based on habitat quality and suitability to species. Performance standards should be incorporated into a Mitigation Monitoring and Reporting Program (MMRP) and included in future project-level approvals.

COMMENT 2: Significant Impact Assessment for Biological Resources

Issue: The Lead Agency should disclose all foreseeable environmental impacts for approved projects (CEQA Guidelines, § 15002, subd. (a); § 15003, subd. (h)) and determine potentially significant impacts for biological resources where feasible (CEQA Guidelines, § 15002 subd. (h); § 15040). However, the DSEIR does not include a clear threshold of significance for various biological resources, which makes it difficult for public agencies to determine when mitigation is triggered or whether proposed measures are adequate for subsequent projects.

Recommendation or Recommended Mitigation Measure: The General Plan should define the threshold of significance for each impact and describe the criteria used to determine each threshold (CEQA Guidelines, § 15064, subd. (f)). CDFW recommends that the City adopt specific, biological thresholds of significance for habitat conversion, and impacts to species. Implementing a threshold that aligns with CDFW guidance, and the San Joaquin Multi-Species Conservation Plan (SJMSCP) will increase consistency of project-level impact determination for future projects.

COMMENT 3: Limited Analysis and Protection of Wildlife Corridors

Issue: Although the DSEIR refers to habitat connectivity and corridors, it does not provide mapping, impact assessment, or mitigation to address the fragmentation of remaining sensitive habitats, special-status, threatened, endangered, candidate species, and species of concern. Urban development and roadway expansion can pose threats to both plant and wildlife communities (Tewksbury et al. 2002).

Recommendation or Recommended Mitigation Measure: CDFW recommends th**a**t the City include updated mapping **and** habitat assessments for existing corridors within the plan area. By implementing mapping of wildlife corridors into the General Plan, the City will improve the efficiency of **subsequent** projects in determining what buffer distances will minimize impact to species at wildlife corridors **with**in the plan area.

COMMENT 4: Lack of Climate Adaptation and Habitat Resilience Strategies

Issue: The DSEIR acknowledges that habitat enhancement may improve climate resilience, however, no specific measures or restoration priorities were identified. Droughts, floods, and extreme temperature are increasing in frequency and severity as a result of climate change (CNRA 2018; USGCRP 2023; Swain et al. 2018), therefore, proactive planning is necessary to maintain functional habitat.

Recommendation of Recommended Mitigation Measure: CDFW encourages the City to include climate resilience strategies in the General Plan, such as establishing exclusion zones around identified special-status plants, and restoring degraded habitat in parks and open spaces. These measures should be identified as goals and implementation through specific programs.

COMMENT 5: Inadequate Monitoring **Reporting and Adaptive Management**

Issue: The DSEIR lacks detail for long-term monitoring, reporting, or adaptive management of biological mitigation. Without these it is not clear how the City will ensure mitigation success or respond to changing conditions.

Recommendation or Recommended Mitigation Measure: CDFW recommends that the General Plan include a requirement for project-level biological monitoring plans, annual progress reporting, and a mechanism for adaptive management for when management actions do not produce the desired outcome or when species or natural-community trends decrease. The City should coordinate with CDFW and/or the San Joaquin Council of Governments (SJCOG) to maintain project-level consistency.

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.)

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 DSEIR for the City of Lodi 2025 General Plan Update to assist the City of Lodi 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 Hailey Donaldson, Environmental Scientist at (916) 216-6253 or hailey.donaldson@wildlife.ca.gov.

REFERENCES

California Natural Resources Agency. (2018). *California's fourth climate change assessment: Statewide summary report*. https://www.climateassessment.ca.gov

Swain D.L., B. Langenbrunner, J.D. Neelin, & A. Hall (2018) Increasing precipitation volatility in twenty-first-century California. *Nature Climate Change*. 8: 427-433. http://doi.org/10.10

Tewksbury J.J., D.J. Levey, N.M. Haddad, S. Sargent, J.L. Orrock, A. Weldon, B.J. Danielson, J. Brinkerhoff, E.I. Damschen, & P. Townsend. (2002). Corridors affect plants, animals, and their interactions in fragmented landscapes. *Ecology*. 99(20) 12923-12926. https://doi.org/10.1073/pnas.202242699

U.S. Global Change Research Program. (2023). *Fifth National Climate Assessment (NCA5). Chapter 10: Western U.S.* https://nca2023.globalchange.gov

Sincerely,

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CALIFORNIA DEPARTMENT OF FISH and WILDLIFE