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STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

South Coast Region
3883 Ruffin Road
San Diego, CA 92123
wildlife.ca.gov

July 7, 2026

Shannon Vitale
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054
SVitale@oceansideca.org

Subject: Draft Mitigated Negative Declaration for the Buccaneer Lift Station and Force Main Project, SCH No. 2026060391, San Diego County, CA

Dear Shannon Vitale:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Mitigated Negative Declaration (MND) from the City of Oceanside (City) for the Buccaneer Lift Station and Force Main Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

Thank you for the opportunity to provide comments and recommendations regarding Project activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to comment on 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 efforts, focusing

[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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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 law[2] 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. CDFW also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program (Fish and Game Code 2800 et seq.).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Oceanside (City)

Objective: The objective of the Project is to replace the La Salina Wastewater Treatment Plant (LSWWTP) and provide additional infrastructure improvements. The LSWWTP was originally constructed in 1948 and serves as the connection point for multiple regional discharge pipelines including treated effluent from Fallbrook, Camp Pendleton, and the San Luis Rey Water Reclamation Facility (SLRWRF); as well as brine from the Mission Basin Desalting Facility and an industrial discharger. These flows are combined at or near the LSWWTP site before being discharged to the ocean from the City's Ocean Outfall Pipeline. The Project proposes the following components:

Former LSWWTP Site (Buccaneer Lift Station): The Project will demolish the existing LSWWTP and construct a new sewer lift station in its place. Improvements will include relocating the existing ultraviolet stormwater treatment facility, constructing underground load equalization and emergency storage tanks, and completing associated utility improvements. The Project will also establish native landscaping, a public parking lot for coastal access, a bicycle and pedestrian path along Loma Alta Creek, rehabilitation of an existing maintenance boat ramp, installation of protective fencing, and establishment of a biological buffer adjacent to the creek.

Buccaneer Force Main: The Project will also improve the City's wastewater conveyance system to redirect wastewater flows from the former LSWWTP to the San Luis Rey Water Reclamation Facility via the Buccaneer Lift Station and

[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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associated force mains. These improvements include rerouting existing sewer and force mains and constructing associated utility infrastructure along the Project alignment.

Location: The 41.7-acre Project site includes linear underground infrastructure extending from the intersection of Mesa Drive and Garrison Street south to Oceanside Boulevard, then southwest to the LSWWTP (1110 South Pacific Street), in the City of Oceanside (Attachment A, Figure 1). The Project will be constructed within existing roadways or developed areas except for limited areas adjacent to coastal sage scrub, non-native grassland, and disturbed habitats. The former LSWWTP site is immediately adjacent to Loma Alta Creek, Loma Alta Marsh, Buccaneer Beach Park, and the Pacific Ocean.

Timeframe: Project construction would occur over approximately 32 months.

Biological Setting: Per the Biological Resources Letter Report (BRLR; HELIX 2024), the Project encompasses two distinct biological settings. The LSWWTP site is located within an urbanized coastal setting immediately adjacent to the sensitive aquatic and wetland habitats of Loma Alta Creek and Loma Alta Marsh. These locations provide important estuarine, riparian, and coastal wetland functions. Although the LSWWTP site is largely developed, adjacent waters, wetlands, marsh vegetation, and open water provide habitat for numerous sensitive wildlife species. Approximately 0.11 acre of ephemeral stream traverses the LSWWTP site, and cismontane alkali marsh and open water occur immediately southeast of the site (Attachment A, Figure 2). In contrast, the linear sewer and force main improvements would occur primarily within existing roadways and other developed areas.

Vegetation and land cover types within the Project impact area include 38.4 acres of developed land, 2.6 acres of disturbed habitat, 0.50 acre of non-native grassland, and 0.30 acre of non-native vegetation. Coastal sage scrub habitat occurs off-site and adjacent to the eastern portion of the sewer alignment northeast of Oceanside Boulevard and El Camino Real.

Based on CDFW's review of the BRLR and California Natural Diversity Database[3] (CNDDB) records, the following species were detected or have the potential to occur within or adjacent to the Project site:

- light-footed Ridgway's rail (*Rallus obsoletus levipes*; ESA-listed endangered, CESA-listed endangered, Fully Protected (FP))
- California least tern (*Sternula antillarum* browni; ESA-listed endangered, CESA-listed endangered, FP);
- Belding's savannah sparrow (*Passerculus sandwichensis beldingi*; CESA-listed endangered)

[3] https://wildlife.ca.gov/Data/BIOS

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- coastal California gnatcatcher (*Polioptila californica californica*; ESA-listed threatened, California Species of Special Concern (SSC); gnatcatcher)
- white-faced ibis (*Plegadis chih*; CDFW Watch List (WL))
- southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*; WL)

HELIX biologists conducted general biological surveys within the Project area in 2018, 2019, and 2024. Survey results indicated no special-status plants are expected within the Project area. California least tern has moderate nesting potential within the former LSWWTP site and moderate foraging potential within Loma Alta Creek. Light-footed Ridgway's rail, Belding's savannah sparrow, and white-faced ibis have moderate potential to occur within Loma Alta Creek and associated marsh habitats. Coastal California gnatcatcher and southern California rufous-crowned sparrow have moderate nesting potential within coastal sage scrub adjacent to the eastern portion of the sewer alignment.

The Project will impact 41.9 acres, including disturbed habitat (2.6 acres), non-native grassland (0.50 acre), ephemeral stream (0.11 acre), non-native vegetation (0.3 acre), and developed land (38.4 acres). No mitigation for impacts to upland vegetation types is proposed.

The MND incorporates Mitigation Measures (MM) BIO-1 through BIO-4 to avoid and minimize impacts to sensitive habitats, jurisdictional resources, and special-status wildlife through pre-construction surveys, construction fencing, biological monitoring, and implementation of best management practices (BMPs). Where impacts cannot be avoided, the measures require coordination with wildlife agencies and compliance with applicable regulatory requirements, including consultation and permitting with the U.S. Fish and Wildlife Service under the federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and the Lake and Streambed Alteration provisions of the California Fish and Game Code (§§1600–1603).

Project History: In March 2026, CDFW provided a comment letter on the Draft Programmatic Environmental Impact Report for the Oceanside Sewer Improvements Program (SCH No. 2021030277), which provided a programmatic vision for modernizing the City's wastewater system, including the proposed Project.

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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COMMENT # 1: Impacts to Light-footed Ridgway's Rail

Issue: The MND does not clearly address CDFW's regulatory protections for light-footed Ridgway's rail, a State Fully Protected species, nor does it clearly demonstrate how Project activities would avoid impacts to this species.

Specific Impact: Per the BRLR, light-footed Ridgway's rail has a moderate potential to occur adjacent to the Project site, within 500 feet and within the Loma Alta Creek. The MND also concludes significant indirect impacts could occur to rails nesting with Loma Alta Creek during construction (lighting and noise). Although the MND includes nesting pre-construction survey requirements, the mitigation measures do not clearly address the species' Fully Protected status or how Project activities would avoid potentially significant impacts to rail. Additionally, the measures focus on detection of active nests, which may not adequately protect rail because nests are difficult to detect within dense marsh vegetation. Nests and hatchlings are challenging to detect even when surveys are conducted by experienced biologists, due to the size and cryptic coloration of the species.

Why Impact Would Occur: Light-footed Ridgway's rail occupy marsh and riparian habitats and may be sensitive to disturbance from nearby construction activities. Project activities such as grading, staging, and operation of heavy equipment adjacent to Loma Alta Creek may result in disturbance to nearby rail habitat. Construction-related noise, vibration, and increased human activity occurring near occupied habitat during the breeding season could also disrupt breeding behavior or result in nest abandonment, which may constitute take under the Fish and Game Code § 3503.

Evidence Impact May Be Significant: Light-footed Ridgway's rail is designated as a Fully Protected species under the California Fish and Game Code §3511 and take of Fully Protected species is prohibited. Project activities must be designed to avoid take of the species as no permit can be issued to allow for the take of Fully Protected Species. Additionally, light-footed Ridgway's rail is listed as endangered under both the federal Endangered Species Act and the California Endangered Species Act and take of the species is prohibited unless authorized by law (Fish & G. Code, §§ 2080, 3511).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following are incorporated into the final CEQA document:

Recommendation #1 Light-footed Ridgway's Rail Disclosure: The MND should clarify how Project activities will avoid potentially significant impacts to light-footed Ridgway's rail and revise the mitigation measures to address the species' Fully Protected status. The MND should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.

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Mitigation Measure #1 Light-footed Ridgway's Rail Avoidance and Monitoring: Take of light-footed Ridgway's rail shall be fully avoided (Fish & G. Code § 3511). To the extent feasible, Project activities within 500 feet of suitable native wetland and riparian habitats (e.g. Loma Alta Creek) shall occur between September 16 and March 14 to avoid the breeding season for light-footed Ridgway's rail. For Project activities at any time of year, a qualified biologist shall be present on site to conduct pre-activity surveys, monitor for light-footed Ridgway's rail, and monitor Project-generated noise levels during all work within 500 feet of marsh habitat. If Project-generated noise exceeds 30 dBA above ambient noise levels at suitable or occupied rail habitat, or if the qualified biologist determines Project activities are causing behavioral disturbance or may result in take of light-footed Ridgway's rail, Project activities shall immediately cease or be modified as necessary to avoid take. Modifications may include implementation of noise attenuation, temporary cessation of particular noisy activities, changes to construction methods or equipment, limited operating periods, or other avoidance measures determined necessary by the qualified biologist. No flushing of rail shall be authorized. The qualified biologist shall have the authority to stop work whenever necessary to avoid take of the species.

COMMENT # 2: Impacts to California Least Tern

Issue: The MND does not clearly address CDFW's regulatory protections for California least tern, a State Fully Protected species, nor does it clearly demonstrate how Project activities would avoid impacts to this species.

Specific impact: Per the BRLR, California least tern has a moderate potential to nest within the Project site and to forage adjacent to the Project site within the Loma Alta Creek. Although the MIND requires pre-construction nesting surveys and implementation of avoidance measures (e.g., work stoppage, establishment of nest buffers, and noise attenuation) if California least tern are detected, the mitigation measures do not include breeding season restrictions and do not clearly address the species' Fully Protected status or how Project activities would avoid potentially significant impacts to California least tern.

Why impact would occur: California least tern occupy paved or open areas devoid of vegetation and may be sensitive to disturbance from nearby construction activities. Project activities such as grading, staging, construction and operation of heavy equipment at the LWWSF may result in disturbance to California least tern habitat. Construction-related noise, vibration, and increased human activity occurring within occupied habitat during the breeding season could also disrupt breeding behavior or result in nest abandonment, which may constitute take under the Fish and Game Code § 3503.

Evidence impact would be significant: California least tern is designated as a Fully Protected species under the California Fish and Game Code §3511 and take of

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Fully Protected species is prohibited. Project activities must be designed to avoid take of the species as no permit can be issued allowing for the take of Fully Protected Species. Additionally, California least tern is listed as endangered under both the federal Endangered Species Act and the California Endangered Species Act and take of the species is prohibited unless authorized by law (Fish & G. Code, §§ 2080, 3511).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Recommendation #2 California Least Tern Disclosure: The MND should clarify how Project activities will avoid potentially significant impacts to California least tern and revise the mitigation measures to address the species' Fully Protected status. The MND should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.

Mitigation Measure #2 California Least Tern Avoidance and Monitoring: Take of California least tern shall be fully avoided (Fish & G Code § 3511). CDFW recommends Project activities within 500 feet of suitable nesting habitat be conducted outside of the California least tern breeding season (April 1 through September 15). If work during the breeding season cannot be avoided, preconstruction surveys should be conducted by a qualified biologist. If California least tern nesting activity is detected within or adjacent to the Project area, Project activities shall be modified, delayed, or suspended as necessary to avoid take of the species. The qualified biologist shall have the authority to stop work if deemed necessary for any reason to protect the species. Additional avoidance measures such as noise attenuation or work restrictions may be required in consultation with CDFW to ensure take of California least tern does not occur.

ADDITIONAL COMMENTS

1. **Mitigation and Monitoring Reporting Plan**. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation

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measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment B).

2. **Lake and Streambed Alteration**. The MND identifies aquatic resources within the Project area, including 0.11-acre (236 linear feet (LF)) of non-vegetated ephemeral streambed within the LSWWTP site. Construction of the Project will permanently impact this drainage and will alter the bed, bank, and channel of the adjacent creek. The Project proposes to dewater this drainage during construction and discharge the water directly into Loma Alta Creek. CDFW acknowledges that the City plans to submit written notification to CDFW pursuant to Fish & G. Code, § 1602 et seq, per MM-BIO-4. We look forward to coordinating with the City further on this notification. Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify the Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

3. **Avoidance of Nesting Birds and Raptors**. CDFW appreciates the inclusion of MM BIO-3 to address impacts to nesting birds and raptors protected under the California Fish and Game Code. Specifically, MM BIO-4 requires pre-construction nesting surveys no earlier than FIVE (5) days prior to start of construction activities to confirm the presence or absence of nesting birds and/or raptors. However, nesting birds may initiate nests quickly during the breeding season, and surveys conducted several days prior to construction may not accurately reflect current nesting conditions. Therefore, CDFW recommends MM BIO-4 be revised to require pre-construction nesting surveys to occur within three (3) days prior to the start of activities to ensure active nests are not inadvertently disturbed. CDFW also recommends that MM BIO-3 clarify that if construction activities are delayed for more than three (3) days after completion of the nesting bird survey, additional surveys shall be conducted prior to the initiation of construction.

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 (CNDDB). The CNDDB website[4] provides direction regarding the

[4] https://wildlife.ca.gov/Data/CNDDB

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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[5].

The City should ensure data collected for the preparation of the MND is properly submitted.

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 MND to assist the City in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to Alison Kalinowski[6], Environmental Scientist.

Sincerely,

Signed by:
Glen Lubcke
AD7D070BCB66466...

Glen M. Lubcke
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Figure 1. Project Location
B: Figure 2. Wetland Habitats

[5] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit
[6] Alison.Kalinowski@wildlife.ca.gov

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Attachment B: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Glen M. Lubcke, Environmental Program Manager
Jennifer Turner, Senior Environmental Scientist (Supervisor)
Alison Kalinowski, Environmental Scientist

Office of Land Use and Climate Innovation
State.Clearinghouse@lci.ca.gov

United States Fish and Wildlife Service
Jonathan Snyder, Acting Field Supervisor, Jonathan_d_Snyder@fws.gov

REFERENCES

California Department of Fish and Wildlife (CDFW). (March 2026). Comments on the Draft Program Environmental Impact Report for the Oceanside Sewer Improvements Program, SCH No. 2021030277, San Diego County, CA.

CDFW. (2026). California Natural Diversity Database (webpage). Available at: https://wildlife.ca.gov/Data/CNDDB.

California Fish and Game Commission. (2005). Miscellaneous Policies. Available at: https://fgc.ca.gov/About/Policies/Miscellaneous.

HELIX Environmental Planning (HELIX). (May 2024). Updated Biological Resources Letter Report for the La Salina Wastewater Treatment Plant Flow Diversion and Buccaneer Lift Station and Force Main Project.

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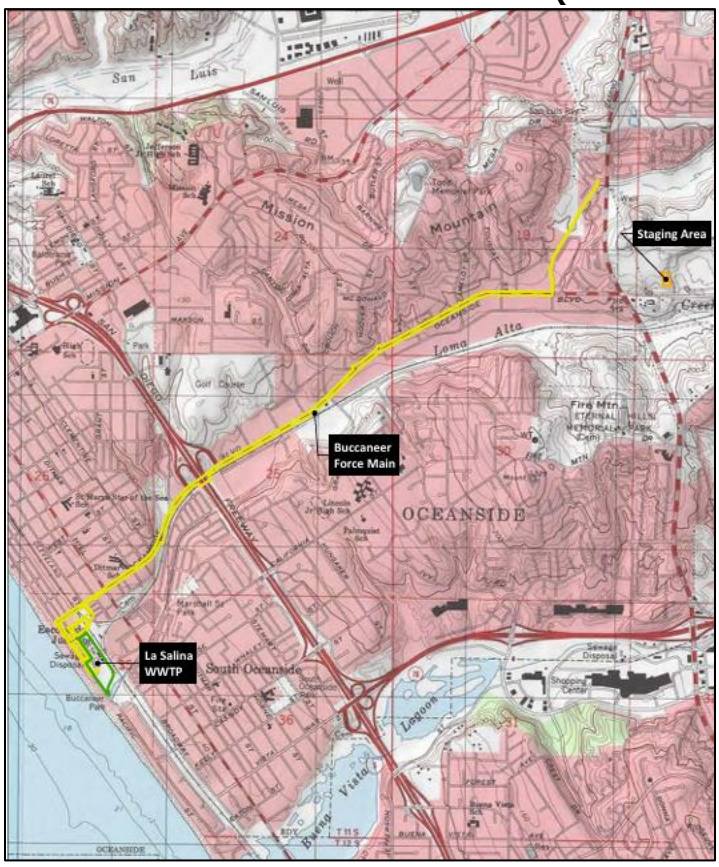
ATTACHMENT A: FIGURE 1. PROJECT LOCATION (SOURCE: HELIX 2026)



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ATTACHMENT A: FIGURE 2. WETLAND HABITATS (SOURCE: HELIX 2026)



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ATTACHMENT B: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	**Timing**	**Responsible Party**
Recommendation #1 Light-footed Ridgway's Rail Disclosure: The MND should clarify how Project activities will avoid potentially significant impacts to light-footed Ridgway's rail and revise the mitigation measures to address the species' Fully Protected status. The MND should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.	Prior to adoption of CEQA document	City
Take of light-footed Ridgway's rail shall be fully avoided (Fish & G. Code § 3511). To the extent feasible, Project activities within 500 feet of suitable native wetland and riparian habitats (e.g. Loma Alta Creek) shall occur between September 16 and March 14 to avoid the breeding season for light-footed Ridgway's rail. For Project activities at any time of year, a qualified biologist shall be present on site to conduct pre-activity surveys, monitor for light-footed Ridgway's rail, and monitor Project-generated noise levels during all work within 500 feet of marsh habitat. If Project-generated noise exceeds 30 dBA above ambient noise levels at suitable or occupied rail habitat, or if the qualified biologist determines Project activities are causing behavioral disturbance or may result in take of light-footed Ridgway's rail, Project activities shall immediately cease or be modified as necessary to avoid take. Modifications may include implementation of noise attenuation, temporary cessation of particular noisy activities, changes to construction methods or equipment, limited operating periods, or other avoidance measures determined necessary	Prior to Project Initiation, During Project Activities	City, Qualified Biologist

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Mitigation Measure	**Timing**	**Responsible Party**
by the qualified biologist. No flushing of rail shall be authorized. The qualified biologist shall have the authority to stop work whenever necessary to avoid take of the species.		
Recommendation #2 California Least Tern Disclosure: The MND should clarify how Project activities will avoid potentially significant impacts to California least tern and revise the mitigation measures to address the species' Fully Protected status. The MND should also clarify that coordination with CDFW will be required to ensure impacts to the species will be fully avoided.	Prior to adoption of CEQA document	City
Mitigation Measure #2 California Least Tern Avoidance and Monitoring: Take of California least tern shall be fully avoided (Fish & G Code § 3511). CDFW recommends Project activities within 500 feet of suitable nesting habitat be conducted outside of the California least tern breeding season (April 1 through September 15). If work during the breeding season cannot be avoided, preconstruction surveys should be conducted by a qualified biologist. If California least tern nesting activity is detected within or adjacent to the Project area, Project activities shall be modified, delayed, or suspended as necessary to avoid take of the species. The qualified biologist shall have the authority to stop work if deemed necessary for any reason to protect the species. Additional avoidance measures such as noise attenuation or work restrictions may be required in consultation with CDFW to ensure take of California least tern does not occur.	Prior to Project Initiation, During Project Activities	City, Qualified Biologist