



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
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May 9, 2025

Matthew McCluney, AICP
California State University Monterey Bay
100 Campus Center Seaside, California 93955
(831) 582-4721
mmccluney@csumb.edu

**Subject: California State University Monterey Bay Stadium Expanded Use Project
(Project)
Notice of Preparation (NOP)
SCH No.: 2025021013**

Dear Matthew McCluney:

The California Department of Fish and Wildlife (CDFW) received a NOP to prepare a Draft Environmental Impact Report (DEIR) from the Board of Trustees of the California State University (Board of Trustees) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. While the comment period may have ended, 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 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 and Game Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802).

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may

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need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, activities evaluated in a project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish and Game Code, § 1600 et seq.). Likewise, to the extent implementation of a 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.), related authorization as provided by the Fish and Game Code may be required.

PROJECT DESCRIPTION SUMMARY

Proponent: California State University Monterey Bay (CSUMB)

Objective: The proposed Project would include two components at the existing CSUMB Stadium: 1) an expansion of existing programming and facilities at the CSUMB Stadium by CSUMB and the Monterey Bay Football Club (MBFC); and 2) the construction and operation of two new locker room facilities, two new restroom buildings, and a gated event staging area just north of the stadium.

Location: The Project is located at 4111 2nd Avenue, Seaside, within Assessor's Parcel Number (APN) 0311-0104-4000.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the Board of Trustees in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the DEIR prepared for this Project.

Based on a review of the Project description, a review of California Natural Diversity Database (CNDDDB) records, and the surrounding habitat, the Project site is within the geographic range of several special-status wildlife species, including the State candidate Crotch's bumble bee (*Bombus crotchii*) and Western bumble bee (*Bombus occidentalis*).

Additionally, the Project site is within the geographic range of several special-status plant species including, but not limited to, the State endangered and California Rare Plant Rank (CRPR) 1B.1 seaside bird's-beak (*Cordylanthus rigidus ssp. Littoralis*), and the State threatened, federally endangered, and CRPR 1B.2 Monterey gilia (*Gilia tenuiflora ssp. Arenaria*).

Crotch's and Western Bumble bee

The Project site is within the geographic range of Crotch's bumble bee (CBB) and Western bumble bee (WBB). CBB and WBB are known to inhabit areas of grasslands

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and scrub that contain requisite habitat elements for nesting, such as small mammal burrows and bunch/thatched grasses, and these habitat elements appear to be present within the Project site. As such, CDFW recommends that a qualified biologist conduct a habitat assessment to assess Project related impacts to CBB and WBB as part of the biological technical studies conducted in support of the DEIR. If suitable habitat is identified during these surveys, CDFW recommends that a qualified biologist conduct focused surveys for CBB and WBB, and their requisite habitat features following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023) as part of the biological technical studies conducted in support of the DEIR.

In addition to conducting CBB and WBB habitat assessments and surveys, CDFW recommends the DEIR include the following measures:

Recommended Mitigation Measure 1: CBB Habitat Assessment

CDFW recommends a qualified biologist conduct a habitat assessment prior to construction to determine if portions of the Project site and immediate surrounding vicinity contain habitat suitable to support CBB. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs would need to be documented as part of the assessment.

Recommended Mitigation Measure 2: CBB and WBB Surveys

If potentially suitable habitat is identified, CDFW recommends that additional surveys be conducted for CBB and WBB, and their requisite habitat features, following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023).

Recommended Mitigation Measure 3: CBB and WBB Avoidance

If CBB or WBB is detected, then CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB or WBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

Recommended Mitigation Measure 4: CBB and WBB Take Authorization

If take cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take

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authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Special-status Plants

The Project site is within a geographic range of Monterey gilia and seaside bird's-beak and historical occurrences have been documented for both species within two miles of the Project site. As the Project site may contain suitable habitat for special-status plant species, including the species mentioned above, CDFW recommends that the Project site(s) be surveyed for special-status plants within areas of suitable habitat by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities" (CDFW 2018) as part of the biological technical studies conducted in support of the DEIR. This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period.

In addition to conducting special-status plant surveys, CDFW recommends the DEIR include the following:

Recommended Mitigation Measure 5: Special-Status Plant Focused Surveys

Depending on the time between the initial survey efforts conducted in support of the DEIR and Project activities, CDFW recommends that the Project site be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018) during the survey season immediately prior to initiation of Project activities. This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 6: Special-Status Plant Avoidance

CDFW recommends special-status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

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Recommended Mitigation Measure 7: Special-Status Plant Take Authorization

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization would need to occur through issuance of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b), or Fish and Game Code section 1900 and California Code of Regulations, title 14, section 786.9.

EDITORIAL NOTES AND SUGGESTIONS

CNDDDB

Please note that the CNDDDB is populated by and records voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDDB but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record in the CNDDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special-status species are present at or near the Project site.

Cumulative Impacts

CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). Cumulative impacts are recommended to be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area should also be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP to assist the Board of Trustees in identifying and mitigating this Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). Please

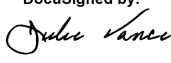
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see the enclosed, Attachment 1, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. Questions regarding this letter or further coordination should be directed to Evelyn Barajas-Perez, Environmental Scientist, at (805) 503-5738 or evelyn.barajas-perez@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A. Vance
Regional Manager

ATTACHMENT

ec:

State Clearinghouse
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REFERENCES

California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special status native plant populations and sensitive natural communities. California Department of Fish and Wildlife. Sacramento, California, USA.

California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act (CESA) candidate bumble bee species. Sacramento, California, USA.

California Department of Fish and Wildlife. 2025. Biogeographic information and observation system. <<https://www.wildlife.ca.gov/Data/BIOS>>. Accessed 29 March 2025.

Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM
(MMRP)**

**PROJECT: California State University Monterey Bay Stadium
Expanded Use Project**

SCH No.: 2025021013

| RECOMMENDED MITIGATION MEASURE | STATUS/DATE/INITIALS |
|---|-----------------------------|
| <i>Before Disturbing Soil or Vegetation</i> | |
| Crotch's bumble bee (CBB) and Western bumble bee (WBB) | |
| Recommended Mitigation Measure 1: CBB and WBB Habitat Assessment | |
| Recommended Mitigation Measure 2: CBB and WBB Surveys | |
| Recommended Mitigation Measure 4: CBB and WBB Take Authorization | |
| Special-status Plants | |
| Recommended Mitigation Measure 5: Special-Status Plant Focused Surveys | |
| Recommended Mitigation Measure 7: Special-Status Plant Take Authorization | |
| <i>During Construction</i> | |
| Crotch's bumble bee (CBB) and Western bumble bee (WBB) | |
| Recommended Mitigation Measure 3: CBB and WBB Avoidance | |
| Special-Status Plant | |
| Recommended Mitigation Measure 6: Special-Status Plant Avoidance | |