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DEPARTMENT OF FISH AND WILDLIFE

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May 21, 2026

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Subject: Notice of Preparation of a Draft Environmental Impact Report for the City of Buellton General Plan 2050 Project, SCH No. 2026041113, Santa Barbara County, CA

Dear Andrea Keefer:

The California Department of Fish and Wildlife (CDFW) reviewed the Notice of Preparation (NOP) for a Draft Environmental Impact Report (DEIR) from the City of Buellton (City) for the City of Buellton General Plan 2050 Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review

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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efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act 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 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 law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Buellton (City)

Objective: The City is preparing a comprehensive update of the Buellton General Plan in response to changes in conditions in the City and new State laws enacted since the preparation of the current General Plan, such as AB 1358 (Complete Streets), SB 99 (Evacuation Analysis), SB 379 (Climate Adaptation), and SB 1241 (Wildfire Hazards).

The proposed General Plan 2050 will include updates of the following elements required by State Planning and Zoning Law:

- Land Use and Community Character, including the Land Use Map
- Open Space, Parks, and Recreation
- Public Facilities and Infrastructure
- Circulation
- Economic Development
- Resource Conservation
- Safety
- Noise

The City's 2023-2031 Housing Element was certified in 2023 and no update is proposed.

Location: The Project is located The City of Buellton, located in central Santa Barbara County at the intersection of U.S. Highway 101 and State Route 246. Buellton is bordered by the Santa Ynez River to the south, the City of Solvang to the east, and unincorporated Santa

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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Barbara County to the north and west. The City is approximately 1,144 acres or 1.7 square miles.

Timeline: The Project proposes to be implemented by the year 2050.

Biological Setting: The City is located within the Santa Ynez Valley, characterized by a mix of riparian habitats along the Santa Ynez River, oak woodlands, and surrounding agricultural hills. The area hosts diverse biological resources, including sensitive habitats for species like southern California steelhead in the river tributaries. The City of Buellton General Plan (1993) describes the Santa Ynez River riparian corridor as one of the City's major riparian wetland resources.

The City did not prepare an Initial Study, and no biological surveys were provided. Given the size and scope of the Project, special-status species that may be potentially impacted by the Project include, but are not limited to, California red-legged frog (*Rana draytonii*; Endangered Species Act (ESA)-listed threatened; California Species of Special Concern (SSC)), least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered, California Endangered Species Act (CESA)-listed endangered), southern California steelhead - southern California DPS (*Oncorhynchus mykiss irideus* pop. 10, ESA-listed endangered, CESA-listed endangered), southwestern willow flycatcher (*Empidonax traillii extimus*, ESA-listed endangered, CESA-listed endangered), American badger (*Taxidea taxus*, SSC), southwestern pond turtle (*Actinemys pallida*, ESA-Proposed Threatened, SSC), Crotch's bumble bee (*Bombus crotchii*; CESA candidate endangered), northern California legless lizard (*Anniella pulchra*; SSC), western spadefoot (*Spea hammondi*; ESA proposed threatened; SSC), coast horned lizard (*Phrynosoma blainvillii*; SSC), blushing layia (*Layia erubescens*; California Rare Plant Rank 1B.2), pallid bat (*Antrozous pallidus*, SSC) and nesting birds and raptors.

History: The proposed updates to the Land Use plan are intended to refine the existing General Plan 2025 Land Use Plan, by reflecting uses developed since 2005 and the adoption of the Avenue of Flags Specific Plan in 2017. The updated Land Use plan is intended to implement the City's vision of creating a mixed-use downtown area with a variety of commercial and housing types, and to address the three areas added to the City's urban growth boundary in 2024.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

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Specific Comments

1. **Preserving Streams and Riparian Habitat**. The Santa Ynez River and Zaca Creek are located within the boundary of the Project site that may be impacted during Project activities. The Santa Ynez River and Zaca Creek both support southern California steelhead, least Bell's vireo, and southwestern pond turtle within the boundary of the General Plan Update area (Figure 1). CDFW is concerned that Project features could directly or indirectly impact riparian habitats.

CDFW recommends the following to avoid Project related direct and indirect impacts to riparian resources:

- The Project's environmental document should discuss the Project's impact on the streams and include a stream delineation and evaluation of impacts. Impacts may include grading streams and removing associated vegetation. CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 et seq. to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities.

As a Responsible Agency under CEQA, CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the Project proponent (or "entity") must notify CDFW. Accordingly, because the Project would impact streams, the environmental document should include measures that require the Project proponent to notify CDFW pursuant to Fish and Game Code section 1602 prior to starting activities. Please visit CDFW's [Lake and Streambed Alteration Program website](#)³.

- The General Plan update should consider imposing a 500-foot setback from streams to preserve the habitat, avoid impacts to CESA-listed and SSC species, and minimize direct, indirect, and edge effect impacts to these ecosystems.
- Riparian habitat light pollution should be mitigated adjacent to Zaca and Santa Ynez Creeks, including using newer designs that meet the Illuminating Engineering Society of North America's standards and also reduce light pollution. Directing light downward or away from habitat, reducing glare and using lower wattage flat lens fixtures on highways and city streets reduces light pollution, and increasing reflectivity of signs and road striping in appropriate areas may increase driver

³ <http://www.wildlife.ca.gov/Conservation/LSA>

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visibility while reducing the need for artificial lighting. One solution is to turn off unnecessary lights at night.



Figure 1. California Natural Diversity Database map showing least Bell's vireo, southern California steelhead, southwestern pond turtle, and sensitive natural communities present within the Project area.

2. **Avoid Development in Least Bell's Vireo Habitat**. CDFW is concerned about the light industrial development planned will impact habitat that supports least Bell's vireo (Figure 2). CDFW recommends the following to avoid Project related direct and indirect impacts to least Bell's vireo:
 - Avoid developing in areas that support least Bell's vireo. Figure 2 depicts an area that supports least Bell's vireo. Consider conserving this parcel.
 - Appropriate take authorization under CESA prior to implementing the Project may be necessary, therefore early consultation with CDFW is encouraged. Project related activities may adversely impact potential habitat for these species. CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. As to CESA, take of any endangered, threatened, candidate species, or State-listed rare plant species that results from the Project is prohibited, except as authorized by state law (Fish and Game Code, §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take

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authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an ITP unless the Project CEQA document addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

- The City should incorporate a brown-headed cowbird (*Molothrus ater*) trapping program. Cowbird parasitism of least Bell's vireo nests may exceed 42 percent in some locations (Kus 1999). Increased urbanization of the area has the potential to facilitate increased cowbird parasitism on least Bell's vireo. CDFW recommends the City coordinate with USFWS and CDFW to conduct brown-headed cowbird trappings adjacent to the Santa Ynez River riparian areas. CDFW recommends the trappings occur for a minimum of 10 years to mitigate for potential impacts to the productivity of least Bell's vireo associated with increased urban development adjacent to the river.

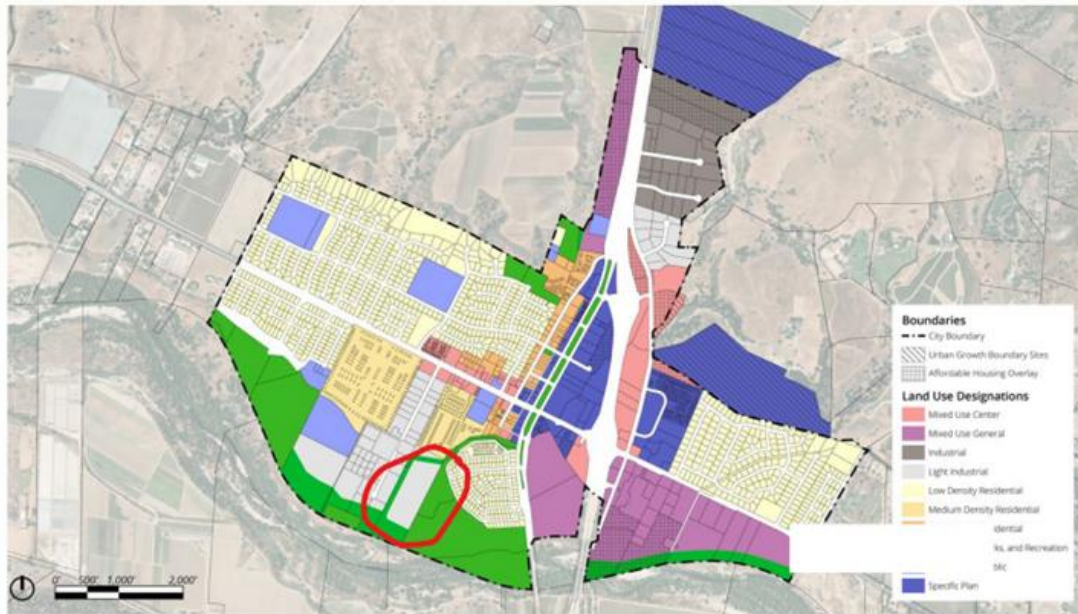


Figure 2. Map showing light industrial development planned for area. The Red circle shows the development that is proposed within occupied least Bell's vireo habitat.

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3. **Sensitive Vegetation Communities.** CDFW is concerned about the cumulative impacts to sensitive vegetation communities in the Buellton area. The Project has the potential to affect sensitive vegetation communities. Examples of sensitive vegetation communities within the Project area include, but are not limited to: Fremont cottonwood forest and woodland Alliance, ranked S3; Goodding's willow – red willow riparian woodland and forest Alliance, ranked S3; and *Quercus agrifolia* Alliance, ranked S4.

In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish and G. Code, § 1940). This standard complies with the National Vegetation Classification System which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the Manual of California Vegetation (MCV), found online at [Manual of California Vegetation](#)⁴. Through this MCV vegetation classification system, CDFW tracks Sensitive Natural Communities and their respective rankings using the MCV alliance and association names for vegetation communities.

In order to analyze if a project may have a significant effect on the environment, the location, acreage, species composition, and success criteria of proposed mitigation information is necessary to allow CDFW to comment on alternatives to avoid impacts, as well as assess the adequacy of the mitigation proposed.

CDFW recommends the following to avoid Project related direct and indirect impacts to sensitive vegetation communities:

- Floristic, alliance- and/or association-based mapping and vegetation impact assessments should be conducted at the Project site and neighboring vicinity. The DEIR and Specific Plan should include current alliances for the purposes of establishing baseline for the DEIR. The DEIR document should identify, map, and discuss the specific vegetation alliances within the Project Area. See [CDFW's Survey and Monitoring Protocols and Guidelines](#)⁵ for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and U.S. Fish and Wildlife Service.
- Avoid any sensitive natural communities found on the Project. If avoidance is not feasible, the Project proponent should mitigate at a ratio sufficient to achieve a no-net loss for impacts to special status plant species and their associated habitat. CDFW recommends following the Coastal Commission's Environmentally Sensitive Habitat Area ratio of 4:1 for impacts to the sensitive vegetation communities found

⁴ <https://vegetation.cnps.org/>

⁵ <https://wildlife.ca.gov/conservation/survey-protocols>

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on site due to cumulative loss of these vegetation communities in Santa Barbara County.

- All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan be developed and approved by the City prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (AB 1094; Gov. Code, §§ 65965-65968).

4. **Analysis of Impacts to Corridors, Linkages, Open Spaces, and Critical Habitat.** The Project area may contribute to further habitat fragmentation.

Impacts that should be analyzed within this DEIR include, but are not limited to, habitat loss and fragmentation, narrowing of wildlife corridors, and introduction of barriers to wildlife movement. Technical details such as data, maps, diagrams, and similar relevant information should be provided to permit full assessment of significant environmental impacts by reviewing agencies and members of the public (CEQA Guidelines, §15147). If avoidance of corridor encroachment is not feasible, the DEIR should provide measures to mitigate the Project's significant impacts to wildlife movement.

In addition, CDFW recommends that all future Projects tiered off the DEIR should conduct specific studies to understand how land use changes and/or development will affect the Santa Ynez River and Zaca Creek corridors. CDFW recommends all future Projects analyze whether they would impact wildlife corridors and essential connectivity blocks within the entirety of the Project area.

When analyzing impacts, future projects should consider the direct and indirect impacts. Direct impacts include effects on wildlife corridor/movement areas, such as loss and fragmentation of habitat, reduction in corridor width, and the creation of barriers that limit wildlife movement. Indirect impacts include increases in noise, lighting, and human activity that may further disrupt wildlife use of these areas.

The analysis should include a discussion on, but not limited to areas that would most benefit acquisition and preservation, enhancement of existing habitat, and/or the installation of wildlife crossings and structures with consideration to past, present, and future Projects.

All future Projects tiered off the DEIR should conduct specific studies to understand how land use changes and/or development will affect critical habitats and open

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spaces. These studies should address both direct impacts, including reduced access to adjacent undisturbed habitats, habitat loss (acreage lost) and fragmentation, and the loss of nesting/roosting habitat; loss of foraging habitat, as well as indirect impacts from increased noise, light, and human activity. The analysis should also include a discussion on areas that would be most beneficial for protection in perpetuity for species with consideration to past, present, and future Projects

5. **Crotch's Bumble Bee**. Crotch's bumble bee occurs in a variety of habitats including agricultural, disturbed weedy habitats and open areas. The Project site lies within the current range for Crotch's bumble bee based on CDFW's California Natural Diversity Database map (Crotch's Bumble Bee Range - CDFW [ds3095]). In preparation of the Project's environmental document, CDFW recommends the City require the Project proponent retain a qualified biologist with the appropriate handling permits to conduct focused surveys. Focused surveys should follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species . Focused surveys should also be conducted throughout the entire Project site during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Findings from the focused survey should be included in the Project's environmental document for complete public disclosure and review.

Additionally, the Project's environmental document should also provide a discussion of habitat suitability for Crotch's bumble bee. The environmental document should provide a discussion of the Project's potential direct and indirect impacts on Crotch's bumble bee as well as their nesting, overwintering, and foraging habitat. If the Project would result in impacts, the environmental document should provide measures to minimize and/or mitigate potential impacts to Crotch's bumble bee as well as habitat supporting the species. Coordination with CDFW is recommended and may include obtaining appropriate take authorization under CESA.

6. **Fuel Modification**. If Projects tiered off the DEIR include fuel modification, CDFW recommends that the final environmental documents include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area(s). A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones do not allow for the introduction of invasive Argentine ants. Monitoring should also include parameters to identify possible introduction of Argentine ants.
7. **Weed Management Plans**. Weed management plans should be developed for Projects tiered off the DEIR for all Project areas and implemented both during, and for at least 3 years post-Project. Non-native weeds including noxious weeds (as listed by the California Invasive Plant Council) (CALIPC 2022) should be prevented from becoming established to control the local spread of invasive plants, both during and

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after construction. Site visits should be conducted monthly and weekly during the rainy season. The Project areas should be monitored via mapping for new introductions and expansions of non-native weeds. Annual threshold limits, eradication targets, and monitoring should be included in this plan. Monitoring for spread of invasive weeds to adjacent lands should also be included.

General Comments

- 1) Disclosure. The DEIR should provide an adequate, complete, and detailed disclosure about the effects which a proposed project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, § 15151). Such disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).
- 2) Project Description and Alternatives. To enable adequate review and comment on the proposed Project from the standpoint of the protection of fish, wildlife, and plants, CDFW recommends the following information be included in the DEIR.
 - a. A complete discussion of the purpose and need for, and description of the proposed Project.
 - b. A range of feasible alternatives to the Project location to avoid or otherwise minimize direct and indirect impacts on sensitive biological resources and wildlife movement areas. CDFW recommends the City select Project designs and alternatives that would avoid or otherwise minimize direct and indirect impacts on biological resources. CDFW also recommends the City consider establishing appropriate setbacks from sensitive and special status biological resources. Setbacks should not be impacted by ground disturbance or hydrological changes from any future Project-related construction, activities, maintenance, and development. As a general rule, CDFW recommends reducing or clustering a development footprint to retain unobstructed spaces for vegetation and wildlife and provide connections for wildlife between properties and minimize obstacles to open space.
 - c. Project alternatives should be thoroughly evaluated, even if an alternative would impede, to some degree, the attainment of the Project objectives or would be more costly (CEQA Guidelines, § 15126.6). The DEIR shall include sufficient information about each alternative to allow meaningful evaluation, public participation, analysis, and comparison with the proposed Project (CEQA Guidelines, § 15126.6).
 - d. Where the Project may impact aquatic and riparian resources, CDFW recommends the City select Project designs and alternatives that would fully

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avoid impacts to such resources. CDFW also recommends an alternative that would not impede, alter, or otherwise modify existing surface flow, watercourse and meander, and water-dependent ecosystems and natural communities. Project designs should consider elevated crossings to avoid channelizing or narrowing of watercourses. Any modifications to a river, creek, or stream may cause or magnify upstream bank erosion, channel incision, and drop in water level, which may cause the watercourse to alter its course of flow.

- 3) Biological Baseline Assessment. An adequate biological resources assessment should provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project site and where the Project may result in ground disturbance. The assessment and analysis should place emphasis on identifying endangered, threatened, rare, and sensitive species; regionally and locally unique species; and sensitive habitats. An impact analysis will aid in determining the Project's potential direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. The DEIR should include the following information.
- a. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines, § 15125(c)). The DEIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities. CDFW considers Sensitive Natural Communities as threatened habitats having both regional and local significance. Natural communities, alliances, and associations with a State-wide rarity ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities webpage](#)⁴.
 - b. A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#)⁵. Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys

⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>

⁵ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

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should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special status plants are present.

- c. Floristic alliance- and/or association-based mapping and vegetation impact assessments conducted in the Project site and within adjacent areas. The [Manual of California Vegetation](#)⁶, second edition, (Sawyer, Keeler-Wolf, & Evens, 2009) should also be used to inform this mapping and assessment. Adjoining habitat areas should be included in this assessment where the Project's construction and activities could lead to direct or indirect impacts offsite.
- d. A complete and recent assessment of the biological resources associated with each habitat type in the Project site and within adjacent areas. A full literature review includes but is not limited to CDFW's [California Natural Diversity Database](#)⁷ (CNDDDB). The CNDDDB should be accessed to obtain current information on any previously reported sensitive species and habitat. An assessment should include a minimum nine-quadrangle search of the CNDDDB to determine a list of species potentially present in the Project site. A nine-quadrangle search should be provided in the Project's CEQA document for adequate disclosure of the Project's potential impact on biological resources.
- e. A complete, recent, assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas, including SSC and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the Project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See [CDFW's Survey and Monitoring Protocols and Guidelines](#)⁸ for established survey protocol. Acceptable species-specific survey procedures may be developed in consultation with CDFW and U.S. Fish and Wildlife Service.

⁶ <https://vegetation.cnps.org/>

⁷ <https://wildlife.ca.gov/Data/CNDDDB>

⁸ <https://wildlife.ca.gov/conservation/survey-protocols>

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- f. A recent wildlife and rare plant survey. A lack of records in the CNDDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review (CEQA Guidelines, § 15003(i)). CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if Project implementation build out could occur over a protracted time frame or in phases.
- 4) Direct and Indirect Impacts on Biological Resources. The DEIR should provide a thorough discussion of direct and indirect impacts expected to affect biological resources with specific measures to offset such impacts. The DEIR should address the following.
- a. A discussion of potential impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures. A discussion regarding Project-related indirect impacts on biological resources. These include resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)).
 - b. A discussion of both the short-term and long-term effects of the Project on species population distribution and concentration, as well as alterations of the ecosystem supporting those species impacted (CEQA Guidelines, §15126.2(a)).
 - c. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in areas adjacent to the Project, should be fully analyzed and discussed in the DEIR.
 - d. A discussion of post-Project fate of drainage patterns, surface flows, and soil erosion and/or sedimentation in streams and water bodies. The discussion should also address the potential water extraction activities and the potential resulting impacts on habitat supported by the groundwater. Measures to mitigate such impacts should be included.
 - e. An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the DEIR.

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- 5) Cumulative Impact. Cumulative impacts on biological resources can result from collectively significant projects which are individually insignificant. The Project, when considered collectively with prior, concurrent, and probable future projects, may have a significant cumulative effect on biological resources. The Project may have the potential to substantially reduce the number or restrict the range of endangered, rare, or threatened species. Species that may be impacted by the Project include, but are not limited to, the biological resources described in this letter.

Accordingly, CDFW recommends the DEIR evaluate the Project's potential cumulative impacts on biological resources. The Project may have a "significant effect on the environment" if the possible effects of the Project are individually limited but cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects (Pub. Resources Code, § 21083(b)). The City's conclusions regarding the significance of the Project's cumulative impact should be justified and supported by evidence to make those conclusions. Specifically, if the City concludes that the Project would not result in cumulative impacts on biological resources, the City, "shall identify facts and analysis supporting the Lead Agency's conclusion that the cumulative impact is less than significant" (CEQA Guidelines section § 15130(a)(2)).

- 6) Nesting Birds. To avoid impacts to nesting birds, CDFW recommends that clearing of vegetation occur outside of the peak avian breeding season, which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If Project construction is necessary during the bird breeding season, a qualified biologist with experience in conducting breeding bird surveys should conduct a nesting bird survey within three days prior to work in the area. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. For the given Project site, CDFW generally recommends a 100-foot buffer from common avian species, 300 feet for listed or highly sensitive, and 500 feet for raptors. The buffer should be delineated by temporary fencing and remain in effect as long as construction is occurring. No Project construction shall occur within the fenced nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the Project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
- 7) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). Pursuant to CEQA Guidelines section 15126.4, an environmental document shall describe feasible measures which could mitigate impacts below a significant

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level under CEQA. Mitigation measures must be feasible, effective, implementable, and fully enforceable/imposed by the lead agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4).

- a. The DEIR should provide mitigation measures that are specific and detailed (i.e., responsible party, timing, specific actions, location) in order for a mitigation measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).
 - b. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the proposed Project, the DEIR should include a discussion of the effects of proposed mitigation measures (CEQA Guidelines, § 15126.4(a)(1)). In that regard, the DEIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.
- 8) Compensatory Mitigation. The DEIR should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification) to sensitive and special status plants, animals, and habitats. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.
 - 9) Long-term Management of Mitigation Lands. For proposed mitigation lands, the DEIR should include measures to protect the targeted habitat values in perpetuity. The mitigation should offset Project-induced qualitative and quantitative losses of biological resources. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate endowment should be set aside to provide for long-term management of mitigation lands.
 - 10) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation are the processes of removing plants and wildlife from one location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to

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endangered, rare, or threatened plants and animals. These efforts are experimental, and the outcome is unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.

11) Scientific Collecting Permit. A Scientific Collecting Permit would be necessary if there is a plan to capture and relocate wildlife. Pursuant to the California Code of Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). A Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). For more information, please see CDFW's [Scientific Collecting Permit webpage](#)⁹.

A voucher collection permit is required to collect state-listed plant species for identification purposes during field surveys, or to collect voucher specimens to document a newly-discovered or previously unvouchered occurrence of a state-listed plant. There is no charge to apply for a voucher collection permit. Anyone who collects scientific plant specimens of state-listed species, or who may encounter a state-listed species during field surveys should have a plant voucher collection permit. To apply for a Voucher Collecting Permit please see CDFW's [Voucher Collecting Permit Page](#)¹².

12) Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the [Fish and Game Commission's \(Commission\) policies](#)¹⁰. Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project

⁹ <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

¹² <https://fgc.ca.gov/Conservation/Plants/Permits>

¹⁰ <https://fgc.ca.gov/About/Policies/Miscellaneous>

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mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

- a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the Project's environmental document and these measures should compensate for the loss of function and value.
- b. The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

13) Use of Native Plants and Trees. CDFW recommends the City require the Project Applicant to provide a native plant palette for the Project. The Project's landscaping plan should be disclosed and evaluated in the DEIR for potential impacts on biological resources such as natural communities adjacent to the Project site (e.g., introducing non-native, invasive species). CDFW supports the use of native plants for the Project especially considering the Project's location adjacent to protected open space and natural areas. CDFW strongly recommends avoiding non-native, invasive species for landscaping and restoration, particularly any species listed as 'Moderate', 'High',

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'Limited', and 'Watch' by the [California Invasive Plant Council](#)¹¹ CDFW supports the use of native species found in naturally occurring plant communities within or adjacent to the Project site. In addition, CDFW supports planting native species of trees, such as oaks (*Quercus* genus), and understory vegetation (e.g., ground cover, vines, subshrubs, and shrubs) that create habitat and provide a food source for birds. CDFW recommends retaining any standing, dead, or dying tree (snags) where possible because snags provide perching and nesting habitat for birds and raptors. Finally, CDFW supports planting species of vegetation with high insect and pollinator value.

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 CNDDDB. The [CNDDDB website](#)¹² provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)¹³.

The City should ensure data collected for the preparation of the Project's environmental document is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the 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

¹¹ <https://www.cal-ipc.org/plants/inventory/>

¹² <https://wildlife.ca.gov/Data/CNDDDB>

¹³ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>


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CDFW appreciates the opportunity to comment on the NOP to assist the City in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Kelly Schmoker¹⁴, Senior Environmental Scientist (Specialist).

Sincerely,

Signed by:



E5E2704A7B1340C...
Erika Cleugh, Acting Environmental Program Manager, signing for
Victoria Tang, Environmental Program Manager
South Coast Region

ec: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Frederic (Fritz) Rieman, Senior Environmental Scientist (Supervisory)
Kelly Schmoker, Senior Environmental Scientist (Specialist)
Cindy Hailey, Staff Services Analyst

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REFERENCES

- California Department of Fish and Game. (2011). *CNDDDB Data Use Guidelines*. Retrieved from <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=27285&inline>
- California Department of Fish and Wildlife. (2021). *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>.
- California Fish and Game Commission. (2005). *Miscellaneous Policies*. Retrieved from <https://fgc.ca.gov/About/Policies/Miscellaneous>
- Sawyer, J. O., Keeler-Wolf, T., & Evens, J. M. (2009). *A Manual of California Vegetation* (Second ed.). Sacramento, CA: California Native Plant Society. Retrieved from

¹⁴ Email: Kelly.Schmoker@wildlife.ca.gov

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<https://vegetation.cnps.org/>