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STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
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September 10, 2026

Andrew Perez, Planning Manager
Community Development Department
300 E Branch Street
Arroyo Grande, California 93420
aperez@arroyogrande.org
(805) 473-5425

**Subject: Arroyo Grande General Plan (Plan)**
**Programmatic Draft Environmental Impact Report (PEIR)**
**SCH No.: 2026030959**

Dear Andrew Perez:

The California Department of Fish and Wildlife (CDFW) received a PEIR from the City of Arroyo Grande (City), as Lead Agency, for the above-referenced Project pursuant 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 Plan that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan 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 statue 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

[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.

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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, projects tiered from this Plan may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of projects tiered from this Plan 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 will be required.

## PLAN DESCRIPTION SUMMARY

**Proponent:** City of Arroyo Grande

**Objective:** The Plan includes revisions to all existing elements and the incorporation of new long-term planning considerations. The Plan will serve as a framework for future growth through the 2050 buildout year and will reflect community input, recent changes in State law, and updated environmental and socioeconomic conditions. The Plan also includes amendments to the Land Use, Natural and Cultural Resources, Safety, Noise, Parks, Recreation and Community Services, Circulation, Economic Development, and Health and Equity Elements. Specific Focus Areas within the City that have the potential to accommodate future development have been identified and are included in the Plan. Additional components of the Plan include revised noise contours, an update to the City's 2013 Climate Action Plan, and concurrent amendments to the Development Code to ensure consistency with the updated General Plan.

**Location:** City of Arroyo Grande

## COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying and/or mitigating the Plan'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 for this Plan.

CDFW submitted a comment letter on April 24, 2026 (2026 NOP Letter; Attachment 1) in response to the Project's Notice of Preparation (NOP). The 2026 NOP Letter provided recommendations to identify and mitigate the Project's significant or potentially significant direct and indirect impacts on biological resources.

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CDFW has concerns regarding State candidate western spadefoot (*Spea hammondii*), exclusionary fencing, and wildlife corridors and habitat connectivity. As such, CDFW recommends the following:

**Western spadefoot**

The California Fish and Game Commission (FGC) approved Western Spadefoot (WESP) as a candidate for potential listing under the California Endangered Species Act (CESA) on August 13, 2026, and is in the process of publishing the Notice of Findings. Once the Notice of Findings is published, WESP will be a CESA candidate species and will receive the same legal protections afforded to listed endangered or threatened species (Fish & G. Code, §§ 2074.2 and 2085).

The PEIR states that WESP does not occur within the Plan Area and notes that "suitable habitat may be present in the study area; however, there are no CNDDB documented occurrences of the species within 5 miles of the study area." CDFW would like to acknowledge that the absence of documented occurrences in the CNDDB does not confirm species absence.

Due to WESP's updated state status and the presence of potentially suitable habitat within the Plan Area, CDFW recommends that projects tiered from this Plan consider WESP in their environmental review and project planning. As such, CDFW recommends the following mitigation measures:

**Recommended Mitigation Measure 1: Habitat Assessment**

CDFW recommends that tiered projects begin with a habitat assessment conducted by a qualified biologist to determine whether potential aquatic breeding habitat or adjacent upland dispersal/burrow habitat for western spadefoot is present. If suitable habitat is identified, the assessment should characterize hydroperiod, vegetation, soils, small mammal burrows, dispersal pathways, and barriers.

**Recommended Mitigation Measure 2: WESP Focused Surveys**

If suitable habitat is identified through the habitat assessment, CDFW recommends conducting focused daytime and nighttime surveys for western spadefoot, during and following rainfall events and pre-activity clearance surveys within proposed work areas. Two years of surveys demonstrating absence of breeding activity are recommended before work occurs in or adjacent to potential breeding features. If western spadefoot is detected at any life stage, consultation with CDFW is recommended to discuss feasible measures to avoid take.

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**Recommended Mitigation Measure 3: WESP Avoidance and Take Authorization**

If suitable habitat is present and focused surveys were not conducted within the past year, consultation with CDFW is recommended to determine how project activities can proceed while avoiding take. Any detection of western spadefoot prior to or during project implementation warrants consultation with CDFW to discuss feasible measures to avoid take. If take cannot be avoided, take authorization through an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081(b), is necessary to comply with CESA.

**BIO-1(f) (6): Exclusionary fencing**

In BIO-1(f)(6), the PEIR states that "for all work occurring in areas where endangered or threatened species may be present and are at risk of entering the project site during construction, the applicant shall install exclusion fencing […] and that the placement of the fence shall be at the discretion of a CDFW/USFWS-approved biologist." CDFW would like to emphasize that the use of exclusionary fencing to prevent endangered or threatened species from entering a project site may constitute take and therefore requires an incidental take permit pursuant to Fish and Game Code section 2081(b) to comply with CESA. CDFW also recommends completing a pre-installation survey of the area to ensure that no wildlife would be affected by the placement of exclusion fencing. CDFW recommends that the PEIR clearly state this requirement so that all projects tiered from the Plan appropriately pursue the necessary permitting.

**Wildlife Corridor and Habitat Connectivity**

Policy NCR 3.16–3.17, emphasizes the City's commitment to preserving and restoring wildlife corridors; however, recent state laws, Senate Bill (SB) 790, Assembly Bill (AB) 2344, and AB 1889, demonstrate the need for the Plan to include more detailed implementation measures. SB 790 authorizes CDFW to issue compensatory mitigation credits for wildlife connectivity actions and encourages coordination with Caltrans on projects that enhance habitat linkages. AB 2344 requires CDFW to develop a statewide Wildlife Connectivity Action Plan and directs Caltrans to assess and remediate wildlife barriers along transportation corridors. AB 1889 (Room to Roam Act) requires local jurisdictions to update their general plan conservation elements by 2028 to identify connectivity areas, assess development impacts, integrate standards such as wildlife-friendly fencing and buffer requirements.

To align with these statutes, CDFW recommends that the Plan outline how it will identify specific wildlife corridors, establish measurable connectivity objectives, coordinate with state and local partners, and incorporate compensatory mitigation or funding mechanisms so that all tiered projects comply with current state requirements.

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The City of Atascadero contains approximately 6.5 miles of creeks and tributaries, including Arroyo Grande Creek, Tar Springs Creek, Los Berros Creek, Saucelito Creek, and Phoenix Creek, which function as key wildlife movement corridors connecting the Salinas River watershed to surrounding upland habitats. Because these riparian areas support diverse wildlife, the Plan has potential to affect connectivity for species relying on these corridors. Direct and indirect impacts to riparian and adjacent habitats could reduce habitat availability, reproductive success, and overall health of sensitive species identified in the PEIR, as well as introduce debris or pollutants into riverine systems. Research consistently shows that narrow riparian buffers are far less effective at protecting ecological functions than wider buffers (Castelle et al. 1992; Brosofske et al. 1998; Kiffney et al. 2003; Moore et al. 2005).

**Lake and Streambed Alteration**

Reasonably foreseeable future projects tiered from this Plan may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov.

CDFW therefore recommends that the PEIR for this Plan include information related to these requirements of Fish and Game code and advise that projects tiered from this Plan retain a qualified biologist to determine if potential impacts to streams may require the need to notify pursuant to Fish and Game Code section 1602.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database. The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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## FILING FEES

The Plan, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

## CONCLUSION

CDFW appreciates the opportunity to comment on the PEIR to assist the City in identifying and mitigating this Plan's impacts on biological resources. A Mitigation and Monitoring Program (MMRP) (Attachment 2) is included to assist the City with incorporating the recommended mitigation measures provided above.

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). 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:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

Attachment 1- NOP Letter 2026
Attachment 2 - MMRP

ec: State Clearinghouse
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## REFERENCES

Brosofske, K., J. Chen, R. Naiman, and J. Franklin. 1997. Harvesting effects on microclimatic gradients from small streams to uplands in western Washington. Ecological Applications 7:1188-1200.

Castelle, A., C. Conolly, M. Emers, E. Metz, S. Meyer, M. Witter, S. Mauermann, T. Erickson, and S. Cooke. 1992. Wetlands buffers use and effectiveness. Adolfson Associates, Inc., Shorelands and Coastal Zone Management Program, Washington Department of Ecology, Olympia, WA. Pub. No. 92-10.

Kiffney, P., J. Richardson, and J. Bull. 2003. Responses of periphyton and insects to experimental manipulation of riparian buffer width along forest streams. Journal of Applied Ecology 40:1060-1076.

Moore, R., D. Spittlehouse, and A. Story. 2005. Riparian microclimate and stream temperature response to forest harvesting: a review. Journal of the American Water Resources Association 41:813-834.

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# Attachment 1

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GAVIN NEWSOM, Governor
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April 24, 2026

Andrew Perez, Planning Manager
Community Development Department
300 E Branch Street
Arroyo Grande, CA 93420
aperez@arroyogrande.org
(805) 473-542

**Subject: Arroyo Grande General Plan (Plan)**
**Notice of Preparation (NOP)**
**SCH No.: 2026030959**

Dear Andrew Perez:

The California Department of Fish and Wildlife (CDFW) received an NOP to prepare a Programmatic Environmental Impact Report (PEIR) from City of Arroyo Grande (City), as lead agency, for the above-referenced Plan 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 Plan that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan 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.

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CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statue 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

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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, projects tiered from this Plan may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of projects tiered from this Plan 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 will 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).

**Fully Protected Species:** CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research,
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock, or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515)

**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 Plan.

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## PLAN DESCRIPTION SUMMARY

**Proponent:** City of Arroyo Grande

**Objective:** The Plan includes revisions to all existing elements and the incorporation of new long-term planning considerations. The Plan will serve as a framework for future growth through the 2050 buildout year and will reflect community input, recent changes in State law, and updated environmental and socioeconomic conditions. The Plan also includes amendments to the Land Use, Natural and Cultural Resources, Safety, Noise, Parks, Recreation and Community Services, Circulation, Economic Development, and Health and Equity Elements. Specific Focus Areas within the City that have the potential to accommodate future development have been identified and are included in the Plan. Additional components of the Plan include revised noise contours, an update to the City's 2013 Climate Action Plan, and concurrent amendments to the Development Code to ensure consistency with the updated General Plan.

**Location:** City of Arroyo Grande

## COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying and/or mitigating the Plan'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 for this Plan.

### Specific Focus Areas

The NOP notes that several specific Focus Area have been identified in the Plan to accommodate future growth and development, including the North Fair Oaks Focus Area. The NOP also notes that this focus area would likely be evaluated in a future specific plan. The North Fair Oaks Focus Area is located adjacent to Arroyo Grande Creek, which provides habitat for several special-status species, including California red-legged frog (*Rana draytonii*) and steelhead - south-central California coast Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus* pop. 9). The creek provides essential habitat for both terrestrial and aquatic species, including thermal protection, cool water refugia, cover, large woody debris, foraging areas, breeding and rearing sites, habitat and connectivity corridors, as well as buffers to sedimentation and runoff from adjacent land uses.

Depending on how future development is sited adjacent to Arroyo Grande Creek, and how habitats within and surrounding development areas are maintained, direct and indirect impacts could lead to a reduction of habitat, reduced reproductive success;

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reduced health and vigor; nest abandonment; loss of foraging habitat that would reduce nesting success (loss or reduced health or vigor of eggs or young); and introduction of debris and/or deleterious materials into river habitats. Wildlife movement and connectivity could also be reduced. As such, CDFW recommends that the Plan incorporate a sufficient buffer zone between Arroyo Grande Creek and any future development associated with this Plan or a future specific plan. CDFW also recommends that the PEIR evaluate impacts to Arroyo Grande Creek and other natural habitat areas from implementation of the Plan and incorporate a robust cumulative impacts analysis for the species known to utilize the natural habitats within the Plan area (see below for additional cumulative impact recommendations).

**Special-Status Species**

Based on aerial imagery and species occurrence records from the California Natural Diversity Database (CNDDB) (CDFW 2026) and CDFW's familiarity with biological resources in the Plan area, CDFW recommends that special-status species be considered as part of the PEIR that will be prepared for this Plan, including, but not limited to, the species identified in Attachment 1 of this letter. These resources need to be evaluated and addressed as part of the PEIR and prior to any approvals that would allow vegetation or ground-disturbing activities. CDFW also recommends that the PEIR analyze potential impacts to these species and provide measurable mitigation measures that would reduce impacts to less than significant levels as needed for projects tiered (streamlined) from this Plan.

**Special-Status Plants**

CDFW recommends that the PEIR for this Plan include a measure requiring that projects tiered from this Plan located within natural habitats be surveyed by a qualified botanist for any possible special-status plants following the "Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Natural Communities". CDFW recommends that the plant surveys be floristic and, if necessary, utilize a known reference site for any special-status plants in order to provide a high level of confidence in the effort and results. In addition, CDFW recommends that mitigation measures for CESA-listed plant species, Native Plant Protection Act (NPPA) plant species, and California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) plant species be fully addressed in the CEQA document prepared for any future project tiered from this Plan.

If a special-status plant is found, CDFW recommends that the 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 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

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mitigation measures for impacts to special-status plant species. If a State- or federally listed plant species is identified during botanical surveys, it is recommended that consultation with CDFW and/or the United States Fish and Wildlife Service (USFWS) be conducted to determine permitting needs.

**California Endangered Species Act and Native Plant Protection Act**

Reasonably foreseeable future projects tiered from this Plan may be subject to CDFWs regulatory authority pursuant to CESA and NPPA. In the event that species listed under CESA are detected during surveys, consultation with CDFW is warranted to discuss how to implement the project and avoid "take," or if avoidance is not feasible, to acquire a State Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081 subdivision (b) and/or California Code of Regulations, Title 14, section 786.9, subdivision (b), prior to any ground-disturbing activities. In addition, CDFW recommends that mitigation measures for the CESA-listed species be fully addressed in the CEQA document prepared for any future project tiered from this Plan.

**California Natural Diversity Database (CNDDB)**

Please note that the CNDDB is populated by voluntary submissions of species detections. As a result, species may be present in locations not depicted in the CNDDB, but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB does not mean that a species is not present. All projects tiered from this Plan should adequately assess any potential project-related impacts to biological resources by ensuring biological surveys are conducted by a qualified wildlife biologist during the appropriate survey period(s) and using the appropriate protocol survey methodology as warranted in order to determine whether or not any special-status species are present at or near the project area.

**CEQA Alternatives Analysis**

CDFW recommends that the information and results obtained from the cumulative impacts analysis conducted as part of this Plan's PEIR be used to develop and modify the Plan's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. Please note that when efforts to avoid and minimize impacts have been exhausted for projects tiered from this Plan, remaining impacts to sensitive biological resources may need to be mitigated to reduce impacts to a less than significant level, if feasible.

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**Cumulative Impact Analysis**

Given that a Plan serves primarily as a planning tool and that future project-level CEQA documents are expected to be tiered from it, CDFW recommends that a cumulative impact analysis be conducted for all potential biological resources that will either be significantly or potentially significantly impacted by implementation of the Plan, 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 any future project, even if those impacts are expected to be relatively small (i.e., less than significant). CDFW recommends cumulative impacts 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 identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

**Lake and Streambed Alteration**

Reasonably foreseeable future projects tiered from this Plan may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593 or R4LSA@wildlife.ca.gov.

CDFW therefore recommends that the PEIR for this Plan include information related to these requirements of Fish and Game code and advise that projects tiered from this Plan retain a qualified biologist to determine if potential impacts to streams may require the need to notify pursuant to Fish and Game Code section 1602.

**Nesting Birds**

CDFW encourages that all projects tiered from this Plan 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), each future project applicant is responsible for ensuring that implementation of their project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

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CDFW recommends that a qualified biologist conduct pre-activity surveys 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 each future project area to identify nests and determine their status. A sufficient area means any area potentially affected by a project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests.

Once construction begins, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from each future project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures. If continuous monitoring of identified nests by a qualified biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. 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 the construction areas 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.

**ENVIRONMENTAL DATA**

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database. The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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**FILING FEES**

The Plan, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

**CONCLUSION**

CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating this Plan'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). 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:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

Attachment 1-Special-Status Species Table

ec: State Clearinghouse
Land Use and Climate Innovation
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**REFERENCES**

California Department of Fish and Wildlife. 2026. Biogeographic information and observation system (BIOS). https://www.wildlife.ca.gov/Data/BIOS. Accessed 3 April 2026.

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# Attachment 1

California Department of Fish and Wildlife
Special-Status Species Table

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**Attachment 1**

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE**
**SPECIAL-STATUS SPECIES TABLE**

**PROJECT: Arroyo Grande General Plan SCH No. 2026030959 (Plan)**
**Notice of Preparation (NOP)**

| Common Name | Scientific Name | Status | |
|---|---|---|---|
| | | State | Federal |
| Least Bells' vireo | *Vireo bellii pusillus* | E | E |
| Willow flycatcher | *Empidonax traillii* | E | - |
| Tricolored blackbird | *Agelaius tricolor* | T | SSC |
| Bald eagle | *Haliaeetus leucocephalus* | FP | - |
| California black rail | *Laterallus jamaicensis coturniculus* | FP | T |
| Golden eagle | *Aquila chrysaetos* | FP | - |
| White-tailed kite | *Elanus leucurus* | FP | - |
| Western burrowing owl | *Athene cunicularia hypugaea* | C | - |
| Crotch's bumble bee | *Bombus crotchii* | C | - |
| Marsh sandwort | *Arenaria paludicola* | E | E |
| Pismo clarkia | *Clarkia speciosa ssp. immaculata* | R | E |
| Gambel's water cress | *Nasturtium gambelii* | T | E |
| American badger | *Taxidea taxus* | SSC | - |
| Pallid bat | *Antrozous pallidus* | SSC | - |
| Grasshopper sparrow | *Ammodramus savannarum* | SSC | - |
| Yellow warbler | *Setophaga petechia* | SSC | - |
| Northern California legless lizard | *Anniella pulchra* | SSC | - |
| Southwestern pond turtle | *Actinemys pallida* | SSC | PT |
| California red-legged frog | *Rana draytonii* | SSC | T |
| Coast horned lizard | *Phrynosoma blainvilli* | SSC | - |
| Coast Range newt | *Taricha torosa* | SSC | - |
| Pacific lamprey | *Entosphenus tridentatus* | SSC | - |
| Steelhead – south-central California coast DPS | *Oncorhynchus mykiss irideus pop. 9* | SSC | T |
| Tidewater goby | *Eucyclogobius newberryi* | SSC | E |
| Monarch butterfly | *Danaus plexippus plexippus* | SSA | C |
| Vernal pool fairy shrimp | *Branchinecta lynchi* | SSA | T |

E= Endangered, T=Threatened, C= Candidate for listing as Threatened and/or Endangered, SSA= State Special Animal, SSC= Species of Special Concern, FP= Fully Protected, PT=Proposed Threatened

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# Attachment 2

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**Attachment 2**

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

**PROJECT: Arroyo Grande General Plan (Plan) (PEIR)**

**SCH No.: 2026030959**

| **RECOMMENDED MITIGATION MEASURE** | **STATUS/DATE/INITIALS** |
|---|---|
| ***Before Disturbing Soil or Vegetation*** | |
| Western Spadefoot (WESP) | |
| **Recommended Mitigation Measure 1:** Habitat Assessment | |
| **Recommended Mitigation Measure 2:** WESP Focused Surveys | |
| **Recommended Mitigation Measure 3:** WESP Avoidance and Take Authorization | |