



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Central Region
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(559) 243-4005
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June 26, 2026

Matthew S. McCluney, AICP
Director of Campus Planning & Development
California State University Monterey Bay
100 Campus Center
Seaside, California 93955
(831) 582-4721
fm@csumb.edu

**Subject: California State University Monterey Bay Stadium Expanded Use Project
(Project)
Draft Environmental Impact Report (DEIR)
State Clearinghouse No.: 2025021013**

Dear Matthew McCluney:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the Board of Trustees of the California State University (Board of Trustees) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

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. (*Id.*, § 1802.) Similarly, for purposes of CEQA,

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.

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 2

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 is also submitting comments 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. 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.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Unlisted Species: Species of plants and animals need not be officially listed as Endangered, Rare, or Threatened (E, R, or T) on any State or federal list to be considered E, R, or T under CEQA. If a species can be shown to meet the criteria for E, R, or T, as specified in the CEQA Guidelines section 15380, CDFW recommends it be fully considered in the environmental analysis for the Project.

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 at the CSUMB Stadium by CSUMB and the Monterey Bay Football Club; and 2) the construction and operation of two new locker rooms and shower facilities, two new permanent restroom facilities, and a gated event storage and staging area just north of the CSUMB Stadium.

Location: The proposed Project is located on the CSUMB campus within the City of Seaside in Monterey County, California, at 4113 2nd Avenue (Assessor's Parcel Number 031-101-044).

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 3

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations below 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. CDFW previously commented on the Notice of Preparation (NOP) for the Project in a letter dated May 9, 2025 (Attachment 1).

Special-Status Species

The DEIR notes that the Project site consists primarily of existing infrastructure and campus facilities, with some vegetated areas. Specifically, the Project site includes an approximately 1.25-acre compacted dirt lot comprised of ruderal vegetation and scattered trees and shrubs located north of the CSUMB Stadium, and approximately 6,000-square feet of developed areas within the CSUMB Stadium consisting of graveled/paved areas or buildings. The DEIR and aerial imagery show that the Project site is surrounded by the CSUMB baseball and softball fields to the south, two soccer fields and a parking lot to the southwest, the CSUMB Aquatic Center and parking lot to the west, a parking lot and disc golf course and to the north, and disturbed/ruderal vegetation to the east.

The DEIR includes a Biological Resources Report (BRR) based on information compiled through a reconnaissance-level survey performed on June 2, 2021, botanical surveys performed on April 9 and May 13, 2025, and a review of primary literature and data sources. The DEIR acknowledges that nesting raptors or other protected avian species may be present within the trees and shrubs around the CSUMB Stadium, and within the trees and shrubs proposed for removal within the Project site. The DEIR also acknowledges that one special-status plant species, California Rare Plant Rank (CRPR) 1B.2 Monterey spineflower (*Chorizanthe pungens* var. *pungens*), was identified during the 2025 surveys within the proposed gated event storage and staging area (i.e., compacted dirt lot). The DEIR includes mitigation measures to reduce biological resource impacts to less than significant including preparation and implementation of a restoration plan for Monterey spineflower; development and implementation of an Employee Education Program; and implementation of various general avoidance and protective measures. CDFW has concerns about the ability of some of the proposed mitigation measures to reduce potential impacts to less than significant and avoid unauthorized take of the State candidate Crotch's bumble bee (*Bombus crotchii*) and Western bumble bee (*Bombus occidentalis*). CDFW also has concerns about the ability of the proposed mitigation measures to reduce potential impacts to less than significant and avoid unauthorized take of special-status plant species, including, but not limited to, the State endangered and 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*).

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 4

Crotch's bumble bee and Western bumble bee

The BRR included in the DEIR states that Crotch's bumble bee (CBB) and western bumble bee (WBB) are unlikely to occur within or immediately adjacent to the Project site and that the Project site is outside the current range of WBB. Furthermore, with regard to CBB and WBB, the BRR states that marginal habitat is present within the Project site, but that the Project site does not provide adequate sources of nectar for the entire life cycle of these species. As a result, the BRR states that CBB and WBB are unlikely to be impacted by the proposed Project.

Previously, in response to the NOP for the Project, CDFW recommended that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of the DEIR. Based on the information provided in the BRR, it is unclear how the habitat assessment for CBB and WBB was conducted and whether the habitat assessment included data from site visits within the Project site and the surrounding landscape to observe and document potential habitat, including potential foraging resources such as flowering plants; nesting resources such as small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees, and hollow logs; and/or overwintering resources such as leaf litter. As such, CDFW recommends the following:

Recommended Mitigation Measure 1: CBB and WBB Habitat Assessment

CDFW recommends a qualified biologist conduct a habitat assessment in accordance with the methodology outlined in the Survey Considerations for California Endangered Species Act Bumble Bee Species (CDFW 2023) to determine if portions of the Project site and surrounding landscape contain suitable habitat for CBB and WBB. 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 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).

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 5

Recommended Mitigation Measure 3: CBB and WBB Avoidance and Take Authorization

If CBB or WBB is detected, CDFW recommends that all small mammal burrows, thatched/bunch grasses, and any other potential nesting sites 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. If take cannot be avoided, take 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 DEIR indicates that Monterey spineflower was identified during the 2025 focused botanical surveys. The BRR included in the DEIR states that Monterey gilia and seaside bird's-beak were not observed in the Project site during the 2025 focused botanical surveys and are considered not present. Detailed survey results were not included in the DEIR, and thus the nature of the survey effort is unclear. Although two botanical surveys were conducted during the flowering period for Monterey gilia (April and May), the timing of the surveys may have been too early to detect seaside bird's-beak, which generally begins flowering in mid/late-July through August before senescing by mid-September (Watts et al. 2010).

As the Project site contains suitable habitat for special-status plant species such as Monterey spineflower, and may also potentially provide habitat for Monterey gilia and seaside bird's-beak, CDFW recommends that the Project site 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 Sensitive Natural Communities (CDFW 2018) the survey season(s) immediately prior to construction. 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. Please note that adverse conditions from yearly weather patterns may prevent botanical field surveyors from determining the presence of, or accurately identifying, some special-status plants in the surveyed area. Disease, drought, predation, fire, herbivory, or other disturbance may also preclude presence or identification of special-status plants in any given year. Furthermore, special-status plants may be present as dormant seeds within the seed bank. Visiting the survey site in more than one year increases the likelihood of detection. As such, CDFW recommends the following:

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 6

Recommended Mitigation Measure 4: Special-Status Plant Preconstruction Survey(s)

Depending on the time between initial survey efforts and Project construction, CDFW recommends that a qualified botanist survey the Project site for special-status plants following the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) the survey season(s) immediately prior to construction.

Recommended Mitigation Measure 5: Special-Status Plant Avoidance and Take Authorization

CDFW recommends special-status plant species be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or the habitat type(s) required by special-status plants species. If buffers cannot be maintained, consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plants and/or how to implement the Project to avoid take. If State endangered, threatened, or rare plants are identified during special-status plant surveys and take cannot be avoided, then to ensure compliance with CESA and the Native Plant Protection Act (NPPA), consultation with CDFW for acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) and/or California Code of Regulations, Title 14, section 786.9, subdivision (b), is necessary to comply with CESA and the NPPA.

Editorial Comments and/or Suggestions

Nesting Birds: CDFW encourages that ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

CDFW further recommends that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground- or vegetation-disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project-specific activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 7

changes resulting from the activities. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

Mitigation Measure BIO-3 of the DEIR requires a qualified biologist to implement a 300-foot no-disturbance buffer for raptors. CDFW recommends this buffer distance be adjusted to a minimum 500-foot no-disturbance buffer around active nests of non-listed raptors and implementation of a minimum 250-foot no-disturbance buffer around active nests of non-listed bird species if continuous monitoring is infeasible. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when Project activities would be concealed from a nest site by topography. CDFW recommends that a qualified biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

California Natural Diversity Database (CNDDDB): Please note that the CNDDDB is populated by voluntary submission records 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.

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 CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 8

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 environmental document filing 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 DEIR and to assist the Board of Trustees in identifying and mitigating Project 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 see the enclosed, Attachment 2, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. If you have any questions regarding this letter or further coordination, please contact Stephanie Manzo, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 578-0409, or by electronic mail at stephanie.manzo@wildlife.ca.gov.

Sincerely,

DocuSigned by:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ATTACHMENT 1 – CDFW Comment NOP Comment Letter May 9, 2025
ATTACHMENT 2 – Mitigation Monitoring and Reporting Program

ec: State Clearinghouse
Governor's Office of Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

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Matthew S. McCluney, AICP
Board of Trustees of the California State University
June 26, 2026
Page 9

REFERENCES

- California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special-status native plant populations and sensitive natural communities. Sacramento, California, USA.
- California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act candidate bumble bee species. Sacramento, California, USA.
- Watts S. M., M. M. Uhl, S. P. Maurano, and E. E. Nuccio. 2010. Using small-scale studies to prioritize threats and guide recovery of a rare hemiparasitic plant: *Cordylanthus rigidus* ssp. *littoralis*. PLoS ONE 5(1): e8892.

Attachment 1



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 9, 2025

Matthew McCluney, AICP
California State University Monterey Bay
100 Campus Center Seaside, California 93955
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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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Matthew McCluney, AICP

May 9, 2025

Page 2

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

Matthew McCluney, AICP

May 9, 2025

Page 3

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

Matthew McCluney, AICP

May 9, 2025

Page 4

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.

Matthew McCluney, AICP

May 9, 2025

Page 5

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

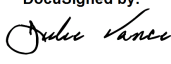
Matthew McCluney, AICP

May 9, 2025

Page 6

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:

FA83F09FE08945A...

Julie A. Vance
Regional Manager

ATTACHMENT

ec:

State Clearinghouse
Governor's Office of Planning and Research
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May 9, 2025

Page 7

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	

Attachment 2

Attachment 2

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

**PROJECT: California State University Monterey Bay Stadium
Expanded Use Project (Project)
Draft Environmental Impact Report (DEIR)**

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 3: CBB and WBB Avoidance and Take Authorization	
Special-Status Plants	
Recommended Mitigation Measure 4: Special-Status Plant Preconstruction Survey(s)	
Recommended Mitigation Measure 5: Special-Status Plant Avoidance and Take Authorization	
<i>During Construction</i>	
Crotch's bumble bee (CBB) and Western bumble bee (WBB)	
Recommended Mitigation Measure 3: CBB and WBB Avoidance and Take Authorization	
Special-Status Plants	
Recommended Mitigation Measure 5:	

Special-Status Plant Avoidance and Take Authorization	
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