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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

September 30, 2025

Jennifer Gates, Community Development Director
City of Sonoma
No. 1 The Plaza
Sonoma, CA 95476
JGates@sonomacity.org

Subject: City of Sonoma General Plan Update, Notice of Preparation of a Draft Program Environmental Impact Report, SCH No. 2025081408, City and County of Sonoma

Dear Jennifer Gates:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) of a draft program Environmental Impact Report (EIR) for the City of Sonoma General Plan Update (Project).

CDFW is providing the City of Sonoma (City) (Lead Agency), with specific detail about the scope and content of the environmental information related to CDFW's area of statutory responsibility that must be included in the EIR (Cal. Code Regs., tit. 14, § 15082, subd. (b)).

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a permit pursuant to the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), the Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

PROJECT DESCRIPTION AND LOCATION

The proposed Project consists of a comprehensive update to the City's General Plan. The General Plan Update will equip the City with a policy that articulates a vision for the City's long-term physical form and development, while preserving and enhancing the quality of life for residents and increasing opportunities for high-quality local job growth and housing options. The updated General Plan will guide the City's development and conservation through land use objectives and policy guidance. The City will implement

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the Plan by requiring development, infrastructure improvements, and other projects to be consistent with its policies and by implementing the actions included in the Plan, including subsequent project-level environmental review. The Project area includes the entirety of the City of Sonoma, California and the Urban Growth Boundary surrounding the City.

The CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) require that the EIR incorporate a full Project description, including reasonably foreseeable future phases of the Project, that contains sufficient information to evaluate and review the Project's environmental impact (CEQA Guidelines, §§ 15124 & 15378). Please include a complete description of the following Project components in the Project description:

- Land use changes resulting from, for example, rezoning certain areas;
- Footprints of permanent Project features and temporarily impacted areas, such as staging areas and access routes;
- Area and plans for any proposed buildings/structures, ground disturbing activities, fencing, paving, stationary machinery, landscaping, and stormwater systems;
- Operational features of the Project, including level of anticipated human presence (describe seasonal or daily peaks in activity, if relevant), artificial lighting/light reflection, noise, traffic generation, and other features; and
- Construction schedule, activities, equipment, and crew sizes.

The NOP identifies that the EIR will be a **Program EIR**. While program EIRs have a necessarily broad scope, CDFW recommends providing as much information related to anticipated future activities as possible. CDFW recognizes that, pursuant to CEQA Guidelines section 15152, subdivision (c), if a Lead Agency is using the tiering process in connection with an EIR or large-scale planning approval, the development of detailed, site-specific information may not be feasible and can be deferred, in many instances, until such time as the Lead Agency prepares a future environmental document. This future environmental document would cover a project of a more limited geographical scale and is appropriate if the deferred information does not prevent adequate identification of significant effects of the planning approval at hand. The CEQA Guidelines section 15168, subdivision (c)(4) states, "Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR." Based on CEQA Guidelines section 15183.3 and associated Appendix N Checklist, and consistent with other program EIRs, CDFW recommends creating a procedure or checklist for evaluating subsequent project impacts on biological resources to determine

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if they are within the scope of the program EIR or if an additional environmental document is warranted. This checklist should be included as an attachment to the EIR. Future analysis should include all special-status species and sensitive habitat including, but not limited to species considered rare, threatened, or endangered species pursuant to CEQA Guidelines, section 15380.

When used appropriately, the checklist should be accompanied by enough relevant information and reasonable inferences to support a "within the scope" of the EIR conclusion. For subsequent Project activities that may affect sensitive biological resources, a site-specific analysis should be prepared by a qualified biologist to provide the necessary supporting information. In addition, the checklist should cite the specific portions of the EIR, including page and section references, containing the analysis of the subsequent Project activities' significant effects and indicate whether it incorporates all applicable mitigation measures from the EIR.

REGULATORY REQUIREMENTS

California Endangered Species Act

A CESA Incidental Take Permit (ITP) must be obtained from CDFW if the Project has the potential to result in "take" of plants or animals listed or candidate species under CESA, either during construction or over the life of the Project. Under CESA, "take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." (Fish & G. Code, § 86.) CDFW's issuance of an ITP is subject to CEQA and to facilitate permit issuance, any project modifications and mitigation measures must be incorporated into the CEQA document analysis, discussion, and mitigation monitoring and reporting program. If the Project will impact CESA listed or candidate species, such as those in **Attachment 1**, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a mandatory finding of significance if a project is likely to substantially impact threatened or endangered species. Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064 & 15065.) In addition, pursuant to CEQA, the lead agency cannot approve a project unless all impacts to the environment are avoided or mitigated to less-than-significant levels, or the Lead Agency makes and supports findings of overriding consideration for impacts that remain significant despite the implementation of all feasible mitigation. Findings of consideration under CEQA, however, do not eliminate the Project proponent's obligation to comply with the Fish and Game Code.

Lake and Streambed Alteration

An LSA Notification is required, pursuant to Fish and Game Code sections 1600 et. seq., for Project activities affecting lakes or streams and associated riparian habitat.

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Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to notification requirements. **The Project may impact Sonoma Creek and other named and unnamed streams. Impacts to any stream would likely require an LSA Notification. If an LSA Notification is required, CDFW recommends that the EIR include a mitigation measure requiring the Project to submit an LSA Notification and compliance with the LSA Agreement, if issued.** CDFW, as a Responsible Agency under CEQA, will consider the CEQA document for the Project. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Raptors and Other Nesting Birds

CDFW also has authority over actions that may disturb or destroy active nest sites or take birds. Fish and Game Code sections 3503, 3503.5, and 3513 protect birds, their eggs, and nests. Migratory birds are also protected under the federal Migratory Bird Treaty Act.

ENVIRONMENTAL SETTING

The EIR should provide sufficient information regarding the environmental setting ("baseline") to understand the Project's, and its alternative's (if applicable), potentially significant impacts on the environment (CEQA Guidelines, §§ 15125 & 15360).

CDFW recommends that the CEQA document prepared for the Project provide baseline habitat assessments for special-status plant, fish and wildlife species located and potentially located within the Project area and surrounding lands, including, but not limited to all rare, threatened, or endangered species (CEQA Guidelines, § 15380). The EIR should describe aquatic habitats, such as wetlands or waters of the U.S. or State, and any sensitive natural communities or riparian habitat occurring on or adjacent to the Project site (for sensitive natural communities see:https://wildlife.ca.gov/Data/VegCAMP/NaturalCommunities#sensitive%20natural%20communities), and any stream or wetland set back distances that Sonoma County or the City may require. Threatened or endangered, candidate, and other special-status species and sensitive natural communities that are known to occur or have the potential to occur in or near the Project site, include but are not limited to those listed in **Attachment 1**.

Habitat descriptions and the potential for species occurrence should include information from multiple sources: aerial imagery, historical and recent survey data, field reconnaissance, scientific literature and reports, U.S. Fish and Wildlife Service's (USFWS) Information, Planning, and Consultation System, and findings from "positive

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occurrence" databases such as California Natural Diversity Database (CNDDB) and California Aquatic Resources Inventory (CARI). Based on the data and information from the habitat assessment, the EIR should adequately assess which special-status species are likely to occur on or near the Project site, and whether they could be impacted by the Project.

CDFW recommends that prior to Project implementation, surveys be conducted for special-status species with potential to occur, following recommended survey protocols if available. Survey and monitoring protocols and guidelines are available at: https://www.wildlife.ca.gov/Conservation/Survey-Protocol.

Botanical surveys for special-status plant species, including, but not limited to those with a California Rare Plant Rank (http://www.cnps.org/cnps/rareplants/inventory/), should be conducted during the blooming period within the Project area and adjacent habitats that may be indirectly impacted by, for example, changes to hydrological conditions, and include the identification of reference populations.[1] More than one year of surveys may be necessary based on environmental conditions. Please refer to CDFW protocols for surveying and evaluating impacts to special-status plants available at: https://www.wildlife.ca.gov/Conservation/Plants.

IMPACT ANALYSIS AND MITIGATION MEASURES

The EIR should discuss all direct and indirect impacts (temporary and permanent) that may occur with implementation of the Project (CEQA Guidelines, § 15126.2). This includes evaluating and describing impacts such as:

- Land use changes that would reduce open space or agricultural land uses and increase residential or other land use involving increased development;
- Encroachments into riparian habitats, wetlands or other sensitive areas;
- Impacts to the bed, channel, and bank, in the streams and rivers downstream of the Project;
- Impacts to bed, channel, bank, and riparian habitat, and the direct and indirect effects to fish, wildlife, and their habitat;
- Changes in hydrological conditions that could alter the timing and magnitude of stream flows both during construction and operation of the Project;

[1] Further information on CRPR ranks is available in CDFW's Special Vascular Plants, Bryophytes, and Lichens List (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=109383&inline) and on the California Native Plant Society website (https://www.cnps.org/rare-plants/california-rare-plant-ranks).

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- Potential for impacts to special-status species;
- Loss or modification of breeding, nesting, dispersal and foraging habitat, including vegetation removal, alternation of soils and hydrology, and removal of habitat structural features (e.g., snags, roosts, vegetation overhanging banks);
- Permanent and temporary habitat disturbances associated with ground disturbance, noise, lighting, reflection, air pollution, traffic or human presence;
- Obstruction of movement corridors, fish passage, or access to water sources and other core habitat features;
- Water quality impacts resulting from construction and operation of the Project; and
- Impacts both from construction and operation of the Project.

The CEQA document should also identify reasonably foreseeable future projects in the Project vicinity, disclose any cumulative impacts associated with these projects, determine the significance of each cumulative impact, and assess the significance of the Project's contribution to the impact (CEQA Guidelines, § 15355). Although a Project's impacts may be insignificant individually, its contributions to a cumulative impact may be considerable; a contribution to a significant cumulative impact – e.g., reduction of available habitat for a special-status species – should be considered cumulatively considerable without mitigation to minimize or avoid the impact.

Based on the comprehensive analysis of the direct, indirect, and cumulative impacts of the Project, the CEQA Guidelines direct the Lead Agency to consider and describe all feasible mitigation measures to avoid potentially significant impacts in the EIR, and/or mitigate significant impacts of the Project on the environment (CEQA Guidelines, §§ 15021, 15063, 15071, 15126.2, 15126.4 & 15370). This includes a discussion of impact avoidance and minimization measures for special-status species, which are recommended to be developed in early consultation with CDFW, USFWS, and the National Marine Fisheries Service. These measures can then be incorporated as enforceable Project conditions to reduce potential impacts to biological resources to less-than-significant levels.

<u>Please be advised that the EIR should include a comprehensive evaluation of potentially significant impacts to fish and wildlife resources as described in this letter, and CDFW may provide additional comments once the EIR is circulated for public review.</u>

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ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs 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 CNDDB. The CNDDB online field survey form and other methods for submitting data can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plantsand-Animals.

FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). 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.

If you have any questions, please contact James Hansen, Environmental Scientist, at (707) 576-2869 or James.Hansen@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
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Erin Chappell
Regional Manager
Bay Delta Region

ATTACHMENT 1: Special-Status Species

ec: Office of Land Use and Climate Innovation (SCH No. 2025081408)
Craig Weightman, CDFW Bay Delta Region – Craig.Weightman@wildlife.ca.gov

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ATTACHMENT 1: Special-Status Species

Scientific Name	Common Name	Status
Fish		
Oncorhynchus mykiss irideus pop. 8	Steelhead – central California coast distinct population segment	SSC, FT
Hesperoleucus venustus subditus	Southern coastal roach	SSC
Amphibians		
Rana boylii pop. 1	Foothill yellow-legged frog – North Coast distinct population segment	SSC
Rana draytonii	California red-legged frog	SSC, FT
Dicamptodon ensatus	California giant salamander	SSC
Reptiles		
Actinemys marmorata	Northwestern pond turtle	SSC, FC
Invertebrates		
Syncaris pacifica	California freshwater shrimp	SE, FE
Plants		
Blennosperma bakeri	Sonoma sunshine	SE, FE, CRPR 1B.1
Ceanothus sonomensis	Sonoma ceanothus	CRPR 1B.2
Hemizonia congesta ssp. *congesta*	Congested-headed hayfield tarplant	CRPR 1B.2
Centromadia parryi ssp. *parryi*	Pappose tarplant	CRPR 1B.2
Amorpha California var. *napensis*	Napa false indigo	CRPR 1B.2
Brodiaea leptandra	Narrow-anthered brodiaea	CRPR 1B.2
Mammals		
Antrozous pallidus	Pallid bat	SSC

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Birds		
Buteo swainsoni	Swainson's hawk	FT
Coturnicops noveboracensis	Yellow rail	SSC
Melospiza melodia samuerlis	San Pablo song sparrow	SSC

SE = state endangered species under CESA; FE = federally endangered species under the Endangered Species Act (ESA); FT = federally listed as threatened under ESA; FC = federally listed as a candidate species under ESA; SSC = state Species of Special Concern; CRPR = California Rare Plant Rank