State of California – The Natural Resources Agency
DEPARTMENT OF FISH AND GAME
Bay Delta Region
7329 Silverado Trail
Napa, CA 94558
(707) 944-5500
www.dfg.ca.gov

EDMUND G. BROWN JR., *Governor*
CHARLTON H. BONHAM, *Director*

November 16, 2012

Mr. John A. Swiecki, Principal Planner
City of Brisbane
50 Park Place
Brisbane, CA 94005

Dear Mr. Swiecki:

Subject: Brisbane Baylands Specific Plan, Notice of Preparation, SCH #2006022136, City of Brisbane, San Mateo County

The Department of Fish and Game (DFG) has reviewed the Notice of Preparation (NOP) for the subject project located on the border of and within the city limits of Brisbane and South San Francisco, San Mateo County. The project is identified as the Brisbane Baylands adjacent to the Brisbane Lagoon, bounded by the City of San Francisco to the north, Highway 101 to the east, and Bayshore Boulevard on the west side. The project includes several development scenarios as well as a proposed 2,400 acre feet per year supplemental water supply acquisition via a water transfer agreement with the Oakdale Irrigation District. DFG is providing comments on the NOP as a Trustee Agency and potential Responsible Agency pursuant to the California Environmental Quality Act (CEQA) Section 15386 and 15381, respectively. As trustee for the State's fish and wildlife resources, DFG has jurisdiction over the conservation, protection, and management of the fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of such species for the benefit and use by the people of California.

Please provide a complete assessment (including but not limited to type, quantity and locations) of the habitats, flora and fauna within and adjacent to the project area, including endangered, threatened, and locally unique species and sensitive habitats. The assessment should include the reasonably foreseeable direct and indirect changes (temporary and permanent) that may occur with implementation of the project. Rare, threatened and endangered species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, Section 15380). DFG recommended survey and monitoring protocols and guidelines are available at http://www.dfg.ca.gov/biogeodata/cnddb/pdfs/Protocols_for_Surveying_and_Evaluating_Impacts.pdf.

Please be advised that a CESA Permit must be obtained if the project has the potential to result in take of species of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA Permit is subject to CEQA documentation; therefore, the CEQA document must specify impacts, mitigation measures,

and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA Permit.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require an LSAA, pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of an LSAA is subject to CEQA. DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the LSAA notification process, please access our website at http://www.dfg.ca.gov/habcon/1600/; or to request a notification package, contact the Lake and Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Ms. Suzanne DeLeon, Environmental Scientist, at (831) 440-9433; or Mr. Craig Weightman, Acting Environmental Program Manager, at (707) 944-5577.

Sincerely,

for Scott Wilson
Acting Regional Manager
Bay Delta Region

cc: State Clearinghouse