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DEPARTMENT OF FISH AND WILDLIFE

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March 2, 2026

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Dear Kevin Ponce:

**Subject: Gravenstein Highway/Meier Road, Initial Study/Mitigated Negative Declaration, SCH No. 2026011065, Sonoma County**

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Initial Study/Mitigated Negative Declaration (IS/MND) from the California Department of Cannabis Control (DCC) for the Gravenstein Highway/Meier Road project (Project) pursuant 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. Likewise, we appreciate 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, 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. As proposed, for example, the Project may be subject to CDFW's Lake and Streambed Alteration (LSA) 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**

**Proponent:** DCC

**Objective:** To operate outdoor commercial cannabis cultivation on two contiguous parcels in unincorporated Sonoma County. The total outdoor cultivation canopy for the Proposed Project is 50,000 square feet on two parcels (2515 Gravenstein Highway South (APN 063-150-

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024) and 2409 Meier Road (APN 063-150-010). Primary Project activities include new 10,000 square feet of outdoor cannabis cultivation.

**Location:** City of Sebastopol, Sonoma County, Meier Road and Morse Road, Latitude: 38.37816, Longitude: -122.79417.

**Timeframe:** Ongoing annual commercial cannabis cultivation subject to renewal of state licensure.

## ENVIRONMENTAL SETTING

### Biological Resources

The Project site is located within the Laguna de Santa Rosa watershed, a region that supports a significant concentration of special-status species and sensitive habitats. The Project site and immediate surrounding area (1.5-mile radius) contain:

- Seasonal wetlands and vernal pools supporting endemic and endangered plant species;
- Surface waters including the Laguna de Santa Rosa and its tributaries that support anadromous salmonids and may provide breeding and estivation habitat for a diverse variety of aquatic life including native freshwater mussels;
- Upland grassland habitat may provide breeding, dispersal, and estivation habitat for threatened and endangered wildlife;
- Federal and state listed species including California tiger salamander (CTS, Sonoma County Distinct Population Segment [DPS]) (*Ambystoma californiense* pop. 3), Burrowing owl (*Athene cunicularia*), Sebastopol meadowfoam (*Limnanthes vinculans*), Sonoma sunshine (*Blennosperma bakeri*).

## COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist DCC 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 document.

### COMMENT 1: Sebastopol Meadowfoam and Sonoma Sunshine - Inadequate Survey Timing and Mitigation

**Issue:** The IS/MND relies on outdated and non-protocol botanical surveys and concludes "no impact" or "less than significant impact" without substantial evidence, despite documented occurrences of Sebastopol meadowfoam (*Limnanthes vinculans*) and Sonoma sunshine (*Blennosperma bakeri*) within the Project vicinity and the presence of suitable vernal pool habitat conditions. Both Sebastopol meadowfoam and Sonoma Sunshine are listed as federally endangered and state endangered plant species.. Botanical surveys were conducted outside the appropriate blooming period (February–May), and the IS/MND does not require species-specific avoidance and minimization measures. The IS/MND explicitly acknowledges this limitation: "The timing of the surveys was not during the flowering period of most plant species" (IS/MND, Appendix A, p. 6); "The existence of seedlings or a persistent seed bank could not be ruled out" (IS/MND, Appendix A, p. 12). Failure to conduct surveys during flowering period prevents positive identification and violates botanical survey protocols (CDFW, 2018; CNPS, 2001).

### Evidence Impact Would Be Significant:

Sebastopol meadowfoam and Sonoma sunshine, exhibit high temporal variability in population size and distribution related to precipitation, grazing intensity, and seed bank dynamics (Bauder, 2005; Marty, 2005). Pyke (2005) demonstrated that vernal pool endemic

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plant populations can experience order-of-magnitude fluctuations in abundance between years based on winter precipitation patterns. Based on the California Natural Diversity Database (CNDDDB) records and the 2017 survey by Sarah Gordon (referenced in occurrence reports but contradicting the applicant's 2017 reconnaissance survey), Sebastopol meadowfoam has confirmed presence on or immediately adjacent to the Project parcel. Sebastopol meadowfoam is restricted to vernal pools and seasonal wetlands in Sonoma County and exhibits high interannual population variability. The species may persist as a seed bank even when not detected during non-flowering periods. Project activities including grading, irrigation runoff, nutrient loading, and hydrologic alterations could result in direct mortality, habitat degradation, and take of this listed species. Surveys older than two to three years are generally considered outdated for CEQA analysis, especially in dynamic wetland and grassland systems (CDFW, 2018). CEQA Guidelines §15125(a) and §15126.2 require that environmental setting and impact analysis be based on current conditions.

### **Recommendations:**

1. CDFW recommends that DCC as Lead Agency require protocol-level botanical surveys for Sebastopol meadowfoam and Sonoma sunshine conducted during the appropriate flowering period (February–May) by a qualified botanist, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (2018) and CNPS Botanical Survey Guidelines (2001).
2. Survey coverage shall extend at least 500 feet beyond Project boundaries and include all vernal pools, seasonal wetlands, and swales with hydrologic connectivity to the Project site.
3. If Sebastopol meadowfoam is detected, the Project shall implement complete avoidance through establishment of protective buffers (minimum 250 feet or as determined by site-specific analysis), prohibition of direct and indirect impacts, and long-term monitoring and adaptive management.
4. If complete avoidance is not feasible and take of Sebastopol meadowfoam or Sonoma sunshine may occur, the applicant shall obtain appropriate take authorization under the federal Endangered Species Act (ESA) (Section 7 or Section 10 consultation with U.S. Fish and Wildlife Service [USFWS]) and CESA (Section 2081 Incidental Take Permit [ITP] from CDFW) prior to Project implementation.

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

#### **BIO-4: Sebastopol Meadowfoam and Sonoma sunshine Protocol Surveys**

Prior to Project approval, the applicant shall retain a qualified botanist to conduct protocol-level surveys for Sebastopol meadowfoam and Sonoma sunshine during the appropriate flowering period (February–May) following CDFW (2018) and CNPS (2001) protocols. Surveys shall cover the Project site and a 500-foot buffer, with particular focus on vernal pools, seasonal wetlands, and swales.

#### **BIO-5: Sebastopol Meadowfoam and Sonoma Sunshine Avoidance and Protection**

If Sebastopol meadowfoam and/or Sonoma sunshine is detected during protocol surveys, the Project shall:

- a) Establish a minimum 250-foot no-disturbance buffer around all occupied habitat, or a larger buffer as determined by site-specific hydrologic analysis;
- b) Install protective fencing to prevent construction encroachment;
- c) Prohibit all direct impacts including grading, filling, vegetation removal, and infrastructure placement within occupied habitat and buffers;

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d) Prohibit indirect impacts including irrigation runoff, nutrient application, pesticide use, and hydrologic alterations within the contributing watershed; and

e) Implement long-term monitoring and adaptive management to ensure population persistence.

#### **BIO-6: Take Authorization for Sebastopol Meadowfoam**

If Project activities may result in take of Sebastopol meadowfoam and/or Sonoma sunshine and complete avoidance is not feasible, the applicant shall obtain appropriate take authorization from USFWS (Section 7 or Section 10 consultation under federal ESA) and CDFW (Section 2081 ITP under CESA) prior to Project implementation. Take authorization shall include compensatory mitigation at ratios sufficient to ensure no net loss of occupied habitat and population viability.

#### **COMMENT 2: Inadequate Analysis of Impacts to Vernal Pools and Seasonal Wetlands**

**Issue:** The IS/MND does not adequately identify, delineate, or analyze potentially significant impacts to vernal pools, seasonal wetlands, and/or associated watershed processes on or adjacent to the Project site. The document acknowledges the potential presence of wetland features but fails to provide current delineations, hydrologic connectivity analysis, or an evaluation of indirect and cumulative impacts associated with agricultural conversion and cannabis cultivation operations. Additionally, the Project site is located within 0.5 miles of CNDDDB documented CTS presence, and therefore within CTS dispersal distance. If vernal pools or seasonal wetlands occurring within the Project boundaries provide a suitable hydroperiod with appropriate water depth, suitable CTS breeding habitat could exist within the Project boundaries. Failure to identify, delineate, and analyze resources described precludes an informed determination of environmental significance and undermines the adequacy of the IS/MND.

#### **Evidence the Impact Would Be Significant:**

Vernal pools are among the most imperiled ecosystems globally and support a disproportionately high number of endemic and endangered species (Keeley & Zedler, 1998). In California, vernal pool complexes function as integrated hydrologic systems in which upland watershed processes directly influence pool hydroperiod, water chemistry, and biological productivity (Bauder, 2005; Pyke, 2005). Peer-reviewed studies demonstrate that alterations to watershed hydrology, soil structure, and land use within the contributing catchment area can significantly degrade vernal pool function, even in the absence of direct fill or excavation (Marty, 2005; Harper et al., 2008). Vernal pool hydrology is highly sensitive to surface grading, compaction, drainage modifications, and irrigation runoff. Bauder (2005) demonstrated that small changes in watershed hydrology can alter pool hydroperiod sufficiently to cause reproductive failure in obligatory pool-breeding amphibians and loss of specialized plant communities. Marty (2005) documented that nutrient enrichment and hydrologic modification significantly reduce native plant diversity and favor invasive species dominance in ephemeral wetlands.

Semlitsch (2000) and Harper et al. (2008) demonstrated that amphibian population viability depends not only on the integrity of breeding pools but also on the preservation of surrounding upland habitat and hydrologic connectivity. Trenham et al. (2003) documented CTS breeding site occupancy varies 40–60 percent between wet and dry years due to rainfall, hydroperiod, and habitat connectivity (Trenham et al., 2003; Wang et al., 2011). Conversion of crops and conversion of upland grasslands to agriculture, installation of fencing, and alteration of surface drainage patterns significantly increase extinction risk for pool-breeding species. Pyke (2005) further showed that climate variability exacerbates the vulnerability of vernal pool ecosystems, making them particularly sensitive to additional anthropogenic stressors such as irrigation runoff, groundwater pumping, and surface water diversions.

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Consistent with CEQA Guidelines § 15380, vernal pools and seasonal wetlands qualify as sensitive environmental resources. Impacts are considered significant under CEQA when a Project would substantially reduce the quality or quantity of wetland habitat, interfere with hydrologic function, or reduce habitat for special-status species (CEQA Guidelines §§ 15065(a)(1), 15065(a)(2), 15065(a)(4)).

### **Recommendations:**

CDFW recommends that DCC as Lead Agency require:

1. **Comprehensive Wetland and Vernal Pool Delineations** conducted by qualified wetland professional using current U.S. Army Corps of Engineers and CDFW methodologies.
2. **Hydrologic Connectivity Analysis** evaluating surface and subsurface flow paths between uplands, well(s), vernal pools, seasonal wetlands, and downstream waters.
3. **Hydroperiod and California Tiger Salamander:** If ponds exhibit a hydroperiod of at least 12 weeks, CTS presence surveys should be completed.

### **Recommended Avoidance and Minimization:**

#### **BIO-7: Avoidance of Vernal Pools and Seasonal Wetlands**

Avoid all direct impacts to vernal pools, seasonal wetlands, and associated swales, including fill, grading, compaction, fencing, infrastructure placement, and irrigation discharge.

#### **BIO-8: Protective Buffers**

Establish a minimum **250-foot** no-disturbance buffer around all vernal pools and seasonal wetlands, unless site-specific scientific analysis demonstrates that a larger buffer is necessary to protect hydrologic function and biological integrity.

#### **BIO-9: Hydrologic Protection Measures**

Prohibit alteration of surface drainage patterns within contributing watersheds. Design Project features to maintain pre-Project hydroperiod, inundation frequency, and water quality of vernal pools and seasonal wetlands.

#### **BIO-10: Prohibition of Irrigation Runoff and Nutrient Inputs**

Prohibit irrigation runoff, nutrient application, and pesticide use within vernal pool watersheds unless supported by a site-specific water quality analysis demonstrating no adverse impacts.

#### **BIO-11: Monitoring and Adaptive Management**

Implement long-term monitoring of hydrologic function, vegetation composition, and species presence within vernal pool systems, with enforceable adaptive management measures triggered by exceedance of performance thresholds.

#### **BIO-12: Take Authorization for California Tiger Salamander**

If Project activities may result in take of CTS and complete avoidance is not feasible, the applicant shall obtain appropriate take authorization from USFWS (Section 7 or Section 10 consultation under federal ESA) and CDFW (Section 2081 ITP under CESA) prior to Project implementation. Take authorization shall include compensatory mitigation at ratios sufficient to ensure no net loss of occupied habitat and population viability.

### **Editorial Comments and/or Suggestions**

The IS/MND for the Gravenstein Highway/Meier Road Cannabis Cultivation Project contains significant deficiencies in biological resource analysis that prevent adequate assessment of Project impacts under CEQA.

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## 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 types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

## ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document 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 IS/MND to assist DCC in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Jason Teichman, Environmental Scientist, (707) 210-5104 or [Jason.Teichman@wildlife.ca.gov](mailto:Jason.Teichman@wildlife.ca.gov); or Wesley Stokes, Senior Environmental Scientist (Supervisory), at [Wesley.Stokes@wildlife.ca.gov](mailto:Wesley.Stokes@wildlife.ca.gov).

Sincerely,

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Erin Chappell  
Regional Manager  
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ec: Office of Land Use and Climate Innovation SCH No. 2026011065  
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## REFERENCES

- Bauder, E. T. (2005). The effects of an unpredictable precipitation regime on vernal pool hydrology. *Freshwater Biology*, 50(12), 2129–2135. <https://doi.org/10.1111/j.1365-2427.2005.01466.x>.
- California Department of Fish and Wildlife (CDFW). (2018). *Protocols for surveying and evaluating impacts to special status native plant populations and sensitive natural communities*. Sacramento, CA: California Department of Fish and Wildlife. <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>.
- California Natural Diversity Database (CNDDDB) Management Framework. (2026). California Department of Fish and Wildlife. Sacramento, CA. Website <https://wildlife.ca.gov/Data/BIOS> [accessed 9 February 2026].
- California Native Plant Society (CNPS). (2001). *CNPS botanical survey guidelines*. Sacramento, CA: California Native Plant Society. [https://cnps.org/wp-content/uploads/2018/03/cnps\\_survey\\_guidelines.pdf](https://cnps.org/wp-content/uploads/2018/03/cnps_survey_guidelines.pdf).

- DeSante, D. F., Ruhlen, E. D., & Scalf, R. (2007). The distribution and relative abundance of burrowing owls in California during 1991–1993. *Journal of Raptor Research*, 41(3), 213–224. [https://doi.org/10.3356/0892-1016\(2007\)41\[213:TDARAO\]2.0.CO;2](https://doi.org/10.3356/0892-1016(2007)41[213:TDARAO]2.0.CO;2).
- Gervais, J. A., Rosenberg, D. K., & Comrack, L. A. (2008). Burrowing owl (*Athene cunicularia*). In W. D. Shuford & T. Gardali (Eds.), *California bird species of special concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California* (pp. 218–226). Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento. <https://wildlife.ca.gov/Conservation/SSC/Birds>.
- Harper, E. B., Rittenhouse, T. A. G., & Semlitsch, R. D. (2008). Demographic consequences of terrestrial habitat loss for pool-breeding amphibians: Predicting extinction risks associated with inadequate size of buffer zones. *Conservation Biology*, 22(5), 1205–1215. <https://doi.org/10.1111/j.1523-1739.2008.01015.x>.
- Marty, J. T. (2005). Effects of cattle grazing on diversity in ephemeral wetlands. *Conservation Biology*, 19(5), 1626–1632. <https://doi.org/10.1111/j.1523-1739.2005.00198.x>.
- Moulton, C. E., Brady, R. S., & Belthoff, J. R. (2006). Association between wildlife and agriculture: Underlying mechanisms and implications in burrowing owls. *Journal of Wildlife Management*, 70(3), 708–716. [https://doi.org/10.2193/0022-541X\(2006\)70\[708:ABWAAU\]2.0.CO;2](https://doi.org/10.2193/0022-541X(2006)70[708:ABWAAU]2.0.CO;2).
- Pyke, C. R. (2005). Assessing climate change impacts on vernal pool ecosystems and endemic branchiopods. *Ecosystems*, 8(1), 95–105. <https://doi.org/10.1007/s10021-004-0086-y>.