



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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April 30, 2026

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Subject: Healing Cultures Wellness Center, Initial Study/Mitigated Negative Declaration, SCH No. 2026040230, San Mateo County

Dear Summer Burlison:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an Initial Study/Mitigated Negative Declaration (IS/MND) from San Mateo County (County) for the Healing Cultures Wellness Center (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 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.

California Endangered Species Act and Native Plant Protection Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA or Native Plant Protection Act (NPPA), either during construction or over the life of the Project. Under CESA, take is defined as "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill." Issuance of an ITP is subject to CEQA documentation. If the Project will

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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impact CESA or NPPA listed species, early consultation with CDFW is encouraged, as significant modification to the Project and mitigation measures may be required to obtain an ITP. Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. Fully protected species may not be taken or possessed at any time (Fish and Game Code, §§ 3511, 4700, 5050, and 5515).

CEQA requires a Mandatory Finding of Significance if a Project is likely to substantially impact threatened or endangered species (Pub. Resources Code, §§ 21001(c), 21083, and CEQA Guidelines §§ 15380, 15064, 15065). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with Fish and Game Code, § 2080 et. seq.

Lake and Streambed Alteration

CDFW requires an LSA Notification, pursuant to Fish and Game Code section 1600 et seq., for Project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may 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, drainage ditches, washes, watercourses with a subsurface flow, and floodplains are generally subject to notification requirements. In addition, infrastructure installed beneath such aquatic features, such as through hydraulic directional drilling, is also generally subject to notification requirements. Any impacts to the mainstems, tributaries and floodplains or associated riparian habitat would likely require an LSA Notification. CDFW, as a responsible agency under CEQA, will consider the MND for the Project. CDFW may not execute a final LSA Agreement until it has complied with CEQA as the Responsible Agency.

Raptors and Other Nesting Birds

CDFW has authority over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include §§ 3503 (regarding unlawful take, possession or needless destruction of the nests 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). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

Fully Protected Species

Fully protected species, such as San Francisco garter snake (*Thamnophis sirtalis tetrataenia*, SFGS) 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).

Specified types of infrastructure projects may be eligible for an ITP for unavoidable impacts to fully protected species if certain conditions are met (Fish & G. Code §2081.15). Project proponents should consult with CDFW early in the project planning process.

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PROJECT DESCRIPTION SUMMARY

Proponent: San Mateo County Planning and Building Department

Objective: The Project includes conversion of residential use at an existing single-family residence into a small-scale healing center for mind, body, and spirit on an 11.4-acre parcel, and involves building renovations and expansions, site grading, parking and circulation improvements, new landscaping, and upgrades to on-site utilities and stormwater infrastructure. A total of 22 parking spaces will be provided for 4 staff and up to 20 guests, including a new 13-space parking lot on a separately owned adjacent parcel to the immediate south, APN 078-181-120/10699 La Honda Road, via private easement, with an approximately 900-linear-foot connecting nature trail between the off-site parking lot and the healing center. A total of 4,885 cubic yards (cy) of grading (1,465 cy of cut and 3,420 cy of fill) is proposed, and the removal of 16 trees regulated under the County's Protected Tree Ordinance.

Location: 10707 La Honda Road, Woodside, CA 94062, San Mateo County, Latitude 37.343803, Longitude -122.273169, APN 078-190-210, 078-181-120.

Timeframe: TBD

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County 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.

I. Project Description and Related Impact Shortcoming

Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?

COMMENT 1: San Francisco Garter Snake and California Red-Legged Frog

Section 4, Page 14

Issue: The Biological Resources section of the IS/MND cites a "Biological Site Assessment" that was prepared in 2023 to address the Project's "potential biological resource issues," and presents a list of mammal, bird, reptile, amphibian, and fish species that were determined to have potential to occur on-site. This list does not include SFGS or California red-legged frog (*Rana draytonii*, CRLF), two species with records of occurrence within a mile of the Project site and with potential to occur in the Project area. The IS/MND does not provide any mitigation measures to avoid, minimize and/or mitigate potential impacts to CRLF or SFGS.

Project activities include extensive site grading (4,885 cy) on the property near (within 0.03 miles of) La Honda Creek to create new parking areas and landscaped features, as well as to construct a 900 linear foot nature trail. If SFGS and/or CRLF are migrating through uplands or in underground burrows within the Project area while grading and construction are occurring, and suitable avoidance measures are not followed, the Project could result in take of CRLF or SFGS.

Specific impact, why impact would occur, and evidence impact would be significant: CRLF is a species listed as threatened under the Federal Endangered Species Act (ESA) and is a California Species of Special Concern (SSC), and SFGS is a State Fully Protected

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species and listed as endangered under CESA and federal ESA. CRLF and SFGS require a variety of habitats, including aquatic breeding habitat and upland dispersal habitat.

CRLF breeding sites occur in aquatic habitats including pools and backwaters within streams and creeks, ponds, marshes, springs, sag ponds, dune ponds and lagoons. (USFWS 2002). Upland dispersal habitat includes nearly any area within one to two miles of a breeding site that stays moist and cool through the summer, such as aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and sheltering habitat in and amongst rocks, small mammal burrows, logs, densely vegetated areas, and even man-made structures (i.e., culverts, livestock troughs, spring-boxes, and abandoned sheds) (USFWS 2017). CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, mining, overgrazing by cattle, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators such as bullfrogs are the primary threats to the species (Thomson et al. 2016, USFWS 2017).

SFGS are endemic snakes with a highly limited range in the San Francisco Peninsula. They utilize a variety of habitats including upland sites for basking, rodent burrows for shelter and low-lying marsh for feeding and reproduction (USFWS 1985). In coastal areas, SFGS may hibernate during the winter in small mammal burrows (USFWS, 2007). SFGS are threatened by loss of habitat from agricultural, commercial, and urban development, illegal collection by reptile breeders, and decline of their prey species, CRLF.

Sufficiently rigorous survey efforts at appropriate times of the year are essential to conclusively determine whether CRLF and/or SFGS utilize potential habitat within and adjacent to the Project site. CRLF and SFGS are known to migrate through and between suitable habitats and periodic surveys are necessary to accurately assess species presence on the landscape.

CRLF and SFGS are federally listed as threatened and CESA-listed as endangered species, respectively, and therefore are threatened or endangered species pursuant to CEQA Guidelines section 15380. Therefore, if CRLF or SFGS are injured or killed, or their habitat is removed as a result of the Project, the Project may result in a substantial reduction in the number or restriction in the range of a threatened species or endangered species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommendation 1: CDFW recommends the MND include the following mitigation measure to ensure that potential impacts to CRLF and SFGS are fully avoided:

Recommended California Red-Legged Frog and San Francisco Garter Snake Mitigation Measures:

Focused California Red-Legged Frog and San Francisco Garter Snake Surveys: Prior to commencement of Project activities, focused surveys for CRLF and SFGS shall be conducted by a CDFW-approved qualified biologist experienced with CRLF and SFGS identification and life histories. Surveys shall follow protocols approved by CDFW. If the results of focused surveys indicate CRLF and/or SFGS are present within or adjacent to the Project area, the Project proponent, in coordination with CDFW, shall create and implement additional measures to avoid all impacts to state and federally listed and fully protected species and their habitat. If any CRLF or SFGS take occurs or if either of these species are detected, CDFW shall be contacted immediately, and location information and photo documentation of the individual(s) shall be provided.

Pre-Construction California Red-Legged Frog and San Francisco Garter Snake Surveys: A minimum of 48 hours prior to the start of vegetation removal and ground disturbing activities, the qualified biologist shall conduct a pre-Project survey within and adjacent

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to the proposed work area. The qualified biologist shall survey the project area at the appropriate time of day for presence of special-status species.

Exclusion Fencing: The Project proponent shall install a temporary barrier, where feasible, to prevent CRLF and SFGS from dispersing into the Project area from La Honda Creek, including along construction access routes, prior to Project commencement. The barrier shall be installed immediately after pre-construction surveys have been completed and shall consist of fencing at least 42 inches tall with 36 inches above the soil surface, designed with a lip to prevent CRLF from climbing over the barrier, and buried to a depth of six inches below the soil surface. The soil shall be compacted against both sides of the fence to prevent CRLF and SFGS from gaining access. Stakes shall be placed on the inside of the fence to prevent toppling. The barrier shall be constructed without gaps or holes, except for access areas as required for vehicle and pedestrian traffic. The barrier shall be designed to allow trapped individuals to leave the Project area by installing one-way funnels, ramps, or other methods approved by CDFW. An alternative barrier design or directional treatment techniques in lieu of fencing may be used after receiving written authorization from CDFW. The qualified biologist shall inspect the barrier daily and the barrier shall remain in place until all construction activities have been completed or where recommended by the qualified biologist. The barrier shall be maintained and repaired immediately, if damaged, to ensure that it is functional and without defects.

Daily Inspection: After Project commencement, the qualified biologist shall inspect work areas, equipment and material left on-site, and any access routes into the work area and nearby vicinity for the presence of special-status species. If any species are detected in harm's way, construction activities shall not begin until the species has left the site of its own volition. The qualified biologist shall be present on-site during all Project ground-disturbing and vegetation removal activities, and shall have the authority to stop work if special status-species are encountered.

Work Period: To the greatest extent feasible, Project activities shall be conducted from April through October during the dry season when SFGS and CRLF are less likely to be found in the Project area. Work shall occur during periods of dry weather only, to avoid impacts to species migrating to and from upland areas during wet weather.

COMMENT 2: Nesting Birds

Section 4, Page 14

Issue: The IS/MND states that "migratory birds protected under the MBTA could nest in nearby vegetation. However, the Project would not interfere with migratory patterns because: the site is not located within a designated migratory flyway concentration area; habitat conditions on-site are limited and fragmented due to existing development; compliance with seasonal construction timing restrictions and tree protection requirement would avoid all disturbance of active nests." However, the IS/MND does not include any mitigation measures to avoid potential impacts to nesting birds during tree and/or vegetation removal or other construction activities. If Project activities, including tree removal, occur during the nesting season without any nesting bird protections in place, the Project could result in take of nesting birds.

Specific impact, why impact would occur, and evidence impact would be significant: The federal MBTA and California Fish and Game Code protect migratory and nesting birds, including species with potential to occur in the Project area. The nesting seasons for passerines, owls, and raptors range from February 15- August 30, January 15- September 15, and February 15- September 15, respectively.

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Recommendation 2: CDFW recommends the MND include avoidance and minimization measures to protect nesting birds by incorporating the mitigation measure below to reduce potential impacts to less-than-significant levels:

Recommended Nesting Bird Mitigation Measure: If Project grading or construction is scheduled to take place between January 15 – September 15, a preconstruction survey of the Project vicinity for nesting birds shall be conducted by a qualified biologist experienced with the nesting behavior of bird species of the region. The survey shall determine if active nests are present within the planned area of disturbance or within 250 feet for passerines, 500 feet for accipiters and 1,000 feet for buteos. The survey shall be performed no more than seven days prior to the commencement of construction activities, and a second focused survey shall be conducted within 48 hours prior to construction activities that would occur during the nesting/breeding season. If ground disturbance activities are delayed following a survey, then an additional preconstruction survey shall be conducted such that no more than two weeks will have elapsed between the last survey and the commencement of ground disturbance activities. If a lapse of Project-related activities of seven days or longer occurs, another focused survey will be conducted before Project activities can be reinitiated.

If an active bird nest is found within the survey radii, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. A protective buffer distance shall be established by a qualified biologist based on the site conditions such as whether the nest is in a line of sight of the construction and the sensitivity of the birds nesting. Typical protective buffers are as follows: 1) 250 feet for passerines, 2) 500 feet for accipiters, and 3) 1,000 feet for buteos. No Project personnel or equipment shall be allowed to enter the protective buffer until the qualified biologist determines that the young have fully fledged and will no longer be adversely affected by the Project.

The qualified biologist shall observe any identified active nests prior to the start of any construction-related activities to establish a behavioral baseline of the adults and any nestlings, and the nest site(s) shall be monitored by the biologist periodically to see if the birds are stressed by the construction activities and if the protective buffer needs to be increased. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by the qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. All buffers shall be shown on all sets of construction drawings.

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 (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>.

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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 the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Shannon Husband, Environmental Scientist at (707) 337-1364 or Shannon.Husband@wildlife.ca.gov; or Wesley Stokes, Senior Environmental Scientist (Supervisory), at Wesley.Stokes@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...
Erin Chappell
Regional Manager
Bay Delta Region

ec: Office of Land Use and Climate Innovation SCH No. 2026040230
Craig Weightman, CDFW Bay Delta Region – Craig.Weightman@wildlife.ca.gov

REFERENCES

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