

From: [Jennifer Tanaka](#)
To: [CITY COUNCIL](#)
Cc: [CITY CLERK](#)
Subject: Public Comment re: Old Business #1 and New Business #3
Date: Tuesday, December 2, 2025 11:54:37 AM

Dear Members of the City Council:

I wanted to raise two issues for the meeting this evening, one regarding Fairview Park and another regarding Ms. Gallardo-Daly's proposed city manager contract.

First, with respect to the draft Fairview Park Master Plan Update, I would like to point out that the draft has not been reviewed by the city's Planning Commission. While having the Planning Commission review a park plan document might seem a bit out of turn, I think in this case it would have been valuable -- In particular, it would have been great to get a General Plan consistency check.

The General Plan is, in many ways, the spiritual constitution of the city. So it is important that changes made to the city's largest and most-used park are done in alignment with the General Plan. And the first objective of the General Plan's Open Space and Recreation Element is to **"maintain and preserve existing parks, and strive to provide additional parks, public spaces, and recreation facilities that meet the community's evolving needs."**

I think it is worth asking whether the draft Update accomplishes that objective. The community's "need" for human activity in its parks is only going to expand. While the draft Update will, over the course of time, improve and expand the habitat for endangered plants and animals, it takes away opportunities for human activity without giving anything back. It would be one thing to, say, remove the glider flying in the park if, in return, the draft Update promised to construct an interpretive center that would allow residents to use the park in new ways. But the draft Update does not do this; instead, it promises only to *curtail* human uses -- not just the glider flying but also bicycle riding, walking in "unauthorized" (I would call "desire path") trails, and perhaps more.

If the City Council wishes to fundamentally change the character and usage of Fairview Park, it is within its right to do so. But it should at least recognize that such action is in considerable tension with the spirit of the General Plan.

Second, I would like to request that the City Council remove the so-called "election protection" provision from the proposed city manager employment contract with Ms. Gallardo-Daly. I can certainly understand Ms. Gallardo-Daly's desire to have a fair shot to prove herself to a new City Council before any termination decision is made. However, I don't think that concern outweighs the fact that such a provision clearly undermines the residents' ability to hold a referendum on city management through the ballot box.

Additionally, I am concerned that, in the event a change in administration seems mandated by a vote of the people, the 90-day protection period will incentivize any city manager to use that time to seek alternative employment rather than devote his or her time and attention to city matters.

To be clear, these comments are not driven by any concerns with Ms. Gallardo-Daly herself. She has conducted herself admirably in the last year under difficult circumstances, and she is

clearly an able administrator. I am thrilled the City is hiring her as the permanent city manager. But given that each city manager employment contract works off the last one, I do not want this provision to become a long-term precedent for future city managers, who may not be so worthy or capable.

Sincerely,
Jenn Tanaka

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October 30, 2025

VIA EMAIL ONLY –fvpmp@costamesaca.gov

Mr. Kelly Dalton, Fairview Park Administrator
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

Re: Fairview Park Master Plan Update

Dear Mr. Dalton:

We appreciate the opportunity to provide comments to the City of Costa Mesa's Draft Fairview Park Master Plan Update ("FPMPU").

Fairview Park is a rare and irreplaceable 208-acre parkland and conservation area. It is a cultural and ecological treasure that supports numerous special status plant and wildlife species, including several listed as threatened or endangered under federal and state laws. Fairview Park's riparian habitats, coastal scrub, grasslands, and vernal pools are among the few remaining in Orange County—and are virtually unmatched along California's coast.

It is important that the City restore, preserve, and protect the park as an environmental resource for study, interpretation, and education, as well as passive recreation and low-impact activities that connect the community to the natural environment. "Balancing resource protection and public use, which reflects the vested interests of the community and the City, is the essential purpose of this plan update."¹

¹ Master Plan Update, Executive Summary, Page 7.

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The FPMPU is meant to build upon the original plan and maintain the momentum of recent restoration work which established a strong set of strategies to facilitate the continuing improvement of Fairview Park. Scientific data in the technical reports clearly demonstrate the urgent need for a **Long-Term Management Plan** to safeguard cultural resources and conserve biological resources—especially the essential vernal pool habitat. The FPMPU must be used as the primary tool for informed decision-making and planning to ensure the preservation and enhancement of Fairview Park’s unique ecological features and cultural significance.

Goals and Objectives. In general, the FPMPU supports the goals and objectives adopted by the City Council on January 17, 2023:

- Protect, preserve, and enhance the unique natural and cultural resources of Fairview Park.
- Restore and enhance the park as an environmental resource, and provide interpretive opportunities to educate users of the park’s unique ecology, cultural history, and resources.
- Manage the park as a passive recreational opportunity.
- Engage stakeholders, users, and the community at large in developing a blueprint to manage the park, which accounts for passive use recreation, environmental restoration and preservation, and funding considerations for years to come.

Threats to Sensitive Biological and Cultural Resources. Through the years, there have been threats to the sensitive biological and cultural resources found in the park. The biggest threat comes from the users. As stated on in the FPMPU, “Page 10: Threats to sensitive biological and cultural resources in Fairview Park come from human actions that destroy, degrade, and fragment the park’s natural communities and erode protective soil cover. These threats should be mitigated with a combination of education, management and physical protection measures and actions.”²

² Master Plan Update, Introduction, Page 10.

Protection of Vernal Pools. Applicable laws protecting vernal pool species and their habitat include the California Endangered Species Act and the Federal Endangered Species Act, each of which require conservation of threatened and endangered species, as well as their ecosystems. These Acts prohibit the take of threatened and endangered species except under certain circumstances and only with authorizations from the California Department of Fish and Wildlife (“CDFW”) and/or the U.S. Fish and Wildlife Service (“USFWS”). Under CESA and ESA, a take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.

Prior actions by park users and the City have drawn attention by the California Department of Fish and Wildlife (“CDFW Letter,” dated September 25, 2025, attached as Exhibit A) and the U.S. Fish and Wildlife Service (“USFWS Letter,” dated July 24, 2014, attached as Exhibit B) due to the takes of threatened and endangered species. Both agencies have pointed out the City’s actions and inactions have caused detrimental impacts to Fairview Park that required the City to improve its practices of restoration, protection, and management of the park. In particular, this applies to the fly field currently used by the Harbor Soaring Society.

The Biological Resources Technical Report prepared by Hamilton Biological supports relocation of the fly field, and cites Barry Nerhus of Endemic Environmental Services:

“As an airplane pilot, I have a passion for aviation and the continued growth of the aviation community (even as a tool for conservation). However, I do not think the recreational activities at the fly field is a part of the mission of managing Fairview Park for the natural resources and recovery of endangered species.”

The Fairview Park Steering Committee (“Steering Committee”), a committee that the City Council formed in 2017 after the passage of Measure AA, and whose scope and criteria includes “provide advice to the City Council regarding the implementation of the Fairview Park Master Plan,” made the recommendation is to relocate the fly field outside of Fairview Park:

“6. Relocate the fly field activity currently located within the vernal pool watershed to outside Fairview Park, due to detrimental impacts to sensitive biological resources associated with the activity and required maintenance of the fly field.”

The CDFW Letter states:

“CDFW strongly supports relocation of the model airplane fly field, as its continued operation in the vernal pool complex is in direct conflict with preservation and management of this important park feature. The goals of the Master Plan Update, as stated in the publicly available technical documents, cannot be achieved while private citizens continue take it upon themselves to grade and mow these sensitive habitats to maintain fly field runways on City property. Additionally, while these recreational activities have largely been considered passive, the degradation and improper maintenance of the pools is leading to a long-term reduction in vernal pool function and degradation.”

The CDFW Letter goes on to state:

“Finally, there is scientific evidence to support that the fly field activities lead to harassment of sensitive avian species, including raptors. Behavioral responses to model aircraft disturbances add to the daily energy expenditure of birds.”

Despite the fact that all of Fairview Park contains sensitive habitat and endangered species, the FPMU suggests relocating the flying field to within the park:

“The Master Plan Update recommends moving the current site to another portion of the park to comply with resource agency recommendations. To avoid regular mowing and prevent colonization by ground-dwelling species, a compacted and stabilized decomposed granite paving area should be provided for the relocated launch site. Proposed improvements for the relocation site include an approximately 300-by-50-foot runway (partially surfaced with decomposed granite), pilot stations and pit area, a storage shed, an information kiosk, and installation of a low post-and-cable barrier.”³

³ Master Plan Update, The Master Plan, Page 69.

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This section of the FPMPU contradicts the CDFW's, the expert's, and the Steering Committee's recommendations. The FVPMP must be revised to align with agency guidance and legal requirements.

We note that Harbor Soaring Society is not the only user of the fly field and that others use the field and the vernal pools for unpermitted flying activities. **It is critical that the fly field be relocated to outside of Fairview Park to meet the goals of the City Council and to comply with applicable laws.**

Further, the Steering Committee's recommendations should be added as an Addendum to the FPMPU.

In addition, as the USFWS Letter directs, the City must:

“Include in an update to the Fairview Park Master Plan specific and ongoing management actions that will be implemented to ensure high quality habitat for San Diego fairy shrimp is maintained and that the species is protected.”

The “Other Management Opportunities” section on Page 81 must be revised to include language that complies with this important direction from the USFWS. While we note that Appendix C refers to the need for such a Long-Term Management Plan, no plan or description of such management plan has been included in the FPMPU.

We note that **relocating the fly field to any other part of Fairview Park would require a vote of the people under Measure AA**. The work to establish a new fly field would cause a “significant change,”⁴ as it would involve grading, compaction and importing of soil or decomposed granite, and the addition of buildings, all of which will not be done for restoration or preservation purposes.

Finally, no other public park in Orange County permits the flying of motorized aircraft or the cable-assisted launching of gliders—and for good reason. These activities pose significant safety risks. For example, Aliso Viejo, which allows limited aircraft use, requires operators to pass a proficiency test to ensure they can avoid losing planes in neighboring yards. In stark contrast, Costa Mesa permits glider launches using cables that

⁴ See City of Costa Mesa Code of Ordinances, Title 12, Chapter V, Section 12-87 (Definitions).

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extend into the sensitive vernal pool watershed (see Exhibit C for photo for launch cable and extension into vernal pool/watershed) and allows individuals to enter these protected areas to retrieve lost gliders. This practice not only endangers public safety but also violates the integrity of critical habitats. It is no surprise that both CDFW and USFWS have expressed serious concerns about the City's failure to prevent these harmful activities..

Mowing. On Page 8 of the USFWS Letter, the USFWS directed the City to limit mowing as follows:

“Mowing should be conducted outside the limits of the vernal pool basins to avoid direct impacts to San Diego fairy shrimp. In addition, we recommend that mowing be restricted within approximately 50 feet of the basin area to avoid restored habitat and sensitive plant species surrounding the basin area. The mowing limits should be periodically reevaluated to compensate for changes in the size and location of the basin area and corresponding zone of sensitive plant species. Please coordinate with the Service regarding use of pesticides and herbicides within the vernal pool watersheds to ensure chemicals harmful to San Diego fairy shrimp are avoided.”

Ceasing to mow in areas where sensitive habitat or species are location should be included as part of habitat restoration projects and included as part of any future management plan or the “Other Management Opportunities” on Page 81.

Fencing. On Page 8 of the USFWS Letter, USFWS commented on the City's intent to install cable fencing as follows:

“Cable wire fencing is proposed in the Fairview Park Master Plan to protect the pool basins. If this type of fencing is not adequate to prevent the public from regularly entering the basin areas, additional fencing or a different type of fencing may be required.”

Please include similar language to this in the “Trail Delineation/Fencing” sections.

Noise. While we appreciate the prohibition of the use of motorized aircraft by the Harbor Soaring Society, there are still several noise sources that impact the endangered species in the park. The CDFW Letter states on Page 6:

“The presence of even lower-decibel noise and physical disturbances from fly field can interfere with these cues, potentially delaying or disrupting migration. This disruption could affect the birds’ ability to arrive at their destination on time, impacting their survival and reproductive success (Schummer and Eddleman 2003). It can also interfere with the birds’ flight paths, leading to potential collisions or forced changes in migration patterns. Noise and physical presence of model aircraft also affect the landscape and vegetation used by birds for cover and nesting. This is particularly concerning considering the known grading and mowing activities associated with the fly field maintenance.”

Is the CDFW aware that the City allows amplified music in Fairview Park during the summer Concerts in the Park? Even if it is not aware, it clear that the CDFW does not intend that any intentionally loud noises be allowed in Fairview Park. **The Concerts in the Park must be relocated to a more suitable venue.**

In addition, from time to time a drone is flown over the park. Drones are noisy and disturb avian species. Likewise, the radio-controlled vehicles on the ground. **Please ban drones in Fairview Park and all other City parks.**

Enforcement. As noted on Page 6 of the CDFW Letter, the City must provide for more enforcement and funding for such. The USFWS Letter notes on page 4 that the “[r]estored Complex 4 has multiple paths running through it and shows signs of frequent use by dogs.” Dogs must be on leash and feces must be removed. In addition, off trail bicycle and ebike riding has taken a great toll on the habitat in the park and needs to be more closely monitored. **At least one park ranger should be assigned to be at the park at all times during operating hours.**

Miscellaneous.

- On Page 16 of the FPMPU (“Introduction”), at the bottom of the center column it states, “Source information will be referenced,” but there is no source information provided. Please provide.
- Page 31 of the FPMPU (“Existing Planning Conditions”) should reference the Active Transportation Plan (“ATP”) adopted by the City in June 2018. In addition,

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the Map on that page needs to be replaced with the map on Page 65 of the ATP.

- Reference is made on page 86 of the FPMPU to Appendix E, however, that Appendix has not been provided. Please let us know when you have uploaded it to the City's website.
- Provide the Long-Term Management Plan, or description of said management plan, as referred to in Appendix C. Please include a description of proposed projects and a timeline.

Conclusion.

Fairview Park offers a once-in-a-generation opportunity for ecological stewardship. The City must follow the guidance of USFWS, CDFW, the Steering Committee and technical experts. We urge the City to revise the FPMPU to incorporate these recommendations, to recirculate the draft for public comment, and hold additional public meetings to ensure transparency and community engagement.

Thank you for your attention. Please feel free to contact us should you have any questions.

Very truly yours,

/s/ *Richard J. Huffman*

Richard J. Huffman Treasurer

/s/ *Cynthia McDonald*

Cynthia McDonald Assistant Treasurer

cc: City of Costa Mesa – Mayor, City Council, Parks and Community Services
Commission, and City Manager

Costa Mesa First's mission is to educate Costa Mesans about planning policies in Costa Mesa so they make knowledgeable choices when voting. We encourage residents to choose walkable, bikeable, and inclusive neighborhoods, and the land use and transportation policies and investments needed to make Costa Mesa flourish. Our primary objective is to require Costa Mesa's leaders to put the residents of Costa Mesa first.

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Attachment A

CDFW Letter



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 25, 2025

Brenda Green
 City Clerk's Office
 77 Fair Drive
 Costa Mesa, CA 92626
brenda.green@costamesaca.gov

Subject: DRAFT FAIRVIEW PARK MASTER PLAN UPDATE, COSTA MESA, CA

Dear Brenda Green:

The California Department of Fish and Wildlife (CDFW) has reviewed the technical reports which provide the framework for the Draft Fairview Park Master Plan (Plan) from the City of Costa Mesa (City). Thank you for the opportunity to provide comments and recommendations to the City Council regarding those activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹ (Fish & Game 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 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

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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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 City 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 & G. Code, § 2800 *et seq.*). The City is a participating landowner under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP).

PLAN DESCRIPTION SUMMARY

Objective: According to the City’s website, the objective of the Fairview Park Master Plan Update (Update) is to revise the 1998 Fairview Park Master Plan, last updated in 2008. In addition to the goals of aligning the existing Plan with current biological assessments, land uses, and environmental regulations/policies, it will also be used to create priorities and strategies for long-term management, preservation of natural resources, and future park projects. Future projects include, but are not limited to, restoration projects, trail improvements, park amenities, and special events.

Location: Fairview Park is in the City, and its address is 2525 Placentia Avenue. It is bordered by residential areas to the north and east, Talbert Regional Park to the south, and the Santa Ana River to the west. The park itself is bisected by Placentia Avenue, which runs north/south.

Biological Setting: The regional biological significance of Fairview Park cannot be overstated. The Park is the northernmost parcel of a rare, contiguous undeveloped natural open space, which stretches from Fairview Park southward through Talbert Regional Park and terminates at the Randall Preserve. The 208-acre, topographically diverse Park contains a multitude of habitat types and micro-habitats, including one of the last coastal terrace vernal pools complexes in Orange County (USFWS 2007) on its mesa. Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008 and Chung 2010). The artificial ponds in the lowlands provide nesting and foraging habitat for riparian species. Other natural and sensitive habitats include native grasslands, coastal bluff scrub, alluvial scrub, riparian woodlands, and coastal sage scrub. These habitats serve as foraging and reproductive habitat, providing refugia for many sensitive species in an otherwise developed watershed. Approximately 12-acres of the Park is landscaped.

According to the Biological Technical Report (BTR; Hamilton Biological 2025), 222 vascular plants and over 262 wildlife species have been documented in the Park, a remarkable number of flora and fauna for an area with just under 200 acres of habitat.

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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Several listed species have been observed on site or have high or moderate potential to occur on site which include:

Invertebrates

- San Diego fairy shrimp (*Branchinecta sandiegonensis*; Endangered Species Act (ESA)-listed endangered),
- Crotch's bumble bee (*Bombus crotchii*; CESA Candidate for Threatened or Endangered Listing; CBB),

Birds

- Coastal California gnatcatcher [*Poliioptila californica californica*; ESA- listed threatened; CDFW Species of Special Concern (SSC); gnatcatcher],
- Least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered; CESA-listed endangered; vireo),
- White-tailed kite (*Elanus leucurus*; CDFW Fully Protected Species),
- Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*; CESA-listed endangered),
- Western burrowing owl (*Athene cunicularia*; SSC; CESA Candidate for Threatened or Endangered Listing),
- Coastal cactus wren (*Campylorhynchus brunneicapillus sandiegonensis*; SSC),
- Coopers hawk (*Astur cooperii*; SSC),

Plants

- San Diego button celery (*Eryngium aristulatum* var. *parishii*; California Native Plant Society Rare Plant Rank 1B.1), and,
- Southern tarplant (*Centromadia parryi* ssp. *Australis*; California Native Plant Society Rare Plant Rank 1B.1).

Please see Attachment A for a complete list of sensitive species present or with potential to occur at Fairview Park (Hamilton Biological 2025).

Prior CDFW Engagement: CDFW has a long history of engaging with the City on natural resources matters at Fairview Park, most notably vernal pool complex management issues, historic violations, and ongoing impacts to areas subject to Fish and Game Code 1600 *et seq.* Additionally, fulfillment of outstanding mitigation obligations regarding compensatory mitigation obligations at Fairview Park for off-site projects with the Orange County Transportation Authority (OCTA), the U.S. Army Corps of Engineers (ACOE), and the Department of Toxic Substances Control continue to languish and remain incomplete (OCTA 2018 and CDFW 2019). Despite repeated engagement with the City on natural resources matters at the Park, our attempts to partner with the City on these outstanding issues are largely ineffective. As outlined below, many of these obligations are incomplete or their status is unknown.

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In 2014, CDFW partnered with the U.S. Fish and Wildlife Service (USFWS) to provide comments on vernal pool restoration after the installation of a path in the Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp (USFWS 2014). Impacts to these pools from the installation of paths and parking areas, improvements to Estancia High School stadium, and the operation of motorized vehicles during the wet season were mitigated through restoration efforts at pools 2, 5, 6, and 7 (Glen Lukos Associates 2015). It is unclear to CDFW and the USFWS (hereafter referred to as the Wildlife Agencies) as to whether the stated mitigation and restoration efforts were achieved in full.

In 2016, CDFW investigated the City's fill of Little Canyon as a possible violation of Fish and Game Code, section 1602, when soil stockpiles from the artificial pond creation were used to fill Little Canyon for purposes of trail creation and realignment. CDFW concluded the unauthorized activities were subject to Fish and Game Code; however, the statute of limitations to issue a Notice of Violation had passed and no action was taken. (City 2015)

In 2018, the City contacted CDFW regarding clearing of vegetation in and around the artificial pond complex during the nesting season for coastal California gnatcatcher. At that time, CDFW communicated that a Routine Maintenance Lake and Streambed Alteration Agreement (LSAA) per our Lake and Streambed Alteration program was required to move forward with the clearing. To date the City does not have a Lake and Streambed Alteration Agreement to authorize the work in those areas (Comment 3).

In 2019, the Wildlife Agencies and OCTA met with the City several times to discuss their outstanding mitigation obligations to OCTA and ACOE (OCTA 2018). These issues remain unresolved (Comment 4).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in reaching the stated goals of the Plan update; namely, aligning the existing Plan with current biological assessments, land uses, and environmental regulations and policies, while adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. **Fly field Relocation.** CDFW strongly supports relocation of the model airplane fly field, as its continued operation in the vernal pool complex is in direct conflict with preservation and management of this important park feature. The goals of the Master Plan Update, as stated in the publicly available technical documents, cannot be achieved while private citizens continue take it upon themselves to grade and mow these sensitive habitats to maintain fly field runways on City property. Additionally, while these recreational activities have largely been considered passive, the degradation and improper maintenance of the pools is leading to a long-term reduction in vernal pool function and degradation.

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Not only would relocation of the model airplane fly field reduce habitat degradation and risk of unauthorized take of CESA candidate species, but it would also reduce the regulatory burden for the City. Based on current seasonal survey data, operation and maintenance of the fly field in its current location would likely require a CESA Incidental Take Permit (ITP) for western burrowing owl and Crotch's bumble bee. Western burrowing owl over-winters regularly on the Park's mesa, within proximity of the existing fly field. Mowing, grading, or any other maintenance of the fly field could cause unauthorized take of these species.

On October 15, 2024, the Fish and Game Commission published a Notice of Findings that designates western burrowing owl as a CESA candidate species. If the fly field is not relocated, no avoidance measures are implemented, and regular survey data is not collected, unauthorized take could occur. Furthermore, without Park enforcement, inadvertent attempts to flush western burrowing owl from the site may lead to indirect impacts to the species. Crotch's bumble bee has also been recently observed in Fairview Park (Endemic Environmental Services 2024). The California Fish and Game Commission accepted a petition to list Crotch's bumble bee as threatened or endangered under CESA, determining the listing, "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. At the fly field's current location, its operations and ongoing maintenance will substantially modify habitat and potentially reduce or impair the viability of future populations of bees. The Project may also reduce the number and range of the species without considering the likelihood that special status species on adjacent and nearby natural lands, such as Talbert Regional Park or Randall Preserve, may rely upon the habitat that occurs on the proposed Project site.

Finally, there is scientific evidence to support that the fly field activities lead to harassment of sensitive avian species, including raptors. Behavioral responses to model aircraft disturbances add to the daily energy expenditure of birds. When birds are disturbed, they can react with altered behaviors, such as agitation or flushing. Also, a bird may exhibit no outward signs of distress but experience an elevated heart rate (Ellenberg, Mattern and Seddon 2013), increased oxygen consumption, and change in metabolic rate, thus disrupting the bird's energy budget (Kempf and Hüppop 1998). Even outside breeding season, such disturbances can have a high impact to the individual bird as well as to the population. During the non-breeding season birds need to forage as much as possible to build up fat stores for migration, upcoming breeding activity, or harsh winter conditions (Kempf and Hüppop 1998). Birds that rely on Fairview Park for food and shelter could temporarily abandon these habitats during fly field use, leading to a loss of critical resources during key times, such as during migration or overwintering periods. This disruption can have significant consequences for their overall health, survival, and reproductive success. Depending on a species' breeding cycle, disturbances can have varying results (Ellenberg, Mattern and Seddon 2013). For fly field activities that occur at the beginning of nesting season, birds may choose not to nest in the area at all.

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As southern California's rare coastal open spaces are important stopovers for annual migration, model aircraft disturbances in those areas will affect many birds. Migratory birds rely on specific cues, including environmental factors such as light, temperature, and quiet, to guide their journeys. The presence of even lower-decibel noise and physical disturbances from fly field can interfere with these cues, potentially delaying or disrupting migration. This disruption could affect the birds' ability to arrive at their destination on time, impacting their survival and reproductive success (Schummer and Eddleman 2003). It can also interfere with the birds' flight paths, leading to potential collisions or forced changes in migration patterns. Noise and physical presence of model aircraft also affect the landscape and vegetation used by birds for cover and nesting. This is particularly concerning considering the known grading and mowing activities associated with the fly field maintenance.

2. **Enforcement.** To meet the stated goals of the Master Plan Update, CDFW strongly recommends that the Update include a discussion regarding the necessity for Park enforcement of adopted policy. Park enforcement is necessary to ensure the City complies with Fish and Game Code, as well as conditions as described in any forthcoming CDFW-issued permits (e.g., CESA ITP or LSAA). Without enforcement, continued habitat degradation through off-trail activity is likely, and unauthorized take under CESA is possible. We strongly recommend the City includes line-item funding for this purpose in its annual budget.
3. **Permitting Obligations.** The Fairview Park Master Plan Update should address in specific terms how and when it will meet its prior and ongoing wetland permitting obligations. CDFW has been engaging with the City since 2018, when CDFW was contacted regarding vegetation clearing in the artificial pond complex. Five years later in 2023, the City submitted a notification for routine maintenance in and around the ponds (EPIMS-ORA-38510-R5). On July 3, 2024, CDFW deemed that notification incomplete. To date, the City has not responded to CDFW regarding the outstanding items in our Notification Incomplete letter. It can only be assumed that, despite our efforts to negotiate in good faith with the City regarding wetland permitting obligations, seven years' worth of unauthorized impacts are likely to have occurred to areas subject to Fish and Game Code Section 1602. A Master Plan Update would not be complete without addressing the outstanding Routine Maintenance Agreement notification and any other one-time projects in the Park; this includes how they will be completed, funded, when, and by whom.

Given the City continues to disregard our requests for compliance, CDFW is within our rights to issue a Notice of Violation associated with the ongoing unauthorized impacts. FGC Section 1602 requires an entity to submit a written Lake and Streambed Alteration Notification to CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. Hence, any entity who engages in an activity

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subject to FGC Section 1602 without first notifying CDFW violates Section 1602. However, we continue to assert that it is in the best interest of the wetland resources, the City, and CDFW to issue an LSAA to authorize the impacts, if possible.

CDFW is available to meet regarding wetland permitting issues at the City's earliest convenience.

4. **Mitigation Obligations.** It is CDFW's understanding that restoration efforts associated with the Fairview Park Mesa, for which the City applied for a Restoration Management Plan (RMP) under CDFW's Cutting the Green Tape Program, were approved at the City Council meeting held on September 16, 2025. This restoration is aligned with the stated goals of the Master Plan Update and would fulfil the City's outstanding OCTA mitigation obligations. The draft restoration plan and the proposed CEQA addendum, prepared by the City, provide a sufficient level of detail regarding the work which will be authorized by the RMP, such that a contract can be bid in the absence of an issued permit.

In 2010, the City nominated the subject 23-acre Fairview Park Restoration Project (Restoration) for funding consideration to the OCTA. The Wildlife Agencies supported the recommendation for OCTA to fund the Restoration within Fairview Park. This Restoration was planned to be integrated into the OCTA Measure 2 (M2) NCCP/HCP as it has high potential to support similar vegetation communities to mitigate for identified M2 freeway construction activities; restores sensitive species listed under the California Natural Diversity Database; and should result in ecological benefits to the NCCP/HCP Covered Species. Once the Restoration is completed and approved by the Wildlife Agencies, OCTA will be able to use the restored habitat for mitigation as part of the OCTA M2 NCCP/HCP. The City agreed to ensure the long-term conservation of the natural resources at Fairview Park through verification of a conservation easement or other approved conservation instrument.

Below are the outstanding concerns pertaining to the Restoration that we have communicated to the City during meetings and phone calls over the past several years:

- a. Failure to restore the agreed upon habitat restoration acreage and implement a solution to resolve this shortcoming;
- b. Lack of documentation to demonstrate that adjacent mitigation for other projects does not overlap with the Project;
- c. Lack of progress on developing and recording a conservation easement or other approved conservation instrument over the entire project area; and,
- d. Lack of Lake and Streambed Alteration Notification for one-time work and ongoing maintenance of the Fairview Park ponds subject to Fish and Game Code section 1600 *et seq.*


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CDFW is committed to assisting the City in fulfilling its outstanding obligations. We look forward to working with the City to provide a complete RMP application package so that issuance of the RMP can move forward.

CONCLUSION

CDFW appreciates the opportunity to comment on the technical documents associated with the Master Plan Update to advise the City of Costa Mesa in identifying and mitigating the Updates' impacts on biological resources. Questions regarding this letter or further coordination should be directed to Jennifer Turner³, Senior Environmental Scientist, Supervisor.

Sincerely,

Signed by:

AD7D070BCB66466...
Glen M. Lubcke
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Sensitive Species at Fairview Park

ec: California Department of Fish and Wildlife
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REFERENCES

- CDFW. 2019. RE: Remedial Action Plan for Ascon Landfill Site Project, Huntington Beach, CA (SCH# 2013041010). Electronic mail received by X. Zhai from J. Turner on April 17, 2019. On file at CDFW.
- CDFW. 2023. EPIMS-ORA-38510-R5. Lake and Streambed Notification. Submitted by the City of Costa Mesa on June 26, 2023. On file at CDFW.
- CDFW. 2025. Incomplete Notification of Routine Maintenance Agreement No. EPIMS-ORA-38510-R5, Fairview Park Wetlands Maintenance Project. Issued July 3, 2024 to the City of Costa Mesa. On file at CDFW.
- ACOE. 2010. Personal Communication. Electronic mail received by C. Medak from J. Chung on April 16, 2010. On file at Carlsbad Fish and Wildlife Office.
- City of Costa Mesa. 2008. Fairview Park Master Plan March 1998, Revised February 2001 and November 2002, Updated November 2008. Online at <https://www.costamesaca.gov/community/fairview-park/fairview-park-master-plan>.
- City of Costa Mesa. 2015. Fairview Park. Electronic mail received by J. Edwards from B. Mejia on September 24, 2015. On file at CDFW.
- Ellenberg, Ursula, Thomas Mattern, and Philip J Seddon. 2013. "Heart Rate Responses Provide an Objective Evaluation of Human Disturbance Stimuli in Breeding Birds." *Conservation Physiology*. doi:10.1093/conphys/cot013.
- Glen Lukos Associates. 2015. Fairview Park Vernal Pool Restoration Plan for Restoration of Areas Within the Jurisdiction of the USFWS Pursuant to the Endangered Species Act. Prepared for the City of Costa Mesa. Costa Mesa CA.
- Hamilton Biological. 2025. Biological Resources Technical Report, Fairview Park, City of Costa Mesa. Prepared for the City of Costa Mesa. Online at <https://www.costamesaca.gov/home/showpublisheddocument/60543/638865317803900000>.
- Kempf, Norbert, and Ommo Hüppop. 1998. "Wie wirken Flugzeuge auf Vögel? - Eine bewertende Übersicht." *Naturschutz und Landschaftsplanung*. Summarized in English online at https://www.fai.org/sites/default/files/documents/ln_3-1_aircraft_effects_on_birds.pdf.
- OCTA. 2018. RE: Fairview Park Wetlands. Electronic mail received by J. Turner from L. Hill on December 11, 2018. On file at CDFW.

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Schummer, Michael L, and William R Eddleman. 2003. "Effects of Disturbance on Activity and Energy Budgets of Migrating Waterbirds in South-Central Oklahoma." *The Journal of Wildlife Management* 789-795.

USFWS. 2007. Endangered and threatened wildlife and plants; Designation of critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*). Federal Register 72:70648-70714.

USFWS. 2014. Restoration, Management, and Protection of Vernal Pools within Fairview Park, City of Costa Mesa. Prepared by the Carlsbad Fish and Wildlife Office, Carlsbad, California.

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Attachment A: Sensitive Species at Fairview Park

Latin name Common name	Fed.	Global/ State	CNPS	Habitat/Regional Status	Potential to Occur in Fairview Park
Plants					
<i>Abronia villosa</i> var. <i>aurita</i> Chaparral Sand-Verbena	—	G5T2/S2	1B.1	Open sandy soils in alluvial washes, chaparral, and coastal sage scrub. Mainly in Riverside and San Diego Counties. Last extant Orange County population is at Fairview Park.	Possibly Extirpated. Small numbers found in northern lowlands in recent years; not detected in 2023, possibly due to brush clearance in area.
<i>Atriplex coulteri</i> Coulter's Saltbush	—	G3/S1S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. San Luis Obispo County south.	Moderate. Occurs within 5- 10 miles of park.
<i>Atriplex pacifica</i> South Coast Saltscale	—	G4/S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. Santa Barbara County south.	Moderate. Historically occurred within 5-10 miles of park.
<i>Atriplex serenana</i> var. <i>davidsonii</i> Davidson's Saltscale	—	G5T1/S1	1B.2	Coastal cliff faces and bluffs. Santa Barbara County south to Orange County.	Moderate. Historical records within 5-10 miles of park.
<i>Calystegia sepium</i> ssp. <i>binghamiae</i> Santa Barbara Morning- Glory	—	G5TXQ/SX	1A	Coastal saltmarshes and stream banks. Localized populations in western Central Valley and southern California.	None. Name misapplied erroneously to plants in Orange County.
<i>Camissoniopsis lewisii</i> Lewis's Evening-Primrose	—	G4/S4	3	Sandy or clay soils on bluffs, mesas, and open coastal areas. San Luis Obispo County south.	Present. Scattered small populations along trail margins and other open areas.
<i>Centromadia parryi</i> ssp. <i>australis</i> Southern Tarplant	—	G3T2/S2	1B.1	Disturbed ground in saltmarshes and coastal sage scrub. Santa Barbara County south.	Present. Occurs along disturbed margins of trails; numbers fluctuate from year to year; more abundant in the park before creation of ponds in the northern lowlands.

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<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's Pincushion	—	G5T1/S1	1B.1	Coastal dunes, bluffs, and mesas. Ventura County south; mostly in San Diego County.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of the site.
<i>Dudleya multicaulis</i> Many-stemmed Dudleya	—	G2/S2	1B.2	Clay banks, slopes, and sandstone outcrops. Kern County south to northwestern San Diego County.	Moderate. Occurs within 5- 10 miles of the park.
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego Button-Celery	E	E	1B.1	Vernal pools. Mainly in San Diego County; the only Orange County population is at Fairview Park.	Present. Found in Ponds 4a, 4b, 4c. Numbers have declined over time; in recent years, plants appear to have been intentionally removed.
<i>Hordeum intercedens</i> Vernal Barley	—	G3G4/S3S4	3.2	Grasslands and vernal pools. Santa Barbara County south; scattered populations in the Central Valley.	Present. Occurs in grasslands and vernal pools; numbers in 2023 greatly reduced from previous years, probably due to increasing competition from non-native species.
<i>Horkelia cuneata</i> var. <i>puberula</i> Mesa Horkelia	—	G4T1/S1	1B.1	Sheltered coastal chaparral. San Luis Obispo County south to northwestern San Diego County.	Low. Occurs within 5- 10 miles, but park lacks coastal chaparral habitat.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's Goldfields	—	G4T2/S2	1B.1	Alkali soils and vernal pools. San Luis Obispo County south; scattered populations in the Central Valley.	Present. Pools 5 and 6 hold the County's largest population, with 100s to 1000s of plants; smaller numbers occur in a vernal wet half-pipe feature in the central mesa, adjacent to a large, disturbed area.
<i>Lycium californicum</i> California Boxthorn	—	G4/S4	4.2	Scrub habitats, mainly along the coast. Los Angeles County south.	Present. Occurs in coastal bluff scrub on the park's western slope.
<i>Microseris douglasii</i> ssp. <i>platycarpha</i> Small-flowered Microseris	—	G4T4/S4	4.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in vernal pools and grasslands in the park on both sides of Placentia Avenue.

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<i>Myosurus minimus</i> ssp. <i>apus</i> Little Mousetail	—	G5T2Q/ S2	3.1	Alkali soils and vernal pools. Mainly in the Central Valley and western Riverside County; the only Orange County population is at Fairview Park.	Present. Occurs around the margins of Pool 1; very few plants recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Nama stenocarpa</i> Mud Nama	—	G4G5/ S1S2	2B.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in deepest parts of Pool 1.
<i>Nasturtium gambelii</i> Gambel's Watercress	E	T	1B.1	Freshwater marshes, streams, and drainage areas. San Luis Obispo County south to Orange County.	Low. Potentially suitable habitat present, but no extant populations known in Orange County.
<i>Navarretia prostrata</i> Prostrate Vernal Pool Navarretia	—	G2/S2	1B.2	Seasonally wet alkali soil and vernal pools. Central Valley; coastal slope from Alameda County south; one of two Orange County populations is at Fairview Park.	Present. Occurs around the margins of Pool 1, but fewer plants than expected were recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Orcuttia californica</i> California Orcutt Grass	E	E	1B.1	Vernal pools. Ventura County south; scattered populations in the Central Valley; the only Orange County population is at Fairview Park.	Present. Found in Pool 4a; several dozen plants emerged in 2023 after exceptional rains.
<i>Pentachaeta aurea</i> ssp. <i>alleni</i> Allen's Daisy	—	G4T1/S1	4.3	Clay grasslands and openings in coastal sage scrub. Known from San Joaquin Hills and Santa Ana Mountains of Orange County.	Low. Occurs within 5-10 miles of the park, but suitable habitat may not be present.
Saltspring Checkerbloom <i>Sidalcea neomexicana</i>	—	G4/S2	2B.2	Alkali springs and marshes. Ventura County south.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of park.
Invertebrates					
San Diego Fairy Shrimp <i>Branchinecta sandiegonensis</i>	E	G2/S1		Vernal pools and other ephemeral wetlands. Orange County south.	Present. Documented in seasonal pools on both sides of Placentia Avenue.

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Riverside Fairy Shrimp <i>Streptocephalus woottoni</i>	E	G1G2/ S2		Vernal pools and other ephemeral wetlands. Ventura County south.	Present. Documented in seasonal pools on west side of Placentia Avenue.
<i>Bombas crotchii</i> Crotch's Bumble Bee	—	C/S1S2	—	Many habitats. California and northwestern Baja California; most records from southern California.	Present. Uses native and non-native flowering habitats in the park (Endemic Environmental Services 2024). Nests in burrows, tufts of vegetation, cavities, rock piles, etc.
<i>Danaus plexippus</i> Monarch	C	G4T1T2 Q/S2	—	Breeds in areas with milkweed from Mendocino County south. In southern California, overwinters mainly in large stands of eucalyptus near the coast.	Present. Occurs as a transient; not known to breed or overwinter in the park.
<i>Panoquina errans</i> Wandering Skipper	—	G4G5/ S2	—	Coastal salt marsh with the required food plant, salt grass (<i>Distichlis spicata</i>). Santa Barbara County south.	Present. James Bailey observed one in the northern lowlands, but scarcity of salt grass in the park may preclude the species from becoming established.
<i>Helminthoglypta traskii traskii</i> Trask Shoulderband	—	G1G2T1 /S2S3	—	Many habitats. Coastal slope from Ventura County south.	High. Likely occurs in the less disturbed parts of the park.
Amphibians					
<i>Spea hammondi</i> Western Spadefoot	PT	SSC	—	Seasonal pools with nearby uplands suitable for aestivation. Shasta County south, excluding deserts.	Low. The species likely occurred at Fairview Park historically, because suitable habitat is present, but no records exist.
Reptiles					
<i>Actinemys pallida</i> Southwestern Pond Turtle	PT	SSC	—	Expansive natural areas that include permanent water and generally lack non-native turtles or exotic predators. Alameda County south, excluding deserts.	Present. One reported in Pond D in the northern lowlands (Endemic Environmental 2021).
<i>Phrynosoma blainvillii</i> Coast Horned Lizard	—	SSC	—	Expansive natural areas with sandy openings and native harvester ants. Shasta County south, excluding deserts.	Low. Unlikely to occur due to degradation and fragmentation of habitat, including presence of

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					Argentine ants.
<i>Aspidoscelis tigris stejnegeri</i> Coastal Whiptail	—	SSC	—	Widespread, in various habitats. Coastal slope from Santa Barbara County south.	Present. One reported at base of the park's western slope (Dudek 2003).
<i>Anniella stebbinsi</i> Southern California Legless Lizard	—	SSC	—	Various habitats with sandy soil or deep leaf-litter. Coastal slope from Ventura and Kern Counties south.	Moderate. May occur in areas with loose soils.
<i>Arizona elegans occidentalis</i> California Glossy Snake	—	SSC	—	Widespread, but uncommon, in habitats with loose soil. Coastal slope from Contra Costa County south.	Moderate. May occur in areas with loose soils.
<i>Salvadora hexalepis virgulata</i> Coast Patch-nosed Snake	—	SSC	—	Brushy and rocky habitats. Coastal slope from San Luis Obispo County south.	Low. Unlikely to occur due to degradation and fragmentation of habitat.
<i>Thamnophis hammondi</i> Two-striped Garter Snake	—	SSC	—	Widespread in the region, in and around perennial water.	Moderate. May occur in and around perennial water.
<i>Crotalus ruber</i> Red Diamond Rattlesnake	—	SSC	—	Various rocky habitats. Coastal slope from Los Angeles County south.	Low. Along the coast, not recorded west of the San Joaquin Hills. Records from Seal Beach area reportedly involve released animal(s).
Birds					
<i>Aythya americana</i> Redhead	—	SSC	—	Nests in various freshwater habitats; winters on lakes and bays. Range includes most of North America.	Present. A few have been recorded during winter. Some potential exists for nesting in the northern lowland ponds.
<i>Plegadis chihi</i> White-faced Ibis	—	G5/S3S4	—	Various freshwater habitats. Breeding range includes most of western North America; winters south to Central America.	Present. Up to several dozen non-breeders occur in the park in fall, winter, spring; small numbers have been recorded breeding in the northern lowland ponds.
<i>Sterna antillarum browni</i> California Least Tern	E	E	—	Breeds on sandy beaches, and in similar open coastal habitats, from Solano County south. Winters in western Mexico.	Present. Not expected to nest in the park, but local breeders occasionally forage in ponds in the northern

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					lowlands.
<i>Nannopterum auritum</i> Double-crested Cormorant	—	G5/S2	—	Freshwater and nearshore marine environments across most of North America. Nests in trees and snags near water.	Present. Non-breeders regularly forage in ponds in the northern lowlands. Could nest there as trees around the ponds mature.
<i>Ixobrychus exilis</i> Least Bittern	—	SSC	—	Resident of freshwater marshes with extensive emergent vegetation across large parts of North and South America.	Present. Small number of records from ponds in the northern lowlands; may nest in tules.
<i>Elanus leucurus</i> White-tailed Kite	—	FP	—	Nests in trees within expansive open space areas; more widespread during migration and winter. Forages in rangelands and marshy areas. Range includes large parts of North and South America.	Present. Forages regularly in the park. Could potentially nest in riparian woodlands.
<i>Aquila chrysaetos</i> Golden Eagle	—	FP	—	Extensive open areas across a cosmopolitan range; nests on cliffs and in tall trees away from settlements. In Orange County, occurs mainly in the foothills and mountains.	Low. Transients could occur rarely.
<i>Circus hudsonius</i> Northern Harrier	—	SSC	—	Nests on the ground in expansive open space areas; more widespread during migration and winter. Range includes most of North America.	Present. Small numbers regularly forage in the park's grassland and scrub habitats in fall, winter, and spring. Could possibly nest in the local area.
<i>Haliaeetus leucocephalus</i> Bald Eagle	—	E	—	Nests in tall trees, usually near water; forages in lakes, rivers, and marine environments. Range includes most of North America.	Present. Occurs rarely as a transient.
<i>Buteo regalis</i> Ferruginous Hawk	—	G4/S3S4	—	Breeds in central North America and winters mainly in expansive rangelands and agricultural areas to the south.	Present. Occurs rarely as a transient.

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<i>Buteo swainsoni</i> Swainson's Hawk	—	G5/S4	—	Breeds in Canada and western North America and winters from western Mexico to southern South America.	Present. Occurs rarely as a transient.
<i>Athene cunicularia</i> Burrowing Owl	—	C/SSC	—	Occurs across large parts of North America; nesting population west of the deserts nearly extirpated. Rare winter visitor in coastal southern California.	Present. Up to three often winter in Fairview Park, using open habitats on either side of Placentia Avenue. Not known to nest in the park.
<i>Asio flammeus</i> Short-eared Owl	—	SSC	—	Extensive open areas across a cosmopolitan range; nests in northern North America. Very rare fall/winter visitor across most of southern California.	Present. Occurs rarely as a transient.
<i>Empidonax traillii extimus</i> Southwestern Willow Flycatcher	E	E	—	Formerly a widespread breeder in southern California but now highly localized in areas of extensive riparian woodlands. Uncommon during migration.	Low (as a breeder). Habitat is marginal; no recent nesting records from Orange County. Occurs regularly, but uncommonly, as a transient.
<i>Pyrocephalus rubinus</i> Vermilion Flycatcher	—	SSC	—	Open country with trees. Formerly nested in the desert Southwest and into Mexico; now nests sparingly across southern California, including Orange County.	Present. Now apparently resident in small numbers; courtship behavior by a pair on 3/25/25.
<i>Vireo bellii bellii</i> Least Bell's Vireo	E	E	—	Nests uncommonly in riparian scrub and woodlands from Ventura County south; winters in western Mexico.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Lanius ludovicianus</i> Loggerhead Shrike	—	SSC	—	Occurs in open habitats across most of North America; nesting population on coastal slope of southern California nearly extirpated. Rare winter visitor in coastal southern California.	Present. Occurs rarely in fall and winter; does not nest.
<i>Poliioptila californica californica</i> Coastal California Gnatcatcher	T	SSC	—	Resident of coastal sage scrub habitat, favoring shallow slopes and elevations below 1,500 feet; Ventura County south.	Present. Small numbers resident in scrub habitats in Fairview Park and elsewhere along the lower Santa Ana River.

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<i>Campylorhynchus brunneicapillus</i> Cactus Wren, coastal populations	—	SSC	—	Rare and declining resident of cactus scrub habitat on the coastal slope from Ventura County south.	Extirpated. Small numbers formerly resident along the western bluff and elsewhere along the lower Santa Ana River have died out in recent years.
<i>Cistothorus palustris clarkae</i> Clark's Marsh Wren	—	SSC	—	Resident of marshes with extensive emergent vegetation; Los Angeles County to San Diego County.	High. A few late spring and summer records of Marsh Wren in the lowland ponds likely refer to <i>C. p. clarkae</i> , the local breeder. Records of Marsh Wren in fall and winter may involve migrant subspecies from elsewhere.
<i>Ammodramus savannarum</i> Grasshopper Sparrow	—	SSC	—	Nests in expansive grasslands and rangelands across most of North America. In Orange County, breeds mainly in the San Joaquin Hills and Lomas de Santiago; occurs rarely in fall and winter.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible, east of Placentia Avenue.
<i>Pooecetes gramineus affinis</i> Oregon Vesper Sparrow	—	SSC	—	Breeds in the Pacific Northwest and winters mainly in expansive open areas on the coastal slope of California.	High. Vesper Sparrows of unknown subspecies recorded in the park; <i>P. g. affinis</i> likely to occur occasionally in fall and winter.
<i>Passerculus sandwichensis rostratus</i> Large-billed Savannah Sparrow	—	SSC	—	Breeds in the northern Gulf of California; winters on the coast of southern California.	Present. Occurs rarely in fall and winter.
<i>Icteria virens</i> Yellow-breasted Chat	—	SSC	—	Nests uncommonly and locally in riparian woodlands with dense tangles across most of North America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Agelaius tricolor</i> Tricolored Blackbird	—	T	—	Nests in wetlands near expansive grasslands and rangelands required for foraging, mainly in California. Winters in rangelands and parks.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.

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<i>Xanthocephalus xanthocephalus</i> Yellow-headed Blackbird	—	SSC	—	Nests in wetlands with tall emergent vegetation across much of central and western North America. Winters mainly in Mexico.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.
<i>Setophaga petechia</i> Yellow Warbler	—	SSC	—	Nests in woodlands across most of North America. Winters mainly from Mexico to South America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
Mammals					
<i>Microtus californicus stephensi</i> South Coast Marsh Vole	—	SSC	—	Wetland communities and associated grasslands along the coast from southern Ventura County to northern Orange County (Sunset Beach).	None. Fairview Park lies seven miles southeast of the described range of this taxon; voles along the Santa Ana River should be <i>M. C. sanctidiegi</i> (Hall 1981).
<i>Perognathus longimembris pacificus</i> Pacific Pocket Mouse	E	SSC	—	Shrublands, coastal dunes, coastal sage scrub, and river alluvium habitats with loose, sandy soil. Coastal areas from Los Angeles County to San Diego County.	Low. Not recorded in Fairview Park or elsewhere along the Santa Ana River but may have occurred there historically. Very little sandy habitat potentially suitable for this species remains in the northern lowlands.
<i>Sorex ornatus salicornicus</i> Southern California Salt Marsh Shrew	—	SSC	—	Coastal salt marshes, and nearby freshwater wetlands, from Ventura County to Orange County.	Low. Fairview Park lacks the coastal salt marsh habitat with which this species is most closely associated.
<i>Neotoma lepida intermedia</i> San Diego Desert Woodrat	—	SSC	—	Widespread in scrub habitats, especially those with cactus, but sensitive to habitat fragmentation. Coastal slope from Monterey County south.	Moderate. Suitable cactus scrub occurs in the park, but this species may not be present due to fragmentation of the habitat.
<i>Lepus californicus bennettii</i> San Diego Black-tailed Jackrabbit	—	SSC	—	Occurs in various open settings, usually in expansive open space areas, from Santa Barbara County south.	Extirpated. Formerly recorded in the park (Hamilton 1995) and elsewhere along the lower Santa Ana River, but no recent observations known.

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<i>Choeronycteris mexicana</i> Mexican Long-tongued Bat	—	SSC	—	Ventura County south to Central America, often in coastal areas. Roosts in caves, crevices, under tree roots, and in man-made structures. Forages on nectar and pollen of agaves.	Low. Fairview Park generally lacks suitable roosting habitat and the agaves associated with this species.
<i>Eumops perotis californicus</i> Western Mastiff Bat	—	SSC	—	Roosts in crevices in cliffs and in tall buildings; feeds aerially. Widely distributed in California and Desert Southwest.	Low. The species may occasionally fly over the site while foraging, but suitable roosting is absent.
<i>Lasiurus frantzii</i> Western Red Bat	—	SSC	—	Roosts in foliage of many types of trees; feeds over a wide variety of habitats, often close to water in coastal lowlands. Widespread from western North America south to northern South America.	High. Riparian woodlands in the park appear suitable for roosting, and the park contains ample water and suitable foraging habitat.
<i>Lasiurus xanthinus</i> Western Yellow Bat	—	SSC	—	Roosts primarily or entirely in palms; often forages over water but also grasslands and scrub habitats. Southwestern United States south to Central America.	Moderate. Fairview Park lacks the palm trees most closely associated with this species, but Western Yellow Bats could roost in riparian woodlands and/or forage in the park.
<i>Antrozous pallidus</i> Pallid Bat	—	SSC	—	Widespread in western North America, in chaparral and similar habitats. Forages on the ground and in vegetation. Roosts in rock crevices and under tree bark.	Low. Fairview Park lacks extensive rocky areas or oak woodlands that would provide suitable roosting habitat, but Pallid Bats from other areas could potentially forage in the park.
<i>Taxidea taxus</i> American Badger	—	SSC	—	Occurs in expansive open space areas across most of western and central North America. In Orange County, recent records from the mountains and foothills.	Low. American Badgers have not been recorded at Fairview Park or elsewhere along the lower Santa Ana River. It is likely that the natural habitat is too reduced and fragmented to support a population.

Brenda Green

September 25, 2025

Page 21 of 21

Attachment B

USFWS Letter



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer To:
FWS-OR-13B0443-14TA0229

JUL 24 2014

Mr. Baltazar Mejia
Senior Engineer, Public Services Department
City of Costa Mesa
77 Fair Drive
Costa Mesa, California 92626

Subject: Restoration, Management, and Protection of Vernal Pools within Fairview Park, City of Costa Mesa, Orange County, California

Dear Mr. Mejia:

This letter has been prepared by the U.S. Fish and Wildlife Service (Service) to provide the City of Costa Mesa (City) with information on the actions needed to restore, protect, and manage vernal pool habitat and associated species within the City at Fairview Park, Orange County, California. This information is provided in response to: (1) the installation of a path in Fairview Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp (*Branchinecta sandiegonensis*), (2) your written request received September 4, 2013, for our review of restoration alternatives for vernal pools impacted by the installation of the path (LSA 2013), and (3) recommendations provided by Finium Environmental (2013) following removal of the path. Although the City's primary focus is on restoration of vernal pools impacted by the path, this letter includes actions the Service considers necessary to protect all vernal pool habitat and associated species within Fairview Park. This letter addresses future actions the City may take; it does not address or resolve issues relating to past actions, including the path construction, or the "take"¹ of listed species associated with those past actions. This letter does not constitute authorization for future "take" of listed species.

Background

San Diego fairy shrimp were first identified in Fairview Park in 1994 (Michael Brandman Associates 1995), 3 years prior to the Federal listing of the species (62 FR 4933). Seven vernal pool basins (numbered 1 through 7) and a "vernal marsh" were delineated in 1995 (Michael Brandman and Associates 1995) (Figure 1). San Diego fairy shrimp have since been identified in all but Basin 7

¹ Section 9 of the Endangered Species Act and associated regulations prohibit the take of endangered and threatened species without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or to attempt to engage in any such conduct. Harm is further defined by the Fish and Wildlife Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavior patterns, including breeding, feeding, or sheltering.

(City 2008, Appendix C, Simovich 2005). Three additional vernal pools were observed in Fairview Park, east of Placentia Avenue in 2002 (Glenn Lukos 2002 in LSA 2007). To our knowledge, no surveys for fairy shrimp have been completed in these pools.

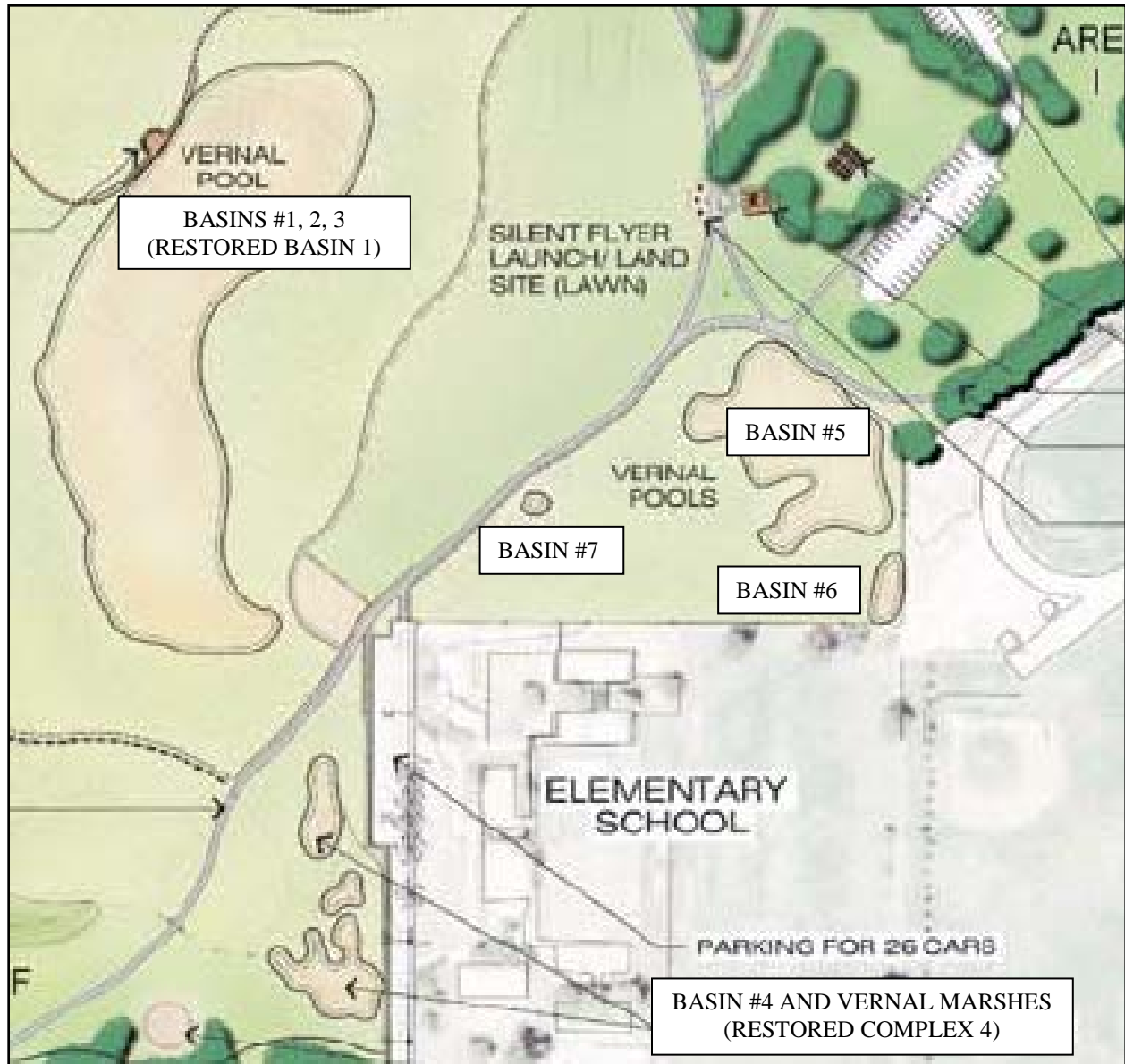


Figure 1. Location of vernal pool basins at Fairview Park.

Source: Michael Brandman Associated (1995) and Fairview Master Plan (November 2002 revision). Pool basins relabeled for clarity.

Restoration projects to improve the quality of habitat for San Diego fairy shrimp and sensitive plant species were completed in Fairview Park as mitigation for impacts to U.S. Army Corps of Engineers jurisdictional waters of the United States (Michael Brandman Associates 2002; Glenn Lukos Associates 2006). As a result of these projects, Basins 1, 2, and 3 were combined (Restored Basin 1), and Basin 4 and the “vernal marsh” were restored into a vernal pool complex (Restored Complex 4).

In above average rainfall years, it is likely that the watersheds of Restored Basin 1 and Restored Complex 4 are connected across the path that artificially separates the watersheds (Figure 2). It is also likely that Basins 5, 6, and 7 are part of a vernal pool complex with a shared hydrological connection during high rainfall years. Monitoring during previous restoration efforts identified the connection between Basins 5 and 6 (Michael Brandman Associates 2002), and the boundary between the watersheds of Basin 5 and 7 was coincident with a row of logs that have since been removed (Finium Environmental 2013).



Figure 2. Vernal pools in Fairview Park during an above average rainfall year (facing south). Paths bisect the basins in several locations, and the fencing is in the water.

Photo source: <http://www.savefairviewpark.org/documents/fpcac-pack-5-29-13.zip>. Labels added.

Fairview Park supports one of the last coastal terrace vernal pools complexes in Orange County (Service 2007). Conservation and management of the San Diego fairy shrimp and its habitat in Fairview Park and other vernal pool complexes in the Los Angeles Basin-Orange Management Area is one of the criteria identified for recovery of the San Diego fairy shrimp in the Service's Recovery Plan for Vernal Pools of Southern California (Service 1998). Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008; Chung 2010).

In the past, the City has supported restoration of the vernal pools and other sensitive habitat in Fairview Park, and the Fairview Park Master Plan (City 2008) includes a commitment that “the pools and basins [in Fairview Park] are to be retained, restored, and protected.” Specific actions in the plan anticipated to benefit the San Diego fairy shrimp include, but are not limited to: (1) restoration of vernal pool habitat; (2) development of a formalized path system to avoid sensitive areas to the extent feasible; (3) installation of educational signage and observation platforms in the vernal pool restoration area; (4) installation of fencing to protect the vernal pools; and (5) cessation of mowing within the vernal pools or, if necessary, mowing only late in the season after annual forbs and grasses have set seed.

We agree that the general measures identified in the Master Plan are appropriate to maintain the vernal pools. We are concerned, however, that some measures have not been implemented and others have been implemented in ways that may have impacted the San Diego fairy shrimp. More specific details are needed to ensure that the San Diego fairy shrimp and its habitat are protected. Activities that may have impacted or have the potential to impact the San Diego fairy shrimp and its habitat at Fairview Park include the following:

Installation of paths and parking areas: A path was installed in late 2013 that may have resulted in direct and indirect impacts to San Diego fairy shrimp, as described in our letter, dated November 14, 2013 (13B0443-14TA0039). While the path has been removed, grading associated with path installation altered the hydrology of the watershed supporting Basins 5 and 6 so that water may not pond to the extent it did historically (Finium Environmental 2013). As a result, fairy shrimp cysts may not hatch to their historical capacities until changes in topography are corrected (Finium Environmental 2013). The portion of the watershed supporting Basin 7 (including the basin area) has been used as a temporary parking area, and logs were placed in the watershed to delineate the parking boundary. A portion of the watershed of Restored Complex 4 was impacted by the installation of permanent parking along Canyon Drive. Grading for the parking area changed the topography so that water now ponds in the parking area (Figure 2).

Improvements to Estancia High School Stadium: The installation of fencing and a field events area impacted a significant portion of the watershed area supporting Basin 6 and altered the hydrology by re-grading the site. The changes in topography may limit the potential for the City to restore the basin within the boundaries of Fairview Park.

Pedestrians, dogs, and bicycles: While substantial resources have been focused on restoring and protecting Restored Basin 1, the unfenced northern end has informal paths leading directly into the basin and allowing bicycle access. Bicycle tracks and paths encroach within the northern end of the basin. Because the fencing was installed only around the restored basin area, the paths leading to the boardwalk are within the watershed of the basin. In January 2011 (an above average rainfall year), it was apparent that several paths and the fence are located in the basin (Figure 2). Restored Complex 4 has multiple paths running through it and shows signs of frequent use by dogs.

Operation of motorized vehicles during the wet season: In Restored Complex 4, deep tire tracks are evident due to motorized vehicle encroachment when the basins were inundated. The deep tracks may have altered the hydrology of the basins by causing water to pool first in the tracks, potentially concentrating fairy shrimp cysts within smaller portions of each basin.

Installation of landscaping and associated irrigation systems: Ornamental landscaping and turf areas border Basins 5 and 6 to the north, south, and east. Irrigation systems installed to support the landscaping are contributing to conversion of the vegetation communities within the watershed where water is now available throughout the year. The perennial water source is supporting wetland species such as mulefat (*Baccharis salicifolia*), curly dock (*Rumex crispus*), and sedges (*Cyperus* sp.) (Finium Environmental 2013). The conversion of the vernal pool habitat to wetland can result in the permanent loss of habitat for San Diego fairy shrimp.

Mowing and pesticide and herbicide application: We have little information regarding the current timing and location of mowing activities or the application of pesticides and herbicides, but these activities have the potential to impact San Diego fairy shrimp and their habitat. Mowing equipment can crush cysts, spread invasive plant species, and cause ruts if mowing is conducted when the ground is damp. Pesticides and herbicides could potentially harm San Diego fairy shrimp cysts and adults.

Restoration, protection, and management of vernal pools in Fairview Park

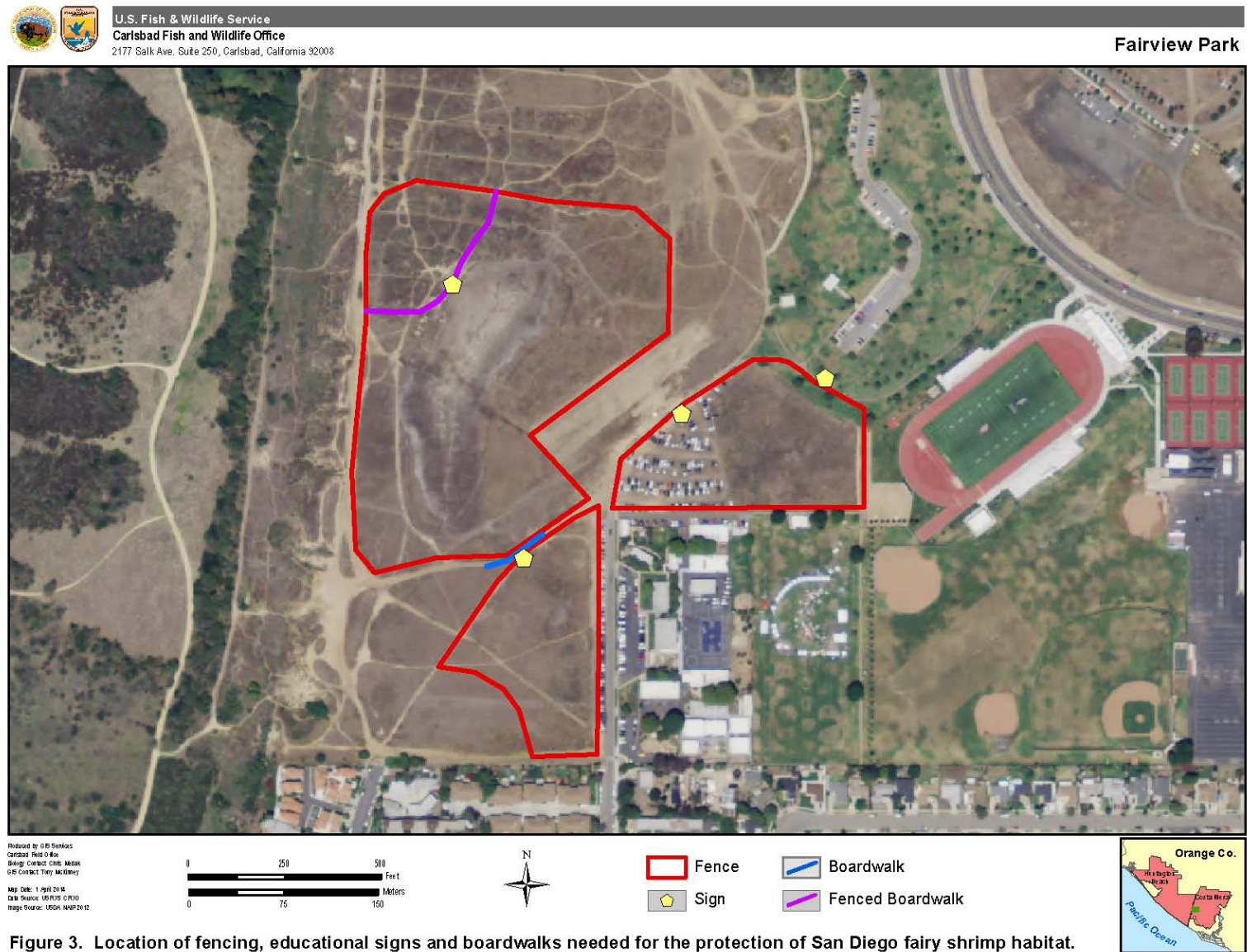
While accommodating public uses within Fairview Park, it is the City's responsibility to ensure that its actions comply with the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). In consideration of the degraded condition and management needs of the vernal pool habitat within Fairview Park, implementation by the City of the following measures would help ensure that the San Diego fairy shrimp population within the coastal terrace vernal pools at Fairview Park remains viable. Some of these restoration actions can be implemented immediately without further authorization under the Act, but others have the potential to result in take of listed species for which additional authorization under the Act would be required. To ensure that the City's future actions are appropriately authorized under the Act, we recommend that the City coordinate closely with our office to ensure that any incidental take associated with these actions is appropriately exempted under the Act. As indicated above, this letter does not exempt future take of listed species.

The following measures apply to Restored Basin 1, Restored Complex 4, and the vernal pool complex consisting of Basins 5, 6, and 7.

1. Watershed Restoration – Prepare and implement a restoration plan to address damages to the hydrological function of the vernal pool watersheds. The plan should be prepared by a biologist with a minimum of 5 years of experience restoring vernal pools in southern California and should identify actions that are necessary to restore hydrological function to the vernal pools. The plan should be reviewed and approved by the Service prior to implementation. Measures that should be included in the restoration plan include, but are not limited to:
 - a. Corrections to the watershed topography, as necessary, to ensure the basins will pond for a sufficient duration during an average rainfall year to support the life history of the San Diego fairy shrimp.
 - b. Management of the irrigation systems to prevent runoff from entering the watershed of Basins 5, 6, and 7. The City should coordinate with Newport-Mesa Unified School

District to ensure irrigation supporting landscaping at Estancia High School Stadium does not enter Fairview Park. We are available to assist the City with this coordination, as necessary.

- c. Removal of landscaping, turf, and non-vernal pool associated wetland plants (e.g., mulefat, curly dock) that were supported by irrigation systems in the watersheds and replacement with appropriate native vegetation.
 - d. Removal of non-native plant species (e.g., annual grasslands and mustards) if needed to re-establish hydrological function.
 - e. Restoration of native vegetation around the vernal pool basins and along informal and unauthorized paths, as appropriate (e.g., outside the basin area).
 - f. Removal of trash or other debris from the vernal pool watershed.
2. Permanent Protection – Record a conservation easement over the vernal pool basins and watersheds. Consistent with the Fairview Park Master Plan, the conservation easement should provide for the protection of the San Diego fairy shrimp and its habitat while allowing appropriate public access and enjoyment of the park.
 3. Fencing and Paths – The Service generally recommends fencing a sufficiently large habitat buffer (i.e., at least 100 feet from the outer edge of the watershed in most cases) to reduce encroachment by pedestrians and off-road vehicles, trash accumulation and dumping, and other indirect effects of development (Service 2008). A large buffer is necessary to account for natural changes in the basin dimensions over time in response to varying hydrological conditions and to prevent alterations to the watershed that could impact the duration and extent of ponding. To ensure the watersheds in Fairview Park are protected, the fencing should limit entry to the majority of the watershed area. Pets should be kept on leash in the park to prevent entry into fenced areas. Formal paths that will pass through the watershed of vernal pools should be placed on boardwalks, above the water surface elevation of the basins, to minimize changes in hydrology and the introduction of contaminants into the basins. Suggested locations for fencing are provided for discussion purposes (Figure 3).
 4. Public Education – The Service would like to partner with the City to develop educational materials and signs that can highlight the importance of biological resources in Fairview Park. The preservation of remaining coastal terrace pools in the City of Costa Mesa should be considered a source of pride for the City and its citizens. Educational signs, located along primary access routes (e.g., Figure 3), can help to enhance and contribute to the public's use and enjoyment of the vernal pool area. A "nature path" with stopping points where users can learn more about vernal pools and the plants and animals they support can highlight species that are not readily seen and can maintain a public awareness of the rarity of these biological resources for generations to come.



5. Trash – Provide trash receptacles and pet waste stations in convenient locations to minimize the potential for trash to be discarded in the vernal pool watersheds.
6. Mowing, Weed Control, and Pesticide Use – Mowing should be conducted outside the limits of the vernal pool basins to avoid direct impacts to San Diego fairy shrimp. In addition, we recommend that mowing be restricted within approximately 50 feet of the basin area to avoid restored habitat and sensitive plant species surrounding the basin area. The mowing limits should be periodically reevaluated to compensate for changes in the size and location of the basin area and corresponding zone of sensitive plant species. Please coordinate with the Service regarding use of pesticides and herbicides within the vernal pool watersheds to ensure chemicals harmful to San Diego fairy shrimp are avoided.
7. Employee Education – Provide an on-site education program for current and new employees of the City that will have assigned duties in Fairview Park to review sensitive biological resource areas and the City's responsibilities for management of these areas.
8. Patrol – Include as part of regular patrol duties, inspection of the fencing surrounding the watersheds and reporting of any damage to the fences or signs of encroachment within the fenced boundary.
9. Biological Monitoring – Regular biological monitoring is necessary to determine the efficacy of management measures to preserve and protect the San Diego fairy shrimp. Biological monitoring should include:
 - a. Annual watershed inspection – A biologist who has experience with San Diego fairy shrimp and its habitat should prepare a brief summary of the status of the habitat and a list of any additional management actions needed to protect and/or restore damages to the habitat.
 - b. Surveys for fairy shrimp – The City should conduct periodic surveys once every 5 years when there is sufficient rainfall to document the status of the San Diego fairy shrimp in each of the pools in Fairview Park.
10. Adaptive Management – Review the effectiveness of management actions annually to determine if additional measures are needed to protect San Diego fairy shrimp from harm. Cable wire fencing is proposed in the Fairview Park Master Plan to protect the pool basins. If this type of fencing is not adequate to prevent the public from regularly entering the basin areas, additional fencing or a different type of fencing may be required. If the degradation of the pools has already impacted the viability of the San Diego fairy shrimp, additional inoculation of the pools with cysts may be necessary.

Three additional vernal pool areas, located east of Placentia Avenue, require additional surveys to determine if San Diego fairy shrimp and/or sensitive vernal plant species are present. We recommend the City delineate the watershed of the three pools in the near future and avoid impacts to the watershed areas until protocol surveys (Service 1996) can be completed. Positive survey results may require changes in management actions to address

San Diego fairy shrimp. The City should coordinate adaptive management with the Service prior to implementation.

11. Fairview Park Master Plan Update – Include in an update to the Fairview Park Master Plan specific and ongoing management actions that will be implemented to ensure high quality habitat for San Diego fairy shrimp is maintained and that the species is protected.

These are the measures that are needed to protect San Diego fairy shrimp and their habitat in Fairview Park and are not intended to offset the damage caused by path construction. Issues relating to take that may have been caused by path construction remain under investigation by the Service at this time and will be addressed separately in the future.

We look forward to meeting with the City to further refine the details and timing of restoration, protection, and management actions. Should you have any questions regarding this letter, please contact Christine Medak of this office at 760-431-9440, extension 298.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor

cc:

Marilyn Fluharty, California Department of Fish and Wildlife

Literature Cited

- City of Costa Mesa. 2008. Fairview Park Master Plan March 1998, Revised February 2001 and November 2002, Updated November 2008.
- Finium Environmental. 2013. Re: Results of construction monitoring activities for the trail and log removal at Fairview Park located in the City of Costa Mesa, County of Orange, California. Prepared for the Carlsbad Fish and Wildlife Office, Carlsbad, California.
- Glenn Lukos Associates. 2002. Evaluation of biological resources associated with expansion of model railroad facility at Fairview Park. Report prepared for the City of Costa Mesa.
- Glenn Lukos Associates. 2006. Fairview Park vernal pool restoration program, third annual monitoring report for impacts associated with the Ikea portion of the Home Ranch Project. Prepared for C. J. Segerstrom and Sons, Costa Mesa, California.
- LSA. 2007. Update to the biological constraints and information for the Fairview Park Master Plan, City of Costa Mesa, County of Orange, California. June 28.
- LSA. 2013. Fairview Park site assessment of vernal pools 4 through 7 and A, B, and C; Restoration alternatives assessment of vernal pools 5 and 6. Prepared for the City of Costa Mesa, Orange County, California.
- Michael Brandman Associates. 1995. Jurisdictional delineation of Fairview Park vernal pools, Costa Mesa, Orange County, California. Prepared for the Director of Community Services, City of Costa Mesa, California.
- Michael Brandman Associates. 2002. Fairview Park vernal pool restoration program fifth annual restoration monitoring report for impacts associated with University Research Park and The Bonita Village Project vernal pool/seasonal wetland habitats. Prepared for The Irvine Company, Newport, California.
- Service (U. S. Fish and Wildlife Service). 1996. Interim Survey Guidelines to Permittees for Recovery Permits under Section 10(a)(1)(A) of the Endangered Species Act for the Listed Vernal Pool Branchiopods
- Service (U. S. Fish and Wildlife Service). 1998. Vernal pools of southern California recovery plan. U. S. Fish and Wildlife Service, Portland, Oregon.
- Service (U. S. Fish and Wildlife Service). 2007. Endangered and threatened wildlife and plants; Designation of critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*). Federal Register 72:70648-70714.
- Service (U. S. Fish and Wildlife Service). 2008. San Diego fairy shrimp (*Branchinecta sandiegonensis*) 5-Year Review: Summary and Evaluation. Prepared by the Carlsbad Fish and Wildlife Office, Carlsbad, California.

Simovich, M. 2005. Collecting report for 2004 for collecting permit TE87037-2. Prepared for U. S. Fish and Wildlife Service, Carlsbad, California.

Personal Communication

Chung, J. 2010. U. S. Army Corps of Engineers, electronic mail received by C. Medak, Carlsbad Fish and Wildlife Office, April 16, 2010.

Attachment C

Launch Cable Photos



Launch Cable



Depressed Ground at End of Cable

From: [Bryan Chu](#)
To: [FVPMP](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Harbor Soaring Society/Costa Mesa Flying Field Petition
Date: Friday, November 21, 2025 5:52:13 PM

To Whom It May Concern:

I dropped by the Harbor Soaring Society/Costa Mesa Flying Field last year when they were flying RC gliders and I can tell you that it is the place to be!

I used to live in Orange County, CA but relocated to the Phoenix, AZ area in 2012, and then most recently to the DFW, TX area in 2024.

Moving the field location will cause some major issues with the RC glider experience. I work as an aerospace engineer for Bell Flight and have been in the aerospace industry my entire career for 20 years now. There is no better way to get the next generation interested in aerospace than having the glider port operational. I plan to be back in January of 2026 with my two daughters, aged 3 and 5 to share the passion of aviation with them.

Please strongly consider leaving the field as is.

Thank you and Happy Holidays!

Bryan

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: [cheryl hawley](#)
To: [CITY CLERK](#)
Subject: Fwd: Fairview Park Fairy Shrimp and Sheep
Date: Monday, December 1, 2025 9:23:19 AM

Begin forwarded message:

From: John hawley <baleartic2@att.net>
Subject: Fairview Park Fairy Shrimp and Sheep
Date: December 1, 2025 at 9:10:13 AM PST
To: Costa Mesa City Council

Begin forwarded message: Good Morning Mayor Stephens and Council Members, My wife and I walk in the park three or four days a week. I flew at the flying field at Fairview Park when it was open every day of the week. Flying is a great hobby that requires the skills to build a plane and fly it. I hope you will support keeping the field open. The enclosed photo shows sheep grazing in the area of the vernal pools. It is likely the fairy shrimp were first introduced to the pools on the hooves of the sheep. In my opinion the flying field doesn't threaten the Fairy Shrimp. Respectfully, John Hawley Costa Resident and Westside Business Owner

From: cheryl hawley <baleartic2@att.net>
Subject: I found this on Google Images from www.iheartcostamesa.com
Date: December 1, 2025 at 8:15:35 AM PST
To: john hawley <baleartic2@att.net>

I HEART COSTA MESA | Jumping Sheep
<https://share.google/images/eFZiIatGRkQCB0sIM>

Images may be subject to copyright.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.



2 December 2025

City Council
77 Fair Drive
Costa Mesa, California



Dear Members of the City Council,

On behalf of the Costa Mesa Alliance for Better Streets (CMABS), we write to share our comments and concerns on the Draft Fairview Park Master Plan.

Our primary concerns come from the Trails Plan (page 75), which severely limits where bicycles would be allowed in the park. As proposed, bicyclists would only be allowed to ride on the designated “Multi-Purpose Trails.” This proposal would prohibit bicyclists from enjoying blufftop views on the western edge of the park. It would prohibit riding along the southern edge of the wetland area, necessitating a large detour if going from Talbert Park to Placentia. This proposal would also cut off the Canary Drive entrance by not being connected to any trail a bicyclist would be allowed to use, even though the stairs at Canary Drive include a bike runnel along the side.

To address these concerns, we recommend the Trails Plan allow bicyclists to ride on “Primary Pedestrian Trails.” Since the Talbert Park Master Plan allows bike riders on unpaved trails, allowing the same in Fairview Park would diminish confusion between jurisdictions and allow bicyclists to continue enjoying the trails they enjoy today. Additionally, the Council could consider establishing a 10 MPH speed limit on the Primary Pedestrian Trails to address any speed concerns.

The draft plan also does not conform to the Circulation Element of the General Plan (page 31). That element plans for a Class I bike trail along the Fairview Channel and a Class I connection to the Canary Drive entrance, both in the eastern part of the park. To address this, we recommend converting the trail on the easternmost edge of the park to a Multi-Purpose Trail up to the Fairview Channel bridge, then continuing a planned Multi-Purpose Trail along the Fairview Channel to Placentia, to connect to the crosswalk and the existing trail to the west. Additionally, a trail connecting the Canary Drive entrance and one between the currently proposed Multi-Purpose trail on the eastern side and the Fairview Channel bridge should be upgraded to a Primary Pedestrian Trail to allow bicycle traffic and connectivity through the park.

We look forward to the Council’s discussion tonight and appreciate your consideration of our comments.

Sincerely,
Board of Directors
Costa Mesa Alliance for Better Streets (CMABS)

From: [Cynthia McDonald](#)
To: [STEPHENS, JOHN](#); [REYNOLDS, ARLIS](#); [MARR, ANDREA](#); [CHAVEZ, MANUEL](#); [PETTIS, JEFF](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#)
Cc: [CITY CLERK](#); [GREEN, BRENDA](#)
Subject: Request for Additional Public Comment on Fairview Park Master Plan Update (Old Business Item 1)
Date: Tuesday, December 2, 2025 12:22:00 AM
Attachments: [Medak Email to City 111725.pdf](#)
[CDFW Ltr 111325.pdf](#)
[Fairview Park Letter CDFW-092525.pdf](#)
[Email from Christine Medak to Kelly Dalton 012725.pdf](#)
[CDFW Email from Jennifer Turner to Kelly Dalton 032023.pdf](#)
[Email from Christine Medak to Phil Marsh 020119.pdf](#)
Importance: High

Mayor and Councilmembers:

This is a follow-up to my email of November 18 regarding the Fairview Park Master Plan Update (email attached for reference).

While I support the Council's decision to defer action on this agenda item, **I strongly oppose closing public comment**. The reason for the deferral was the introduction of new information requiring further Council review. The public deserves the same opportunity to review and respond.

For example, the letter from the California Department of Fish and Wildlife (CDFW) dated November 13, 2025, was only distributed in hard copy during the meeting, and the electronic version was posted later. I also learned **after** the meeting about the email from Christine Medak of U.S. Fish and Wildlife Service (USFWS) dated November 17, 2025, which was buried in **Public Comments** at page 167. These documents, collectively referred to as the "Regulatory Agency Correspondence," should have been included in the Agenda Report and highlighted in the City's presentation—not relegated to Public Comments, as this correspondence originated from **regulatory agencies** providing **direction** to the City.

After reviewing the Regulatory Agency Correspondence and materials in my files, I offer the following observations:

CDFW CORRESPONDENCE. In its letter, the CDFW provides specific recommendations to enhance the Fairview Park Master Plan's alignment with biological assessments and regulatory compliance:

- **Recommends relocating the fly field** to protect vernal pool habitats and prevent unauthorized trail creation.
- Emphasizes **need for take authorization** for California Endangered Species Act (CESA) candidate species (e.g., western burrowing owl, Crotch's bumble bee).
- Calls for detailed trail designs, enforcement strategies, and a comprehensive inventory of existing trails.

The CDFW states that the City's restoration initiatives are crucial for **fulfilling mitigation obligations** and enhancing habitat quality in Fairview Park:

- The Fairview Park Mesa Restoration Project is eligible for **Orange County Transportation Authority (OCTA) mitigation credits** upon completion and

approval.

- The City's adoption of the Coastal Sage Scrub and Flower Fields Restoration Project represents progress in meeting restoration goals.

CDFW expresses commitment to collaborating with the City to address biological resource impacts and facilitate restoration efforts:

- The agency looks forward to working on a **complete Restoration Management Permit application package**.
- CDFW emphasizes the importance of addressing impacts on CESA-listed species in the Plan's CEQA document.
- Ongoing coordination is encouraged to ensure compliance with state conservation priorities and successful project implementation.

I whole-heartedly agree with a member of the public who commented at the November 18 meeting that **the letters from the agencies are some of the strongest that she has seen; the impact of having these agencies unhappy with the City is an ongoing risk; and the penalties include fines and possible imprisonment if the City does not comply.**

The CDFW letter also references documents not readily available online. I recently requested three from the City but have not received them. I did obtain CDFW's Findings of Facts for the OCTA Natural Community Conservation Plan (June 2017), available <https://acrobat.adobe.com/id/urn:aaaid:sc:US:c8b31b6b-4bf4-4441-a438-22ec9cf5c895>. This plan granted OCTA mitigation credits for plant conservation in Fairview Park, including Southern Tarplant—known to have been destroyed by Harbor Soaring Society activities. **Has OCTA been notified that its source for mitigation credits has been disturbed or destroyed, and if so, what was its response?**

Please also consider all prior CDFW correspondence, including its September 25, 2025 letter, and the March 20, 2023 email from Jennifer Turner, which states:
“CDFW would be supportive if the City was to eliminate the model aircraft flying activity in Fairview Park.”

USFWS CORRESPONDENCE. USFWS was unable to complete its review of the Master Plan due to the government shutdown. **The City must offer USFWS additional time for its input.** Key points from USFWS include:

- **Support for CDFW recommendations and request for discussion before finalizing the plan.**
- Adding least Bell's vireo and coastal California gnatcatcher to the species list.
- Developing a fence plan to protect vernal pools and using native shrubs for screening near the children's play area.

That email should be considered alongside prior communications from Ms. Medak, including:

- February 1, 2019 email to Phil Marsh re Costa Mesa Newport Harbor Lions Club Fish Fry explaining the importance of Fairview Park habitat and limiting damage thereto: "**Changes to the watersheds of the vernal pools alters the hydrology and water quality within the vernal pool basins. These changes limit the potential for the habitat to support listed vernal pool species.**"
- January 27, 2025 email to Kelly Dalton stating "**For the record, the U.S. Fish and Wildlife Service does not support activities by the Harbor Soaring Society that impact either federally listed or sensitive biological resources within Fairview Park.**"

Additionally, the February 24, 2023 email from Barry Nerhus of Endemic Environmental Services (City consultant) highlights ongoing impacts from fly field activities: "**The fly field has directly affected the vernal pool watershed. Indirectly, there have been plane crashes observed on a weekly basis by RIC aircraft pilots. It makes sense, especially if you are learning. I believe the Soaring Society states that they train people, which would increase the risk of crashing a plane. I've observed these crashes and people retrieving their planes from vernal pools, the bluff area, and also in the coastal sage scrub. These impacts on a weekly basis pose a threat to degrading these rare ecosystems. We already know that the bluff is eroding and needs restoration, so this is only an increased impact to the bluff. These impacts only take from the vision of managing the park for the natural resources.**"

Request: Please make the attached documents available to the public and allow additional public comment at tonight's meeting, as this new and significant information has emerged since November 18.

Recommendation: Adopt the Recommendation of the Fairview Park Steering Committee and Parks and Community Services Commission, as supported by USFWS and CDFW, to **remove the fly field from Fairview Park** to avoid fines and long-term oversight by these regulatory agencies. In addition, keeping the fly field in the park is cost prohibitive.

Finally, I am providing photographic evidence of the damage caused to the vernal pool watershed by the Harbor Soaring Society's use of its electric cable launch system. The photos show the launch cable stretched approximately 200 feet from the fly field across the grass to a pulley. To set up this system, HSS members must walk directly through the sensitive vernal pool watershed, causing significant habitat disturbance. The newest photo shows the damage after the recent rain. This level of damage stands in stark contrast to the idyllic image HSS promotes of gliders peacefully soaring alongside birds.

Thank you for your consideration.

Cynthia McDonald

Attachments: Email from me dated November 18, 2025 (see below)
 Email from USFWS dated November 17, 2025
 Letter from CDFW dated November 13, 2025
 Letter from CDFW dated September 25, 2025

Email from USFWS dated January 27, 2025
Email from Jennifer Turner of CDFW dated March 20, 2023
Email from USFWS dated February 1, 2019
Photos of damage caused by HSS

From: Cynthia McDonald <cmcdonald.home@gmail.com>
Sent: Tuesday, November 18, 2025 11:02 AM
To: PETTIS, JEFF <jeff.pettis@costamesaca.gov>; REYNOLDS, ARLIS <arlis.reynolds@costamesaca.gov>; CHAVEZ, MANUEL <manuel.chavez@costamesaca.gov>; STEPHENS, JOHN <john.stephens@costamesaca.gov>; Andrea Marr <andrea.marr@costamesaca.gov>; loren.gameros@costamesaca.gov <loren.gameros@costamesaca.gov>; mike.buley@costamesaca.gov <mike.buley@costamesaca.gov>
Cc: cityclerk@costamesaca.gov <cityclerk@costamesaca.gov>
Subject: 11/18/25 City Council Meeting - New Business Item 1: Support for Fairview Park Master Plan Update

Dear Councilmembers,

I am writing to express my strong support for the Fairview Park Master Plan Update (MPU). Below are my key points regarding the MPU:

1. Conservation and Protection: **State and federal agencies have made it clear: the current situation with Harbor Soaring Society cannot continue.** The City must relocate the fly field away from the vernal pool complex or face fines and long-term oversight by regulatory agencies. There is already a conservation easement on the wetlands—similar protections should be extended to the rest of the park.
2. Fiscal Responsibility: **Keeping the fly field in the park is cost prohibitive.** Relocating it—even to the Eastside—would require undetermined construction costs, a **\$50K–\$100K** take permit, and **\$10K annually** for a biologist's report. This is not practical when other suitable locations exist, such as established recreation parks.
3. Fair Cost Sharing: **HSS currently pays nothing for its use of the park, ranger staffing, or other City-incurred costs.** The City must require HSS to cover these expenses, including the take permit and annual biologist report, if required. If not, then every resident should expect similar perks. **I would like a free reserved tennis court and a playing field for me and my friends.**

4. Relocating Fly Field: **Moving glider activity to another part of the park will not solve the problem.** The Eastside has wildlife concerns, including **burrowing owl** and **Crotch's bumble bee**. The **launching winch will still damage the habitat** (see photos of existing launch area and retrieval zone). Grading is prohibited on the archeological site. **Errant gliders could land on Placentia Avenue**, creating safety hazards. A better location would be Balearic Park, where westward launches could occur safely. Note: **No other city in Orange County allows gliders/planes to fly in its public parks**, with the exception of Laguna Niguel, which has one park in a gated community for gliders who have **passed a test** for a permit.
5. Enforcement and Staffing: **Lack of enforcement is the largest source of problems in the park.** Fencing will help, but compliance has been inconsistent. Provide funding for enforcement and safety: assign a full-time park ranger and install cameras in high-risk areas. Any lighting changes must meet Dark Sky standards and avoid harming wildlife.
6. Bike Trails: **Restrict bikes to paved trails to protect sensitive artifacts and species.** The proposed pedestrian trail near Canary Stairs must remain DG or compacted dirt due to water authority easements. Implement a **speed limit** for bikes.
7. Pedestrian Paths: **Limit trails to those in the Master Plan**, except for any trail that has become overgrown from disuse. Enforce rules to keep people and dogs out of restricted areas.
8. Fencing and Signage: **Install fencing and consistent signage** to prevent access to unsafe areas, such as the bluff. Use QR codes with multilingual options and maintain design continuity with Talbert Park and Randall Preserve.
9. Remove Improper Materials: Remove and dispose of inappropriate fill and **mounds that pose safety hazards.**
10. Rename the Park: Suggested new name: **Fairview Nature Preserve**. This would help the City to secure funding for restoration projects.
11. Clarify Definitions: Provide clear definitions for “passive use” and “passive activities.” **Consider “low impact” as a standard.** Remove glider flying from this category—it is high impact due to the cable launch system.

Managing Fairview Park has been challenging in terms of both effort and cost. The City **should consider forming a joint powers agreement with another authority**, such as the County of Orange or the Mountains Recreation and Conservation Authority, to manage the park.

In addition to the photos of the existing fly field, I am submitting my five-year old grandson's drawing of what he loves about Fairview Park. When asked about the gliders, he said: **"Only birds, bees and kites should fly in Fairview Park."**

Cynthia McDonald

The attached photos were taken standing in the same spot. The first is at the end of the launching winch looking eastward to the fly field.

This photo is looking westward to the area where gliders that failed to launch land. Note the evidence of foot traffic in the vernal pool area.

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From: [Turner, Jennifer@Wildlife](mailto:Turner.Jennifer@Wildlife)
To: [DALTON, KELLY M.](#)
Subject: Fly Field Closure
Date: Monday, March 20, 2023 11:51:09 AM
Attachments: [Draft FVP Flying Field Closure Report March 2023.docx](#)

Hello Kelly,

In response to our conversation a few weeks ago and our most recent email exchange, CDFW would be supportive if the City was to eliminate the model aircraft flying activity in Fairview Park. As a State Trustee Agency for natural resources sees the current activities at Fairview Park as potentially adverse to a variety of sensitive plant and wildlife species as well as valuable habitat types, including vernal pools, coastal sage scrub, and riparian vegetation. Currently, the designated model aircraft flying area directly overlaps with these habitats.

Sensitive wildlife species are found in and adjacent to the designated flying area, including burrowing owl (*Athene cunicularia*; CDFW Species of Special Concern (SSC)), white-tailed kite (*Elanus leucurus*; Fully Protected), northern harrier (*Circus hudsonius*; SSC), coastal California gnatcatcher (*Poliophtila californica californica*; SSC, Federal Endangered Species Act (ESA) listed-threatened), San Diego fairy shrimp (*Branchinecta sandiegonensis*; Federal ESA listed-endangered), and Riverside fairy shrimp (*Streptocephalus woottoni*; Federal ESA listed-endangered). Sensitive plant species in and adjacent to the flying area include San Diego button celery (*Eryngium aristulatum* var. *parishii*; California Endangered Species Act listed-endangered, Federal ESA listed-endangered, California Rare Plant Rank (CRPR) 1B.1), Orcutt's grass (*Orcuttia californica*; Federal ESA listed-endangered, CRPR 1B.1), , prostrate navarretia (*Navarretia prostrata*; CRPR 1B.2), and small-flowered microseris (*Microseris douglasii* ssp. *platycarpha*; CRPR 4.2).

CDFW would like to express our support for full closure of the flying field due to impacts to sensitive biological resources. Small, unmanned aircraft have high potential to disturb sensitive avian species and can cause physiological stress and decreases in reproduction and survival (Mulero-Pázmány et al., 2017). We are especially concerned about impacts to raptor species which forage on the mesa near the flying field and may mistake a model craft for a competing predator. Smaller birds such as coastal California gnatcatcher may also identify craft as birds of prey; similar instances with other species have occurred locally. For example, in 2021, a drone crash led to the abandonment of approximately 1,500 elegant tern nests at CDFW-owned-and-managed Bolsa Chica Ecological Reserve, only seven miles northwest of Fairview Park. We are concerned that continued operation of the flying field could lead to similar direct and indirect impacts to sensitive avian resources there.

Fairview Park supports one of the last coastal terrace vernal pools complexes in Orange County. Conservation and management of the San Diego fairy shrimp and its habitat in Fairview Park and other vernal pool complexes in the Los Angeles Basin-Orange Management Area is one of the criteria identified for recovery of the San Diego fairy shrimp in the U.S. Fish and Wildlife Service's Recovery Plan for Vernal Pools of Southern California. Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008; Chung 2010). Model aircraft activity at the flying field results in degradation of vernal pool habitats at Fairview Park when uncontrolled landings and associated vegetation trampling occur. For the above reasons, CDFW would be in support of a closure which

would eliminate this source of pedestrian disturbance for the sensitive habitats present on site.

If you have any questions or comments regarding this email please contact me directly.

Sincerely,

Jennifer Turner

Senior Environmental Scientist (Supervisor)

California Department of Fish and Wildlife

South Coast Region 5

3883 Ruffin Road

San Diego, CA 92123

Office: (858) 467-2717

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State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



November 13, 2025

Brenda Green
 City Clerk's Office
 77 Fair Drive
 Costa Mesa, CA 92626
brenda.green@costamesaca.gov

Subject: DRAFT FAIRVIEW PARK MASTER PLAN UPDATE, COSTA MESA, CA

Dear Brenda Green:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Fairview Park Master Plan Update (Plan) and associated technical reports from the City of Costa Mesa (City). Thank you for the opportunity to provide comments and recommendations to the City Council regarding those activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹ (Fish & Game 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 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

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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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 City 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 & G. Code, § 2800 et seq.). The City is a participating landowner under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP).

PLAN DESCRIPTION SUMMARY

Objective: According to the Fairview Park Master Plan Update (Plan), the essential purpose of updating the Plan is to reflect the vested interests of the community and the City to balance resource protection and public use. The Plan update aims to address critical needs for a Long-term Management Plan that conserves cultural and biological resources, including rare vernal pool habitats. It outlines goals to protect, preserve, and enhance natural resources through community education, stewardship, and management of the park for passive recreational uses (i.e. walking, running, walking of leashed dogs, flying glider planes, model railroading, flying kites, picnics, and other small group functions). From a natural resources perspective, the Plan will incorporate updated biological assessments with an assessment of current land uses considering recent changes in state environmental regulations/policies. It will be a foundational document for planning, habitat restoration, wetland and riparian habitat remediation, and long-term habitat management. A Trails Plan will also be adopted in association with the Plan.

Location: Fairview Park is in the City, and its address is 2525 Placentia Avenue. It is bordered by residential areas to the north and east, Talbert Regional Park to the south, and the Santa Ana River to the west. The park itself is bisected by Placentia Avenue, which runs north/south.

Biological Setting: The regional biological significance of Fairview Park cannot be overstated. The Park is the northernmost parcel of a rare, contiguous undeveloped natural open space, which stretches from Fairview Park southward through Talbert Regional Park and terminates at the Randall Preserve. The 208-acre, topographically diverse Park contains a multitude of habitat types and micro-habitats, including one of the last coastal terrace vernal pools complexes in Orange County (USFWS 2007) on its mesa. Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008 and Chung 2010). The artificial ponds in the lowlands provide nesting and foraging habitat for riparian species. Other natural and sensitive habitats include

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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native grasslands, coastal bluff scrub, alluvial scrub, riparian woodlands, and coastal sage scrub. These habitats serve as foraging and reproductive habitat, providing refugia for many sensitive species in an otherwise developed watershed. Approximately 12-acres of the Park are landscaped.

According to the Biological Technical Report (BTR; Hamilton Biological 2025), 222 vascular plants and over 262 wildlife species have been documented in the Park, a remarkable number of flora and fauna for an area with just under 200 acres of habitat. Several listed species have been observed on site or have high or moderate potential to occur on site which include:

Invertebrates

- San Diego fairy shrimp (*Branchinecta sandiegonensis*; Endangered Species Act (ESA)-listed endangered),
- Crotch's bumble bee (*Bombus crotchii*; CESA Candidate for Threatened or Endangered Listing; CBB),

Birds

- Coastal California gnatcatcher [*Poliophtila californica californica*; ESA- listed threatened; CDFW Species of Special Concern (SSC); gnatcatcher],
- Least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered; CESA-listed endangered; vireo),
- White-tailed kite (*Elanus leucurus*; CDFW Fully Protected Species),
- Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*; CESA-listed endangered),
- Western burrowing owl (*Athene cunicularia*; SSC; CESA Candidate for Threatened or Endangered Listing),
- Coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*; SSC),
- Coopers hawk (*Astur cooperii*; SSC),

Plants

- San Diego button celery (*Eryngium aristulatum var. parishii*; CESA-listed Endangered, California Native Plant Society Rare Plant Rank 1B.1), and,
- Southern tarplant (*Centromadia parryi ssp. australis*; California Native Plant Society Rare Plant Rank 1B.1).

Prior CDFW Engagement: CDFW has a long history of engaging with the City on natural resources matters at Fairview Park, most notably vernal pool complex management issues, historic violations, and ongoing impacts to areas subject to Fish and Game Code 1600 et seq. Additionally, fulfillment of outstanding mitigation obligations regarding compensatory mitigation obligations at Fairview Park for off-site projects with the Orange County Transportation Authority (OCTA), the U.S. Army Corps of Engineers (ACOE), and the Department of Toxic Substances Control continue to languish and remain incomplete (OCTA 2018 and CDFW 2019). While we appreciate that our working partnership appears to be gradually improving, our attempts to

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partner with the City on these outstanding issues have been largely ineffective. As outlined below, many of these obligations are incomplete or their status is unknown.

In 2014, CDFW partnered with the U.S. Fish and Wildlife Service (USFWS) to provide comments on vernal pool restoration after the installation of a path in the Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp (USFWS 2014). Impacts to these pools from the installation of paths and parking areas, improvements to Estancia High School stadium, and the operation of motorized vehicles during the wet season were mitigated through restoration efforts at pools 2, 5, 6, and 7 (Glen Lukos Associates 2015). It is unclear to CDFW and the USFWS (hereafter referred to as the Wildlife Agencies) as to whether the stated mitigation and restoration efforts were achieved in full.

In 2016, CDFW investigated the City's fill of Little Canyon as a possible violation of Fish and Game Code, section 1602, when soil stockpiles from the artificial pond creation were used to fill Little Canyon for purposes of trail creation and realignment. CDFW concluded the unauthorized activities were subject to Fish and Game Code; however, the statute of limitations to issue a Notice of Violation had passed and no action was taken (City 2015).

In 2018, the City contacted CDFW regarding clearing of vegetation in and around the artificial pond complex during the nesting season for coastal California gnatcatcher. At that time, CDFW communicated that a Routine Maintenance Lake and Streambed Alteration Agreement (LSAA) per our Lake and Streambed Alteration program was required to move forward with the clearing. To date the City does not have a Lake and Streambed Alteration Agreement to authorize the work in those areas (Comment 3). On October 8, 2025, after CDFW issued a comment letter on the Plan Update's technical documents (CDFW 2025), the City and CDFW met to discuss the City's progress regarding their Incomplete notification for a Routine Maintenance LSAA. In that meeting, the City reaffirmed their commitment to providing a complete notification for their LSAA in early 2026.

In 2019, the Wildlife Agencies and OCTA met with the City several times to discuss their outstanding mitigation obligations to OCTA and ACOE (OCTA 2018). Since our comment letter on the Plan Update's technical documents (CDFW 2025) was issued, the City has adopted the Flower Fields Restoration Project, which will restore habitat and satisfy outstanding mitigation obligations to OCTA (Comment 7).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in finalizing the Plan and strengthening the stated goals; namely, aligning the existing Plan with current biological assessments, land uses, and environmental regulations and policies, while adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. **Fly Field Relocation.** In alignment with the Wildlife Agencies' recommendation, and the recommendations of many other natural resources-focused entities, the fly field

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relocation represents a well-considered and balanced approach to habitat protection and recreation. CDFW strongly supports the relocation because it places fly field and glider operations within an already developed and actively used recreation area, well separated from the highly rare and sensitive vernal pool complex. This will substantially reduce the potential for unauthorized trail creation, fully avoid vernal pool habitat degradation, and minimize likelihood unauthorized take of state and/or federally listed species that reside on the Mesa.

The relocation and reduced maintenance activities within the vernal pool complex are a proactive step toward long-term species and habitat protection, regulatory compliance, and responsible recreation planning; this is in part because the Plan commits to restoring vernal pools and removing fill soils from the northern part of the Mesa. A portion of the Mesa restoration will include coastal sage scrub and flower fields to fulfill mitigation obligations, improve conditions for native wildlife, and reinforce the City's commitment to the Master Plan (at pp. 71, City of Costa Mesa, 2025). Importantly, the Plan's objectives for *Strategic Habitat Restoration Project 1. Mesa Habitat Restoration and Indigenous Village Site Protection* (pp. 82, City of Costa Mesa, 2025) specifically call for elimination of incompatible uses such as mowing within the vernal pool complex. Relocation of the fly field directly supports these objectives by removing maintenance activities that currently threaten and degrade sensitive vernal pool habitat.

2. **CESA Candidate Species.** CDFW emphasizes that the fly field relocation is the biologically superior option and represents a dramatically lower regulatory burden for the City, in that impacts to CESA-listed and CESA candidate species would be smaller, and mitigation requirements associated with authorized incidental take would be significantly lower. Additionally, relocation would avoid the necessity to notify CDFW under Fish and Game Code section 1600 *et seq.* and avoid the need for consultation with the USFWS for San Diego fairy shrimp. However, based on recent survey data brought to CDFW's attention, operation and maintenance of the fly field in its new location may still require take authorization under CESA.

- a. Western burrowing owl. According to the California Natural Diversity Database (CNDDDB, Online Field Survey Form), there is a 2020 occurrence record of a western burrowing owl adjacent to the proposed fly field. Creation, use, and maintenance of the new fly field location may disturb, distress, or lead to take of individual western burrowing owls.

On October 15, 2024, the Fish and Game Commission published a Notice of Findings that designates western burrowing owl as a CESA candidate species. As a candidate species, western burrowing owls are granted full protection of a threatened or endangered species under CESA. If any activities could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081 or Restoration Management Permit under Fish and Game Code section 1670 *et seq.*) should be obtained prior to commencement of Project activities. Take of any endangered, threatened, or candidate species that results from the Project is prohibited, except as authorized by State law (Fish &

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G. Code, §§ 86, 1670, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513.

- b. Crotch's bumble bee. Creation, use, and maintenance of the fly field could also impact Crotch's bumble bee or floristic resources upon which the species relies. Crotch's bumble bee often nests underground, sometimes occupying abandoned rodent burrows along with many other microhabitats (Hatfield et al., 2015). If Crotch's bumble bee are using burrows on the relocation site for nesting, direct impacts could result from ground-disturbing activities, which could lead to death or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success. Indirect impacts may occur from loss of foraging resources.

The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as threatened or endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. Crotch's bumble bee is granted full protection under CESA. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often five or fewer populations). Crotch's bumble bee is also listed as an invertebrate of conservation priority under the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority List (CDFW 2024).

CDFW welcomes coordination with the City to determine if take authorization can be circumvented at the relocation site through modifications in the proposed design, based upon avoidance of suitable habitat.

3. **CESA-Listed Species.** Fairview Park contains multiple records of CESA-listed species, including least Bell's vireo, Belding's savannah sparrow, and San Diego button celery. CDFW considers adverse impacts to a species protected by CESA to be significant. Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 1670, 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity 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 authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP), Restoration Management Permit (RMP) or a consistency determination in certain circumstances, among other options (Fish & G. Code, §§ 1670, 2080.1, 2081, subds. (b) and (c)). Early consultation is encouraged, as significant modification to a future project and mitigation measures may be required to obtain a CESA Permit. To ensure CDFW will be able to use the Master Plan and associated CEQA document for the issuance

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of any CESA-issued permits, the Plan's CEQA document should address all future project impacts to CESA-listed species and specify a mitigation, monitoring, and reporting program that will meet the requirements of an ITP or RMP.

4. **Cutting the Green Tape Program.** CDFW acknowledges the City's continued work to restore and manage natural resources within Fairview Park and recognizes the City's efforts to advance several restoration initiatives under the draft Master Plan Update. As such, we encourage the City to leverage our Cutting the Green Tape Program where appropriate. A Restoration Management Permit (RMP) issued through the Cutting the Green Tape Program provides a unified, efficient CDFW permitting mechanism for restoration, enhancement, and species recovery projects that simplifies the permitting process while maintaining strong species and habitat protection measures. The RMP provides up to five separate CDFW authorizations in a single permit designed for beneficial management, recovery, and restoration activities: 1) take of CESA threatened, endangered, or candidate species; 2) take of Fully Protected Species; 3) take of plant species designated as "rare" under the NPPA; 4) take of other species including mammals, birds, fish, amphibians, or reptiles; and 5) authorization of impacts to rivers, streams, and lakes that would otherwise be subject to a Lake or Streambed Alteration Agreement. More information on this program can be found at [Cutting the Green Tape](#)³.
5. **Wetland Impacts.** CDFW appreciates the efforts to include the vernal pool complex as subject to Fish and Game Code section 1600 *et seq.* (pp. 27, City of Costa Mesa, 2025). For any such activities, the Project applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of an LSAA for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the Plan should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSAA. CDFW recommends the Applicant submit a Lake and Streambed Alteration Notification to CDFW. Notifications can be submitted through CDFW's [Environmental Permit Information Management System \(EPIMS\)](#)⁴.
6. **Trail Design.** The Trails Plan provided in the larger Plan Update appropriately emphasizes connected habitats, removing unauthorized trails, and reducing human intrusion within sensitive habitats. It also distinguishes between primary and secondary pedestrian trails. These secondary pedestrian trails are redundant recreation paths that further fragment the sensitive habitats throughout the park.

³ <https://wildlife.ca.gov/Conservation/Cutting-Green-Tape>

⁴ <https://epims.wildlife.ca.gov/index.do>

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CDFW recommends the following items in the Trails Plan are resolved prior to adopting the Plan Update:

- a. The Trails Plan proposes constructing an elevated boardwalk along the existing trail that runs diagonally from the north terminus of Canyon Drive southwest to Pacific Avenue. While CDFW agrees that an elevated boardwalk could provide protection for the vernal pool complex, the Trails Plan figure does not delineate where the proposed boardwalk would be located, nor does it clearly correspond with the Trail Type/Mode of Travel table (pp. 97-98, City of Costa Mesa, 2025). Based on the text description, the boardwalk appears to have a “primary pedestrian trail” designation, but this is not clearly depicted in the figure. Per the Habitat Restoration Opportunities figure (pp. 60, City of Costa Mesa, 2025), the proposed boardwalk would overlap the Vernal Pool 4 Restoration (2002 to 2009).
- b. A secondary pedestrian trail is currently proposed to bisect the vernal pool complex immediately adjacent to Vernal Pool 1 Restoration, per the Habitat Restoration Opportunities figure (pp. 60, City of Costa Mesa, 2025). It can be assumed that this specific trail would be fenced using low-disturbance methods such as gabion baskets or stacked wood fencing to minimize ground disturbance and prevent soil penetration within the vernal pool watershed. However, these fencing methods provide less certainty in keeping trail users on designated paths and out of sensitive habitats. Additionally, the table does not specify the materials nor surface treatments for this specific trail. If the trail is not struck from the Trails Plan, these specifics should be added.
- c. Given the sensitivity of the vernal pool complex and the potential for off-trail intrusion, CDFW recommends that the secondary pedestrian trail bisecting the Mesa be eliminated from the Trail Plan and that other secondary trails be reduced to the greatest extent possible. Secondary pedestrian trails are also sited throughout the Wetlands and Riparian Phase 2 (OCTA) (2012 to Present) site and the Community-Led Coastal Sage Scrub (CSS) Restoration (On-going) site, per the Habitat Restoration Opportunities figure (pp. 60, City of Costa Mesa, 2025).
- d. Wildlife Agency approved Fairview Park CSS and Flower Fields Habitat Restoration and Monitoring Plan. The Trail Plan as currently designed may authorize trails that will significantly bisect and cause indirect effects to the future CSS and Flower Fields Restoration Project (Land IQ, 2024). In the absence of a clearly defined and enforceable public access management program, the potential for habitat disturbance remains high. The City should provide further discussion of the proposed means to enforce pedestrian access restrictions and ensure long-term protection of sensitive biological resources.
- e. The Trails Plan should include an inventory and mapping of all existing authorized and unauthorized trails, access points, and areas of sensitive biological resources.

Brenda Green
City of Costa Mesa
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7. **Enforcement.** CDFW appreciates that the Plan discusses the need for increased park ranger presence and enforcement efforts; however, the Plan does not reference specific regulations, enforcement mechanisms, nor management actions that will achieve this objective. Without clearly defined operation protocols, staffing commitments, or regulatory measures (such as posted restrictions, penalties, or monitoring programs), it remains uncertain how the City intends to ensure compliance and effectively deter unauthorized trail creation and unauthorized vehicle access. The Plan should include a more detailed description of enforcement strategies and corresponding resources allocations to demonstrate the City's capacity to maintain long-term protection of sensitive habitats and recreational infrastructure.
8. **OCTA Mitigation Obligations.** The Fairview Park Mesa Restoration Project was nominated by the City in 2010 for funding consideration from the OCTA. Upon completion and Wildlife Agency approval, the restored habitat will be eligible for use by OCTA as mitigation credits under the OCTA Measure 2 NCCP/HCP, contingent upon establishment of a recorded conservation easement or other approved conservation mechanism to ensure the long-term protection of the site.

The Plan's current objectives for the *Strategic Habitat Restoration Projects* (pp. 84, City of Costa Mesa, 2025) directly advance fulfillment of the City's outstanding obligations to OCTA and demonstrate renewed commitment to successful restoration outcomes. Notably, the City's adoption of the CSS and Flower Fields Restoration Project represents meaningful progress in implementing the City's restoration vision. CDFW acknowledges the City's coordination with the Cutting the Green Tape initiative to streamline permitting and regulatory alignment for these efforts. We look forward to working with the City to complete a conservation easement to fulfill the City's obligations under the original Restoration Project. Establishing this instrument will ensure the perpetual protection and management of restored habitats and allow OCTA to apply the resulting credits toward their mitigation obligations.

CDFW remains committed to working collaboratively with the City and OCTA to authorize restoration projects that demonstrate sustained ecological uplift, consistent with state conservation priorities and the goals of the existing OCTA Measure 2 NCCP/HCP. We look forward to advancing a complete Restoration Management Permit application package to facilitate timely implementation of these future projects.

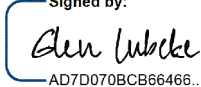
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CONCLUSION

CDFW appreciates the opportunity to comment on the Draft Fairview Park Master Plan Update to advise the City of Costa Mesa in identifying and mitigating the Master Plan's impacts on biological resources. Questions regarding this letter or further coordination should be directed to [Paola Perez](#)⁵, Environmental Scientist.

Sincerely,

Signed by:



AD7D070BCB66466...

Glen M. Lubcke
Environmental Program Manager
South Coast Region

ec: California Department of Fish and Wildlife
Jennifer Turner, Senior Environmental Scientist (Supervisory)
Cindy Hailey, Staff Services Analyst

U.S. Fish and Wildlife Service
Christine Medak

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REFERENCES

- CDFW. 2019. RE: Remedial Action Plan for Ascon Landfill Site Project, Huntington Beach, CA (SCH# 2013041010). Electronic mail received by X. Zhai from J. Turner on April 17, 2019. On file at CDFW.
- CDFW. 2023. EPIMS-ORA-38510-R5. Lake and Streambed Notification. Submitted by the City of Costa Mesa on June 26, 2023. On file at CDFW.
- CDFW. 2024. California Terrestrial and Vernal Pool Invertebrates of Conservation Priority List. On file at CDFW.
- CDFW. 2025. Incomplete Notification of Routine Maintenance Agreement No. EPIMSORA-38510-R5, Fairview Park Wetlands Maintenance Project. Issued July 3, 2024 to the City of Costa Mesa. On file at CDFW.
- CDFW. 2025. California Natural Diversity Database (CNDDDB). Available at: <https://wildlife.ca.gov/Data/CNDDDB>
- ACOE. 2010. Personal Communication. Electronic mail received by C. Medak from J. Chung on April 16, 2010. On file at Carlsbad Fish and Wildlife Office.

⁵ Paola.Perez@wildlife.ca.gov

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- City of Costa Mesa. 2025. Fairview Park Master Plan Update DRAFT. September 29, 2025. Available at <https://www.costamesaca.gov/community/fairview-park/fairview-park-master-plan>
- City of Costa Mesa. 2008. Fairview Park Master Plan March 1998, Revised February 2001 and November 2002, Updated November 2008. Available at <https://www.costamesaca.gov/community/fairview-park/fairview-park-master-plan>
- City of Costa Mesa. 2015. Fairview Park. Electronic mail received by J. Edwards from B. Mejia on September 24, 2015. On file at CDFW.
- Ellenberg, Ursula, Thomas Mattern, and Philip J Seddon. 2013. "Heart Rate Responses Provide an Objective Evaluation of Human Disturbance Stimuli in Breeding Birds." *Conservation Physiology*. doi:10.1093/conphys/cot013.
- Glen Lukos Associates. 2015. Fairview Park Vernal Pool Restoration Plan for Restoration of Areas Within the Jurisdiction of the USFWS Pursuant to the Endangered Species Act. Prepared for the City of Costa Mesa. Costa Mesa CA.
- Greer, K., K. Day, and S. McCutcheon. 2017. Efficacy and perception of trail use enforcement in an urban natural reserve in San Diego, California. *Journal of Outdoor Recreation and Tourism* 18:56–64.
- Hamilton Biological. 2025. Biological Resources Technical Report, Fairview Park, City of Costa Mesa. Prepared for the City of Costa Mesa. Online at <https://www.costamesaca.gov/home/showpublisheddocument/60543/638865317803900000>.
- Hatfield, R., Jepsen, S., Thorp, R., Richardson, L. & Colla, S. 2015. *Bombus crotchii*. *The ICUN Red List of Threatened Species*. 2015: e.T44937582A46440211.
- Land IQ. July 23, 2024. Fairview Park Coastal Sage Scrub and Flower Fields Habitat Restoration and Monitoring Plan. Prepared for the City of Costa Mesa. On file at CDFW.
- OCTA. 2018. RE: Fairview Park Wetlands. Electronic mail received by J. Turner from L. Hill on December 11, 2018. On file at CDFW.

Fw: Fairview Park Master Plan

From Cynthia McDonald <cmcdonald.home@gmail.com>

Date Mon 12/1/2025 7:40 PM

To Cynthia McDonald <cmcdonald.home@gmail.com>

From: Medak, Christine <Christine_Medak@fws.gov>

Sent: Monday, January 27, 2025 11:38 AM

To: DALTON, KELLY M. <KELLY.DALTON@costamesaca.gov>

Subject: Re: [EXTERNAL] RE: Harbor Soaring Society at Fairview Park

Thank-you for the update.

For the record, the U.S. Fish and Wildlife Service does not support activities by the Harbor Soaring Society that impact either federally listed or sensitive biological resources within Fairview Park. It appears the measures we previously provided have not been fully implemented and there are resources in the vicinity of the flying field that were not previously considered (e.g., burrowing owl, bumblebee, and tarplant). We recommend that activities with the potential to impact federally listed/sensitive species are discontinued until the City can complete a full evaluation of potential impacts as part of the master plan update.

Christine L. Medak

Fish and Wildlife Biologist

U.S. Fish and Wildlife Service

2177 Salk Avenue, Suite 250

Carlsbad, CA 92008

Office: 760-431-9440, ext 298

<http://www.fws.gov/carlsbad/>

[Check out our annual report](#)



"I'd like to offer a plug for actually having the natural processes instead of having to simulate them."

— Nadav Nur, PRBO Conservation Science

From: DALTON, KELLY M. <KELLY.DALTON@costamesaca.gov>
Sent: Monday, January 27, 2025 9:21 AM
To: Medak, Christine <Christine_Medak@fws.gov>
Subject: [EXTERNAL] RE: Harbor Soaring Society at Fairview Park

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Good morning Christine,

It is probably related to the Master Plan update presentation we have scheduled tomorrow evening.

To answer your question, yes, we have observed disturbance and degradation to the vernal pool watersheds from the model glider activity, and these findings are further expanded on in both the ecologist's and biologist's draft technical reports for the Master Plan Update project.

We also have observed new impacts pertaining to CESA candidate Burrowing owl (2 individuals are currently present onsite and active within 120 ft. of the launch/land operational area) and the CESA candidate listed Crotch's bumble bee which has been documented onsite. Attached is a photo example from just last weekend showing the regular pattern of off-trail disturbance that has been observed to retrieve downed planes which land outside the "runway". This is just a couple of the many conflicts with biological resources which we have

documented over the last 1.5 years of evaluating the model glider activity. I have attached a summary of notes on the activity from city staff who have monitored the events since July 2023.

HSS continues to state on the public record and at City Council meetings that HSS is working hand-in-hand with USFWS and the wildlife agencies to protect and preserve biological resources. We have asked about this collaboration and they refer to emails from 2014 and earlier which appear to be FWS' informal guidance about avoiding "mowing weeds on the runway" when the vernal pools are wet. We have communicated that the area they refer to as their "runway" contains several native plants which have been mowed and cleared, as well as active nesting activity that is impacted by their activities. We are concerned that this message from the glider club is again misrepresenting USFWS informal email communications as current support for the activity in its current location, when significant new biological resources information is now known about the issue.

Let me know if you'd like to discuss via phone or zoom.

Kelly Dalton

Fairview Park Administrator

Parks and Community Services Department

City of Costa Mesa

kelly.dalton@CostaMesaCA.gov

714-754-5135

From: Medak, Christine <Christine_Medak@fws.gov>
Sent: Friday, January 24, 2025 12:40 PM
To: DALTON, KELLY M. <KELLY.DALTON@costamesaca.gov>
Subject: Harbor Soaring Society at Fairview Park

Hi Kelly,

Can you help me sort out what is happening at Fairview Park that has prompted the string of emails I have received from the public recently? Have there been unauthorized trails established through the vernal pools or otherwise damage to the vernal pool watersheds that you are aware of?

Christine L. Medak

Fish and Wildlife Biologist

U.S. Fish and Wildlife Service

2177 Salk Avenue, Suite 250

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<http://www.fws.gov/carlsbad/>

Check out our annual report



"I'd like to offer a plug for actually having the natural processes instead of having to simulate them."

— Nadav Nur, PRBO Conservation Science

From: Medak, Christine <christine_medak@fws.gov>
Sent: Friday, February 1, 2019 3:08 PM
To: phil marsh
Cc: D'AGOSTA, CYNTHIA; Ian Hendricks; Jonathan Snyder
Subject: Re: [EXTERNAL] Fw: Costa Mesa Newport Harbor Lions Club Fish Fry

Phil,

Sorry for the long delay getting back to you. I am still trying to get through over a month of email traffic that accumulated while I was furloughed. Cynthia D'Agosta (City of Costa Mesa) and Kim Hendricks (concerned member of the public) are copied on this message because they have both also requested our input on this subject.

Fairview Park is located on a mesa top that supports one of the last coastal vernal pool complexes in California. The value of the habitat in the park cannot be overstated. It currently supports a minimum of 5 federally listed species, including the coastal California gnatcatcher (*Polioptila californica californica*, gnatcatcher), least Bell's vireo (*Vireo bellii pusillus*), San Diego fairy shrimp (*Branchinecta sandiegonensis*), Riverside fairy shrimp (*Streptocephalus woottoni*), and California Orcutt's grass (*Orcuttia californica*). Nine additional rare and sensitive plant species associated with vernal pools are also known from the park. It also supports the State fully protected white-tailed kite (*Elanus leucurus*) and State species of special concern Western burrowing owl (*Athene cunicularia hypugaea*). The City of Costa Mesa has accepted hundreds of thousands of dollars in grant funds and mitigation funds to improve the quality of native habitat in the park for both vernal pool species and the federally listed birds.

In October 2017, I met with City of Costa Mesa staff to discuss the Fish Fry and other events that had recently been moved to Fairview Park. During that meeting, the City explained that the Fish Fry is held over a 3-day period and draws over 15,000 people. It was my understanding from the City that the move to Fairview Park was temporary and that it would be moved back to the Lion's Club (where the Fish Fry was traditionally held) after construction at that site was completed. We were amenable to the City holding the Fish Fry in Fairview Park in 2018 given that the situation was temporary and that the event would be held outside the primary bird breeding season (i.e., labor day weekend).

We have several significant concerns regarding holding the Fish Fry at Fairview Park permanently:

1) The potential for damage to habitat: There is currently not adequate fencing or security measures in place to prevent unauthorized access into sensitive habitats within the park. There have been repeated and ongoing damages to the vernal pools as a result of pedestrians, bikers, vehicles and pets entering the pools. In 2009 new parking areas were established in Fairview Park that altered the hydrology of at least two vernal pools. In 2012, an access path was built directly within a vernal pool basin occupied by San Diego fairy shrimp. In 2017, a truck drove into another vernal pool watershed occupied by both San Diego fairy shrimp and Riverside fairy shrimp, leaving deep tracks in the watershed. Last year, several fence posts around the large vernal pool were damaged by a vehicle that also drove through the pool. As far as we know, the City has not repaired/restored any of the damages previously caused by unauthorized access within the park. Changes to the watersheds of the vernal pools alters the hydrology

and water quality within the vernal pool basins. These changes limit the potential for the habitat to support listed vernal pool species.

2) Disturbance to wildlife: While there are other locations that would be appropriate for an event the size of the Fish Fry (e.g., Lion's Club, OC Fairgrounds), there are few other opportunities for wildlife that reside year round within the park (e.g., gnatcatchers and coyotes). Each event that is held in the park contributes cumulatively to disturbing wildlife due to the noise, vibration, and lighting associated with these events. Artificial night lighting has the potential to negatively affect behavior, physiology, and ecological interactions of animals. Specifically, increased lighting may increase predation risk to gnatcatchers by increasing visibility for predators. Regular disturbance decreases the overall biological integrity of the park by favoring species that are more resilient and attracted to urban environments (e.g., crows, rats, mice, opossums, skunks). Species that are more sensitive to disturbance are likely to leave, reducing species diversity.

3) Public Perception: Soon after the City acquired Fairview Park from the County of Orange there was recognition of the value of Fairview Park for wildlife and an intention to preserve the park as open space for wildlife and passive recreational uses. Habitat was restored, interpretive signs were installed, and a boardwalk was constructed to view the large vernal pool. The U.S. Fish and Wildlife Service recognized the City's efforts to manage wildlife in the park. For example, in the final rule designating critical habitat for San Diego fairy shrimp we determined that a portion of Fairview Park was essential to the conservation of the San Diego fairy shrimp but we excluded Fairview Park from critical habitat based on our review of conservation actions being taken by the City to benefit the species. According to the final rule (72 FR 70648): "Excluding Fairview Park from the revised final designation sends a clear signal to the City of Costa Mesa that the Service actively recognizes and supports the City's sustained commitment to restore and protect the vernal pools at the park."

More recently (i.e., within the last 10 years), the City has initiated actions to accommodate more active recreational uses of the park. The City has opened the park up for concerts, races, and multiple festivals. With this change has come a change in public perception about acceptable uses within the park. The value of the park for its wildlife has been overshadowed by its value for creating active recreational opportunities. The number of requests for events in the park appears to have increased in response to the success of prior events. Concerts in the park are also disturbing to wildlife but they are of shorter duration, are attended by fewer people, and it is my understanding that the City is providing noise attenuation barriers to limit the noise reaching adjacent open space areas. If an event that supports 15,000 people within the park is not considered disturbing to wildlife then where should the City draw the line? With the City's acceptance of funding to restore, preserve, and manage habitat for federally listed species in the park came a responsibility to ensure the public recognizes that the primary value of the land is open space for wildlife, quiet recreation, and education. They cannot both host the Fish Fry and maintain public perception that the park is important for wildlife at the same time. We have encouraged the City to provide alternative opportunities for the public uses of the park that are focused on and compatible with wildlife value of the park. For example, nature walks for elementary school students, research projects for high school students, native plant restoration projects by volunteers, bird watching tours, native wildlife talks, and night walks. While these types of events have some potential to disturb wildlife, they also benefit wildlife by providing an opportunity for the public to develop an appreciation of the resources in the park. Until the public perception is changed to recognize the importance of the resources within Fairview Park, those resources are at great risk of being lost.

We would appreciate your consideration of an alternative more compatible location for the Fish Fry that will help to minimize disturbance to wildlife and reaffirm the high biological value of Fairview Park.

Christine L. Medak
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"I'd like to offer a plug for actually having the natural processes instead of having to simulate them."
— Nadav Nur, PRBO Conservation Science

On Wed, Jan 2, 2019 at 6:28 PM phil marsh <phillipmarsh@outlook.com> wrote:

From: phil marsh
Sent: Wednesday, January 2, 2019 6:26 PM
To: christine.medak@fws.gov
Subject: RE: Costa Mesa Newport Harbor Lions Club Fish Fry

Hello Christine:

I am Phil Marsh, the President of the Costa Mesa Newport Harbor Lions Club. As I am sure you are well aware of the issues we have using Fairview Park in Costa Mesa for our Annual Fish Fry. What I would like to do is get an understanding from your side as to why we no longer able to use the park for this event. Last year we were requested to change our dates from the first of July to September because of bird mating/breeding. From what I understand having the event in September would eliminate that problem. We are still being told that your agency doesn't want us there any longer and I am trying to get a complete understanding as to why this is happening.

I would assume that you haven't been to one of our events but to let you know it runs from Friday for approximately 5 hours in the evening, 9 hours on Saturday and 8 hours on Sunday. All but 9 of these hours are during daylight. At the end of the event, the park is cleaned and inspected by the Parks Department. We only use the grass area which is the same area that the public uses during the daylight hours. We are far away from the vernal pools and don't intrude on any wildlife in the area. The area we use is the same area that is used for kite flying, soccer games, picnics, and birthday parties. So, I am trying to get a complete understanding as to why our event is no longer allowed in the park. Also, keep in mind, there is another event in the park (Concert in the Parks) that there seems to be no problem with them having to move. This

event uses generators, has loud music, and food trucks and for (4) different nights. For some reason, it seems OK for them to stay but not us.

Also, please keep in mind our event is the 72nd Annual Lions Club Event and over the years have been able to give out millions of dollars to our local charities.

I would appreciate your response to this at your earliest convenience as I am going to be meeting the with city officials to discuss this on this Friday afternoon.

Thank you for your time and consideration.

Phil Marsh
President of the Costa Mesa Newport Harbor Lions Club
(714) 715-6180
philmarsh@outlook.com



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 25, 2025

Brenda Green
 City Clerk's Office
 77 Fair Drive
 Costa Mesa, CA 92626
brenda.green@costamesaca.gov

Subject: DRAFT FAIRVIEW PARK MASTER PLAN UPDATE, COSTA MESA, CA

Dear Brenda Green:

The California Department of Fish and Wildlife (CDFW) has reviewed the technical reports which provide the framework for the Draft Fairview Park Master Plan (Plan) from the City of Costa Mesa (City). Thank you for the opportunity to provide comments and recommendations to the City Council regarding those activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹ (Fish & Game 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 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

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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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 City 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 & G. Code, § 2800 *et seq.*). The City is a participating landowner under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP).

PLAN DESCRIPTION SUMMARY

Objective: According to the City’s website, the objective of the Fairview Park Master Plan Update (Update) is to revise the 1998 Fairview Park Master Plan, last updated in 2008. In addition to the goals of aligning the existing Plan with current biological assessments, land uses, and environmental regulations/policies, it will also be used to create priorities and strategies for long-term management, preservation of natural resources, and future park projects. Future projects include, but are not limited to, restoration projects, trail improvements, park amenities, and special events.

Location: Fairview Park is in the City, and its address is 2525 Placentia Avenue. It is bordered by residential areas to the north and east, Talbert Regional Park to the south, and the Santa Ana River to the west. The park itself is bisected by Placentia Avenue, which runs north/south.

Biological Setting: The regional biological significance of Fairview Park cannot be overstated. The Park is the northernmost parcel of a rare, contiguous undeveloped natural open space, which stretches from Fairview Park southward through Talbert Regional Park and terminates at the Randall Preserve. The 208-acre, topographically diverse Park contains a multitude of habitat types and micro-habitats, including one of the last coastal terrace vernal pools complexes in Orange County (USFWS 2007) on its mesa. Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008 and Chung 2010). The artificial ponds in the lowlands provide nesting and foraging habitat for riparian species. Other natural and sensitive habitats include native grasslands, coastal bluff scrub, alluvial scrub, riparian woodlands, and coastal sage scrub. These habitats serve as foraging and reproductive habitat, providing refugia for many sensitive species in an otherwise developed watershed. Approximately 12-acres of the Park is landscaped.

According to the Biological Technical Report (BTR; Hamilton Biological 2025), 222 vascular plants and over 262 wildlife species have been documented in the Park, a remarkable number of flora and fauna for an area with just under 200 acres of habitat.

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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Several listed species have been observed on site or have high or moderate potential to occur on site which include:

Invertebrates

- San Diego fairy shrimp (*Branchinecta sandiegonensis*; Endangered Species Act (ESA)-listed endangered),
- Crotch's bumble bee (*Bombus crotchii*; CESA Candidate for Threatened or Endangered Listing; CBB),

Birds

- Coastal California gnatcatcher [*Poliophtila californica californica*; ESA- listed threatened; CDFW Species of Special Concern (SSC); gnatcatcher],
- Least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered; CESA-listed endangered; vireo),
- White-tailed kite (*Elanus leucurus*; CDFW Fully Protected Species),
- Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*; CESA-listed endangered),
- Western burrowing owl (*Athene cunicularia*; SSC; CESA Candidate for Threatened or Endangered Listing),
- Coastal cactus wren (*Campylorhynchus brunneicapillus sandiegonensis*; SSC),
- Coopers hawk (*Astur cooperii*; SSC),

Plants

- San Diego button celery (*Eryngium aristulatum* var. *parishii*; California Native Plant Society Rare Plant Rank 1B.1), and,
- Southern tarplant (*Centromadia parryi* ssp. *Australis*; California Native Plant Society Rare Plant Rank 1B.1).

Please see Attachment A for a complete list of sensitive species present or with potential to occur at Fairview Park (Hamilton Biological 2025).

Prior CDFW Engagement: CDFW has a long history of engaging with the City on natural resources matters at Fairview Park, most notably vernal pool complex management issues, historic violations, and ongoing impacts to areas subject to Fish and Game Code 1600 *et seq.* Additionally, fulfillment of outstanding mitigation obligations regarding compensatory mitigation obligations at Fairview Park for off-site projects with the Orange County Transportation Authority (OCTA), the U.S. Army Corps of Engineers (ACOE), and the Department of Toxic Substances Control continue to languish and remain incomplete (OCTA 2018 and CDFW 2019). Despite repeated engagement with the City on natural resources matters at the Park, our attempts to partner with the City on these outstanding issues are largely ineffective. As outlined below, many of these obligations are incomplete or their status is unknown.

Brenda Green
September 25, 2025
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In 2014, CDFW partnered with the U.S. Fish and Wildlife Service (USFWS) to provide comments on vernal pool restoration after the installation of a path in the Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp (USFWS 2014). Impacts to these pools from the installation of paths and parking areas, improvements to Estancia High School stadium, and the operation of motorized vehicles during the wet season were mitigated through restoration efforts at pools 2, 5, 6, and 7 (Glen Lukos Associates 2015). It is unclear to CDFW and the USFWS (hereafter referred to as the Wildlife Agencies) as to whether the stated mitigation and restoration efforts were achieved in full.

In 2016, CDFW investigated the City's fill of Little Canyon as a possible violation of Fish and Game Code, section 1602, when soil stockpiles from the artificial pond creation were used to fill Little Canyon for purposes of trail creation and realignment. CDFW concluded the unauthorized activities were subject to Fish and Game Code; however, the statute of limitations to issue a Notice of Violation had passed and no action was taken. (City 2015)

In 2018, the City contacted CDFW regarding clearing of vegetation in and around the artificial pond complex during the nesting season for coastal California gnatcatcher. At that time, CDFW communicated that a Routine Maintenance Lake and Streambed Alteration Agreement (LSAA) per our Lake and Streambed Alteration program was required to move forward with the clearing. To date the City does not have a Lake and Streambed Alteration Agreement to authorize the work in those areas (Comment 3).

In 2019, the Wildlife Agencies and OCTA met with the City several times to discuss their outstanding mitigation obligations to OCTA and ACOE (OCTA 2018). These issues remain unresolved (Comment 4).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in reaching the stated goals of the Plan update; namely, aligning the existing Plan with current biological assessments, land uses, and environmental regulations and policies, while adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. **Fly field Relocation.** CDFW strongly supports relocation of the model airplane fly field, as its continued operation in the vernal pool complex is in direct conflict with preservation and management of this important park feature. The goals of the Master Plan Update, as stated in the publicly available technical documents, cannot be achieved while private citizens continue take it upon themselves to grade and mow these sensitive habitats to maintain fly field runways on City property. Additionally, while these recreational activities have largely been considered passive, the degradation and improper maintenance of the pools is leading to a long-term reduction in vernal pool function and degradation.

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Not only would relocation of the model airplane fly field reduce habitat degradation and risk of unauthorized take of CESA candidate species, but it would also reduce the regulatory burden for the City. Based on current seasonal survey data, operation and maintenance of the fly field in its current location would likely require a CESA Incidental Take Permit (ITP) for western burrowing owl and Crotch's bumble bee. Western burrowing owl over-winters regularly on the Park's mesa, within proximity of the existing fly field. Mowing, grading, or any other maintenance of the fly field could cause unauthorized take of these species.

On October 15, 2024, the Fish and Game Commission published a Notice of Findings that designates western burrowing owl as a CESA candidate species. If the fly field is not relocated, no avoidance measures are implemented, and regular survey data is not collected, unauthorized take could occur. Furthermore, without Park enforcement, inadvertent attempts to flush western burrowing owl from the site may lead to indirect impacts to the species. Crotch's bumble bee has also been recently observed in Fairview Park (Endemic Environmental Services 2024). The California Fish and Game Commission accepted a petition to list Crotch's bumble bee as threatened or endangered under CESA, determining the listing, "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. At the fly field's current location, its operations and ongoing maintenance will substantially modify habitat and potentially reduce or impair the viability of future populations of bees. The Project may also reduce the number and range of the species without considering the likelihood that special status species on adjacent and nearby natural lands, such as Talbert Regional Park or Randall Preserve, may rely upon the habitat that occurs on the proposed Project site.

Finally, there is scientific evidence to support that the fly field activities lead to harassment of sensitive avian species, including raptors. Behavioral responses to model aircraft disturbances add to the daily energy expenditure of birds. When birds are disturbed, they can react with altered behaviors, such as agitation or flushing. Also, a bird may exhibit no outward signs of distress but experience an elevated heart rate (Ellenberg, Mattern and Seddon 2013), increased oxygen consumption, and change in metabolic rate, thus disrupting the bird's energy budget (Kempf and Hüppop 1998). Even outside breeding season, such disturbances can have a high impact to the individual bird as well as to the population. During the non-breeding season birds need to forage as much as possible to build up fat stores for migration, upcoming breeding activity, or harsh winter conditions (Kempf and Hüppop 1998). Birds that rely on Fairview Park for food and shelter could temporarily abandon these habitats during fly field use, leading to a loss of critical resources during key times, such as during migration or overwintering periods. This disruption can have significant consequences for their overall health, survival, and reproductive success. Depending on a species' breeding cycle, disturbances can have varying results (Ellenberg, Mattern and Seddon 2013). For fly field activities that occur at the beginning of nesting season, birds may choose not to nest in the area at all.

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As southern California's rare coastal open spaces are important stopovers for annual migration, model aircraft disturbances in those areas will affect many birds. Migratory birds rely on specific cues, including environmental factors such as light, temperature, and quiet, to guide their journeys. The presence of even lower-decibel noise and physical disturbances from fly field can interfere with these cues, potentially delaying or disrupting migration. This disruption could affect the birds' ability to arrive at their destination on time, impacting their survival and reproductive success (Schummer and Eddleman 2003). It can also interfere with the birds' flight paths, leading to potential collisions or forced changes in migration patterns. Noise and physical presence of model aircraft also affect the landscape and vegetation used by birds for cover and nesting. This is particularly concerning considering the known grading and mowing activities associated with the fly field maintenance.

2. **Enforcement.** To meet the stated goals of the Master Plan Update, CDFW strongly recommends that the Update include a discussion regarding the necessity for Park enforcement of adopted policy. Park enforcement is necessary to ensure the City complies with Fish and Game Code, as well as conditions as described in any forthcoming CDFW-issued permits (e.g., CESA ITP or LSAA). Without enforcement, continued habitat degradation through off-trail activity is likely, and unauthorized take under CESA is possible. We strongly recommend the City includes line-item funding for this purpose in its annual budget.
3. **Permitting Obligations.** The Fairview Park Master Plan Update should address in specific terms how and when it will meet its prior and ongoing wetland permitting obligations. CDFW has been engaging with the City since 2018, when CDFW was contacted regarding vegetation clearing in the artificial pond complex. Five years later in 2023, the City submitted a notification for routine maintenance in and around the ponds (EPIMS-ORA-38510-R5). On July 3, 2024, CDFW deemed that notification incomplete. To date, the City has not responded to CDFW regarding the outstanding items in our Notification Incomplete letter. It can only be assumed that, despite our efforts to negotiate in good faith with the City regarding wetland permitting obligations, seven years' worth of unauthorized impacts are likely to have occurred to areas subject to Fish and Game Code Section 1602. A Master Plan Update would not be complete without addressing the outstanding Routine Maintenance Agreement notification and any other one-time projects in the Park; this includes how they will be completed, funded, when, and by whom.

Given the City continues to disregard our requests for compliance, CDFW is within our rights to issue a Notice of Violation associated with the ongoing unauthorized impacts. FGC Section 1602 requires an entity to submit a written Lake and Streambed Alteration Notification to CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. Hence, any entity who engages in an activity

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subject to FGC Section 1602 without first notifying CDFW violates Section 1602. However, we continue to assert that it is in the best interest of the wetland resources, the City, and CDFW to issue an LSAA to authorize the impacts, if possible.

CDFW is available to meet regarding wetland permitting issues at the City's earliest convenience.

4. **Mitigation Obligations.** It is CDFW's understanding that restoration efforts associated with the Fairview Park Mesa, for which the City applied for a Restoration Management Plan (RMP) under CDFW's Cutting the Green Tape Program, were approved at the City Council meeting held on September 16, 2025. This restoration is aligned with the stated goals of the Master Plan Update and would fulfil the City's outstanding OCTA mitigation obligations. The draft restoration plan and the proposed CEQA addendum, prepared by the City, provide a sufficient level of detail regarding the work which will be authorized by the RMP, such that a contract can be bid in the absence of an issued permit.

In 2010, the City nominated the subject 23-acre Fairview Park Restoration Project (Restoration) for funding consideration to the OCTA. The Wildlife Agencies supported the recommendation for OCTA to fund the Restoration within Fairview Park. This Restoration was planned to be integrated into the OCTA Measure 2 (M2) NCCP/HCP as it has high potential to support similar vegetation communities to mitigate for identified M2 freeway construction activities; restores sensitive species listed under the California Natural Diversity Database; and should result in ecological benefits to the NCCP/HCP Covered Species. Once the Restoration is completed and approved by the Wildlife Agencies, OCTA will be able to use the restored habitat for mitigation as part of the OCTA M2 NCCP/HCP. The City agreed to ensure the long-term conservation of the natural resources at Fairview Park through verification of a conservation easement or other approved conservation instrument.

Below are the outstanding concerns pertaining to the Restoration that we have communicated to the City during meetings and phone calls over the past several years:

- a. Failure to restore the agreed upon habitat restoration acreage and implement a solution to resolve this shortcoming;
- b. Lack of documentation to demonstrate that adjacent mitigation for other projects does not overlap with the Project;
- c. Lack of progress on developing and recording a conservation easement or other approved conservation instrument over the entire project area; and,
- d. Lack of Lake and Streambed Alteration Notification for one-time work and ongoing maintenance of the Fairview Park ponds subject to Fish and Game Code section 1600 *et seq.*


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CDFW is committed to assisting the City in fulfilling its outstanding obligations. We look forward to working with the City to provide a complete RMP application package so that issuance of the RMP can move forward.

CONCLUSION

CDFW appreciates the opportunity to comment on the technical documents associated with the Master Plan Update to advise the City of Costa Mesa in identifying and mitigating the Updates' impacts on biological resources. Questions regarding this letter or further coordination should be directed to Jennifer Turner³, Senior Environmental Scientist, Supervisor.

Sincerely,

Signed by:

AD7D070BCB66466...
Glen M. Lubcke
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Sensitive Species at Fairview Park

ec: California Department of Fish and Wildlife
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Cindy Hailey, Staff Services Analyst

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REFERENCES

- CDFW. 2019. RE: Remedial Action Plan for Ascon Landfill Site Project, Huntington Beach, CA (SCH# 2013041010). Electronic mail received by X. Zhai from J. Turner on April 17, 2019. On file at CDFW.
- CDFW. 2023. EPIMS-ORA-38510-R5. Lake and Streambed Notification. Submitted by the City of Costa Mesa on June 26, 2023. On file at CDFW.
- CDFW. 2025. Incomplete Notification of Routine Maintenance Agreement No. EPIMS-ORA-38510-R5, Fairview Park Wetlands Maintenance Project. Issued July 3, 2024 to the City of Costa Mesa. On file at CDFW.
- ACOE. 2010. Personal Communication. Electronic mail received by C. Medak from J. Chung on April 16, 2010. On file at Carlsbad Fish and Wildlife Office.
- City of Costa Mesa. 2008. Fairview Park Master Plan March 1998, Revised February 2001 and November 2002, Updated November 2008. Online at <https://www.costamesaca.gov/community/fairview-park/fairview-park-master-plan>.
- City of Costa Mesa. 2015. Fairview Park. Electronic mail received by J. Edwards from B. Mejia on September 24, 2015. On file at CDFW.
- Ellenberg, Ursula, Thomas Mattern, and Philip J Seddon. 2013. "Heart Rate Responses Provide an Objective Evaluation of Human Disturbance Stimuli in Breeding Birds." *Conservation Physiology*. doi:10.1093/conphys/cot013.
- Glen Lukos Associates. 2015. Fairview Park Vernal Pool Restoration Plan for Restoration of Areas Within the Jurisdiction of the USFWS Pursuant to the Endangered Species Act. Prepared for the City of Costa Mesa. Costa Mesa CA.
- Hamilton Biological. 2025. Biological Resources Technical Report, Fairview Park, City of Costa Mesa. Prepared for the City of Costa Mesa. Online at <https://www.costamesaca.gov/home/showpublisheddocument/60543/638865317803900000>.
- Kempf, Norbert, and Ommo Hüppop. 1998. "Wie wirken Flugzeuge auf Vögel? - Eine bewertende Übersicht." *Naturschutz und Landschaftsplanung*. Summarized in English online at https://www.fai.org/sites/default/files/documents/ln_3-1_aircraft_effects_on_birds.pdf.
- OCTA. 2018. RE: Fairview Park Wetlands. Electronic mail received by J. Turner from L. Hill on December 11, 2018. On file at CDFW.

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Schummer, Michael L, and William R Eddleman. 2003. "Effects of Disturbance on Activity and Energy Budgets of Migrating Waterbirds in South-Central Oklahoma." *The Journal of Wildlife Management* 789-795.

USFWS. 2007. Endangered and threatened wildlife and plants; Designation of critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*). Federal Register 72:70648-70714.

USFWS. 2014. Restoration, Management, and Protection of Vernal Pools within Fairview Park, City of Costa Mesa. Prepared by the Carlsbad Fish and Wildlife Office, Carlsbad, California.

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Attachment A: Sensitive Species at Fairview Park

Latin name Common name	Fed.	Global/ State	CNPS	Habitat/Regional Status	Potential to Occur in Fairview Park
Plants					
<i>Abronia villosa</i> var. <i>aurita</i> Chaparral Sand-Verbena	—	G5T2/S2	1B.1	Open sandy soils in alluvial washes, chaparral, and coastal sage scrub. Mainly in Riverside and San Diego Counties. Last extant Orange County population is at Fairview Park.	Possibly Extirpated. Small numbers found in northern lowlands in recent years; not detected in 2023, possibly due to brush clearance in area.
<i>Atriplex coulteri</i> Coulter's Saltbush	—	G3/S1S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. San Luis Obispo County south.	Moderate. Occurs within 5- 10 miles of park.
<i>Atriplex pacifica</i> South Coast Saltscale	—	G4/S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. Santa Barbara County south.	Moderate. Historically occurred within 5-10 miles of park.
<i>Atriplex serenana</i> var. <i>davidsonii</i> Davidson's Saltscale	—	G5T1/S1	1B.2	Coastal cliff faces and bluffs. Santa Barbara County south to Orange County.	Moderate. Historical records within 5-10 miles of park.
<i>Calystegia sepium</i> ssp. <i>binghamiae</i> Santa Barbara Morning- Glory	—	G5TXQ/SX	1A	Coastal saltmarshes and stream banks. Localized populations in western Central Valley and southern California.	None. Name misapplied erroneously to plants in Orange County.
<i>Camissoniopsis lewisii</i> Lewis's Evening-Primrose	—	G4/S4	3	Sandy or clay soils on bluffs, mesas, and open coastal areas. San Luis Obispo County south.	Present. Scattered small populations along trail margins and other open areas.
<i>Centromadia parryi</i> ssp. <i>australis</i> Southern Tarplant	—	G3T2/S2	1B.1	Disturbed ground in saltmarshes and coastal sage scrub. Santa Barbara County south.	Present. Occurs along disturbed margins of trails; numbers fluctuate from year to year; more abundant in the park before creation of ponds in the northern lowlands.

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<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's Pincushion	—	G5T1/S1	1B.1	Coastal dunes, bluffs, and mesas. Ventura County south; mostly in San Diego County.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of the site.
<i>Dudleya multicaulis</i> Many-stemmed Dudleya	—	G2/S2	1B.2	Clay banks, slopes, and sandstone outcrops. Kern County south to northwestern San Diego County.	Moderate. Occurs within 5- 10 miles of the park.
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego Button-Celery	E	E	1B.1	Vernal pools. Mainly in San Diego County; the only Orange County population is at Fairview Park.	Present. Found in Ponds 4a, 4b, 4c. Numbers have declined over time; in recent years, plants appear to have been intentionally removed.
<i>Hordeum intercedens</i> Vernal Barley	—	G3G4/S3S4	3.2	Grasslands and vernal pools. Santa Barbara County south; scattered populations in the Central Valley.	Present. Occurs in grasslands and vernal pools; numbers in 2023 greatly reduced from previous years, probably due to increasing competition from non-native species.
<i>Horkelia cuneata</i> var. <i>puberula</i> Mesa Horkelia	—	G4T1/S1	1B.1	Sheltered coastal chaparral. San Luis Obispo County south to northwestern San Diego County.	Low. Occurs within 5- 10 miles, but park lacks coastal chaparral habitat.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's Goldfields	—	G4T2/S2	1B.1	Alkali soils and vernal pools. San Luis Obispo County south; scattered populations in the Central Valley.	Present. Pools 5 and 6 hold the County's largest population, with 100s to 1000s of plants; smaller numbers occur in a vernal wet half-pipe feature in the central mesa, adjacent to a large, disturbed area.
<i>Lycium californicum</i> California Boxthorn	—	G4/S4	4.2	Scrub habitats, mainly along the coast. Los Angeles County south.	Present. Occurs in coastal bluff scrub on the park's western slope.
<i>Microseris douglasii</i> ssp. <i>platycarpha</i> Small-flowered Microseris	—	G4T4/S4	4.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in vernal pools and grasslands in the park on both sides of Placentia Avenue.

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<i>Myosurus minimus</i> ssp. <i>apus</i> Little Mousetail	—	G5T2Q/ S2	3.1	Alkali soils and vernal pools. Mainly in the Central Valley and western Riverside County; the only Orange County population is at Fairview Park.	Present. Occurs around the margins of Pool 1; very few plants recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Nama stenocarpa</i> Mud Nama	—	G4G5/ S1S2	2B.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in deepest parts of Pool 1.
<i>Nasturtium gambelii</i> Gambel's Watercress	E	T	1B.1	Freshwater marshes, streams, and drainage areas. San Luis Obispo County south to Orange County.	Low. Potentially suitable habitat present, but no extant populations known in Orange County.
<i>Navarretia prostrata</i> Prostrate Vernal Pool Navarretia	—	G2/S2	1B.2	Seasonally wet alkali soil and vernal pools. Central Valley; coastal slope from Alameda County south; one of two Orange County populations is at Fairview Park.	Present. Occurs around the margins of Pool 1, but fewer plants than expected were recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Orcuttia californica</i> California Orcutt Grass	E	E	1B.1	Vernal pools. Ventura County south; scattered populations in the Central Valley; the only Orange County population is at Fairview Park.	Present. Found in Pool 4a; several dozen plants emerged in 2023 after exceptional rains.
<i>Pentachaeta aurea</i> ssp. <i>alleni</i> Allen's Daisy	—	G4T1/S1	4.3	Clay grasslands and openings in coastal sage scrub. Known from San Joaquin Hills and Santa Ana Mountains of Orange County.	Low. Occurs within 5-10 miles of the park, but suitable habitat may not be present.
Saltspring Checkerbloom <i>Sidalcea neomexicana</i>	—	G4/S2	2B.2	Alkali springs and marshes. Ventura County south.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of park.
Invertebrates					
San Diego Fairy Shrimp <i>Branchinecta sandiegonensis</i>	E	G2/S1		Vernal pools and other ephemeral wetlands. Orange County south.	Present. Documented in seasonal pools on both sides of Placentia Avenue.

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Riverside Fairy Shrimp <i>Streptocephalus woottoni</i>	E	G1G2/ S2		Vernal pools and other ephemeral wetlands. Ventura County south.	Present. Documented in seasonal pools on west side of Placentia Avenue.
<i>Bombas crotchii</i> Crotch's Bumble Bee	—	C/S1S2	—	Many habitats. California and northwestern Baja California; most records from southern California.	Present. Uses native and non-native flowering habitats in the park (Endemic Environmental Services 2024). Nests in burrows, tufts of vegetation, cavities, rock piles, etc.
<i>Danaus plexippus</i> Monarch	C	G4T1T2 Q/S2	—	Breeds in areas with milkweed from Mendocino County south. In southern California, overwinters mainly in large stands of eucalyptus near the coast.	Present. Occurs as a transient; not known to breed or overwinter in the park.
<i>Panoquina errans</i> Wandering Skipper	—	G4G5/ S2	—	Coastal salt marsh with the required food plant, salt grass (<i>Distichlis spicata</i>). Santa Barbara County south.	Present. James Bailey observed one in the northern lowlands, but scarcity of salt grass in the park may preclude the species from becoming established.
<i>Helminthoglypta traskii traskii</i> Trask Shoulderband	—	G1G2T1 /S2S3	—	Many habitats. Coastal slope from Ventura County south.	High. Likely occurs in the less disturbed parts of the park.
Amphibians					
<i>Spea hammondi</i> Western Spadefoot	PT	SSC	—	Seasonal pools with nearby uplands suitable for aestivation. Shasta County south, excluding deserts.	Low. The species likely occurred at Fairview Park historically, because suitable habitat is present, but no records exist.
Reptiles					
<i>Actinemys pallida</i> Southwestern Pond Turtle	PT	SSC	—	Expansive natural areas that include permanent water and generally lack non-native turtles or exotic predators. Alameda County south, excluding deserts.	Present. One reported in Pond D in the northern lowlands (Endemic Environmental 2021).
<i>Phrynosoma blainvillii</i> Coast Horned Lizard	—	SSC	—	Expansive natural areas with sandy openings and native harvester ants. Shasta County south, excluding deserts.	Low. Unlikely to occur due to degradation and fragmentation of habitat, including presence of

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					Argentine ants.
<i>Aspidoscelis tigris stejnegeri</i> Coastal Whiptail	—	SSC	—	Widespread, in various habitats. Coastal slope from Santa Barbara County south.	Present. One reported at base of the park's western slope (Dudek 2003).
<i>Anniella stebbinsi</i> Southern California Legless Lizard	—	SSC	—	Various habitats with sandy soil or deep leaf-litter. Coastal slope from Ventura and Kern Counties south.	Moderate. May occur in areas with loose soils.
<i>Arizona elegans occidentalis</i> California Glossy Snake	—	SSC	—	Widespread, but uncommon, in habitats with loose soil. Coastal slope from Contra Costa County south.	Moderate. May occur in areas with loose soils.
<i>Salvadora hexalepis virgulata</i> Coast Patch-nosed Snake	—	SSC	—	Brushy and rocky habitats. Coastal slope from San Luis Obispo County south.	Low. Unlikely to occur due to degradation and fragmentation of habitat.
<i>Thamnophis hammondi</i> Two-striped Garter Snake	—	SSC	—	Widespread in the region, in and around perennial water.	Moderate. May occur in and around perennial water.
<i>Crotalus ruber</i> Red Diamond Rattlesnake	—	SSC	—	Various rocky habitats. Coastal slope from Los Angeles County south.	Low. Along the coast, not recorded west of the San Joaquin Hills. Records from Seal Beach area reportedly involve released animal(s).
Birds					
<i>Aythya americana</i> Redhead	—	SSC	—	Nests in various freshwater habitats; winters on lakes and bays. Range includes most of North America.	Present. A few have been recorded during winter. Some potential exists for nesting in the northern lowland ponds.
<i>Plegadis chihi</i> White-faced Ibis	—	G5/S3S4	—	Various freshwater habitats. Breeding range includes most of western North America; winters south to Central America.	Present. Up to several dozen non-breeders occur in the park in fall, winter, spring; small numbers have been recorded breeding in the northern lowland ponds.
<i>Sterna antillarum browni</i> California Least Tern	E	E	—	Breeds on sandy beaches, and in similar open coastal habitats, from Solano County south. Winters in western Mexico.	Present. Not expected to nest in the park, but local breeders occasionally forage in ponds in the northern

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					lowlands.
<i>Nannopterum auritum</i> Double-crested Cormorant	—	G5/S2	—	Freshwater and nearshore marine environments across most of North America. Nests in trees and snags near water.	Present. Non-breeders regularly forage in ponds in the northern lowlands. Could nest there as trees around the ponds mature.
<i>Ixobrychus exilis</i> Least Bittern	—	SSC	—	Resident of freshwater marshes with extensive emergent vegetation across large parts of North and South America.	Present. Small number of records from ponds in the northern lowlands; may nest in tules.
<i>Elanus leucurus</i> White-tailed Kite	—	FP	—	Nests in trees within expansive open space areas; more widespread during migration and winter. Forages in rangelands and marshy areas. Range includes large parts of North and South America.	Present. Forages regularly in the park. Could potentially nest in riparian woodlands.
<i>Aquila chrysaetos</i> Golden Eagle	—	FP	—	Extensive open areas across a cosmopolitan range; nests on cliffs and in tall trees away from settlements. In Orange County, occurs mainly in the foothills and mountains.	Low. Transients could occur rarely.
<i>Circus hudsonius</i> Northern Harrier	—	SSC	—	Nests on the ground in expansive open space areas; more widespread during migration and winter. Range includes most of North America.	Present. Small numbers regularly forage in the park's grassland and scrub habitats in fall, winter, and spring. Could possibly nest in the local area.
<i>Haliaeetus leucocephalus</i> Bald Eagle	—	E	—	Nests in tall trees, usually near water; forages in lakes, rivers, and marine environments. Range includes most of North America.	Present. Occurs rarely as a transient.
<i>Buteo regalis</i> Ferruginous Hawk	—	G4/S3S4	—	Breeds in central North America and winters mainly in expansive rangelands and agricultural areas to the south.	Present. Occurs rarely as a transient.

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<i>Buteo swainsoni</i> Swainson's Hawk	—	G5/S4	—	Breeds in Canada and western North America and winters from western Mexico to southern South America.	Present. Occurs rarely as a transient.
<i>Athene cunicularia</i> Burrowing Owl	—	C/SSC	—	Occurs across large parts of North America; nesting population west of the deserts nearly extirpated. Rare winter visitor in coastal southern California.	Present. Up to three often winter in Fairview Park, using open habitats on either side of Placentia Avenue. Not known to nest in the park.
<i>Asio flammeus</i> Short-eared Owl	—	SSC	—	Extensive open areas across a cosmopolitan range; nests in northern North America. Very rare fall/winter visitor across most of southern California.	Present. Occurs rarely as a transient.
<i>Empidonax traillii extimus</i> Southwestern Willow Flycatcher	E	E	—	Formerly a widespread breeder in southern California but now highly localized in areas of extensive riparian woodlands. Uncommon during migration.	Low (as a breeder). Habitat is marginal; no recent nesting records from Orange County. Occurs regularly, but uncommonly, as a transient.
<i>Pyrocephalus rubinus</i> Vermilion Flycatcher	—	SSC	—	Open country with trees. Formerly nested in the desert Southwest and into Mexico; now nests sparingly across southern California, including Orange County.	Present. Now apparently resident in small numbers; courtship behavior by a pair on 3/25/25.
<i>Vireo bellii bellii</i> Least Bell's Vireo	E	E	—	Nests uncommonly in riparian scrub and woodlands from Ventura County south; winters in western Mexico.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Lanius ludovicianus</i> Loggerhead Shrike	—	SSC	—	Occurs in open habitats across most of North America; nesting population on coastal slope of southern California nearly extirpated. Rare winter visitor in coastal southern California.	Present. Occurs rarely in fall and winter; does not nest.
<i>Poliioptila californica californica</i> Coastal California Gnatcatcher	T	SSC	—	Resident of coastal sage scrub habitat, favoring shallow slopes and elevations below 1,500 feet; Ventura County south.	Present. Small numbers resident in scrub habitats in Fairview Park and elsewhere along the lower Santa Ana River.

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<i>Campylorhynchus brunneicapillus</i> Cactus Wren, coastal populations	—	SSC	—	Rare and declining resident of cactus scrub habitat on the coastal slope from Ventura County south.	Extirpated. Small numbers formerly resident along the western bluff and elsewhere along the lower Santa Ana River have died out in recent years.
<i>Cistothorus palustris clarkae</i> Clark's Marsh Wren	—	SSC	—	Resident of marshes with extensive emergent vegetation; Los Angeles County to San Diego County.	High. A few late spring and summer records of Marsh Wren in the lowland ponds likely refer to <i>C. p. clarkae</i> , the local breeder. Records of Marsh Wren in fall and winter may involve migrant subspecies from elsewhere.
<i>Ammodramus savannarum</i> Grasshopper Sparrow	—	SSC	—	Nests in expansive grasslands and rangelands across most of North America. In Orange County, breeds mainly in the San Joaquin Hills and Lomas de Santiago; occurs rarely in fall and winter.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible, east of Placentia Avenue.
<i>Poocetes gramineus affinis</i> Oregon Vesper Sparrow	—	SSC	—	Breeds in the Pacific Northwest and winters mainly in expansive open areas on the coastal slope of California.	High. Vesper Sparrows of unknown subspecies recorded in the park; <i>P. g. affinis</i> likely to occur occasionally in fall and winter.
<i>Passerculus sandwichensis rostratus</i> Large-billed Savannah Sparrow	—	SSC	—	Breeds in the northern Gulf of California; winters on the coast of southern California.	Present. Occurs rarely in fall and winter.
<i>Icteria virens</i> Yellow-breasted Chat	—	SSC	—	Nests uncommonly and locally in riparian woodlands with dense tangles across most of North America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Agelaius tricolor</i> Tricolored Blackbird	—	T	—	Nests in wetlands near expansive grasslands and rangelands required for foraging, mainly in California. Winters in rangelands and parks.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.

Brenda Green
 September 25, 2025
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<i>Xanthocephalus xanthocephalus</i> Yellow-headed Blackbird	—	SSC	—	Nests in wetlands with tall emergent vegetation across much of central and western North America. Winters mainly in Mexico.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.
<i>Setophaga petechia</i> Yellow Warbler	—	SSC	—	Nests in woodlands across most of North America. Winters mainly from Mexico to South America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
Mammals					
<i>Microtus californicus stephensi</i> South Coast Marsh Vole	—	SSC	—	Wetland communities and associated grasslands along the coast from southern Ventura County to northern Orange County (Sunset Beach).	None. Fairview Park lies seven miles southeast of the described range of this taxon; voles along the Santa Ana River should be <i>M. C. sanctidiegi</i> (Hall 1981).
<i>Perognathus longimembris pacificus</i> Pacific Pocket Mouse	E	SSC	—	Shrublands, coastal dunes, coastal sage scrub, and river alluvium habitats with loose, sandy soil. Coastal areas from Los Angeles County to San Diego County.	Low. Not recorded in Fairview Park or elsewhere along the Santa Ana River but may have occurred there historically. Very little sandy habitat potentially suitable for this species remains in the northern lowlands.
<i>Sorex ornatus salicornicus</i> Southern California Salt Marsh Shrew	—	SSC	—	Coastal salt marshes, and nearby freshwater wetlands, from Ventura County to Orange County.	Low. Fairview Park lacks the coastal salt marsh habitat with which this species is most closely associated.
<i>Neotoma lepida intermedia</i> San Diego Desert Woodrat	—	SSC	—	Widespread in scrub habitats, especially those with cactus, but sensitive to habitat fragmentation. Coastal slope from Monterey County south.	Moderate. Suitable cactus scrub occurs in the park, but this species may not be present due to fragmentation of the habitat.
<i>Lepus californicus bennettii</i> San Diego Black-tailed Jackrabbit	—	SSC	—	Occurs in various open settings, usually in expansive open space areas, from Santa Barbara County south.	Extirpated. Formerly recorded in the park (Hamilton 1995) and elsewhere along the lower Santa Ana River, but no recent observations known.

Brenda Green
 September 25, 2025
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<i>Choeronycteris mexicana</i> Mexican Long-tongued Bat	—	SSC	—	Ventura County south to Central America, often in coastal areas. Roosts in caves, crevices, under tree roots, and in man-made structures. Forages on nectar and pollen of agaves.	Low. Fairview Park generally lacks suitable roosting habitat and the agaves associated with this species.
<i>Eumops perotis californicus</i> Western Mastiff Bat	—	SSC	—	Roosts in crevices in cliffs and in tall buildings; feeds aerially. Widely distributed in California and Desert Southwest.	Low. The species may occasionally fly over the site while foraging, but suitable roosting is absent.
<i>Lasiurus frantzii</i> Western Red Bat	—	SSC	—	Roosts in foliage of many types of trees; feeds over a wide variety of habitats, often close to water in coastal lowlands. Widespread from western North America south to northern South America.	High. Riparian woodlands in the park appear suitable for roosting, and the park contains ample water and suitable foraging habitat.
<i>Lasiurus xanthinus</i> Western Yellow Bat	—	SSC	—	Roosts primarily or entirely in palms; often forages over water but also grasslands and scrub habitats. Southwestern United States south to Central America.	Moderate. Fairview Park lacks the palm trees most closely associated with this species, but Western Yellow Bats could roost in riparian woodlands and/or forage in the park.
<i>Antrozous pallidus</i> Pallid Bat	—	SSC	—	Widespread in western North America, in chaparral and similar habitats. Forages on the ground and in vegetation. Roosts in rock crevices and under tree bark.	Low. Fairview Park lacks extensive rocky areas or oak woodlands that would provide suitable roosting habitat, but Pallid Bats from other areas could potentially forage in the park.
<i>Taxidea taxus</i> American Badger	—	SSC	—	Occurs in expansive open space areas across most of western and central North America. In Orange County, recent records from the mountains and foothills.	Low. American Badgers have not been recorded at Fairview Park or elsewhere along the lower Santa Ana River. It is likely that the natural habitat is too reduced and fragmented to support a population.

Brenda Green
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From: [GREEN, BRENDA](#)
To: [TERAN, STACY](#)
Subject: FW: [EXTERNAL] Copy of letter re: Draft Fairview Park Master Plan Update
Date: Tuesday, November 18, 2025 8:11:25 AM
Attachments: [image001.wmz](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)

For inclusion into public comments

Respectfully,
Brenda Green
City Clerk
City Clerk's Office | (714) 754-5221
77 Fair Drive | Costa Mesa | CA 92626



As City Hall has reopened, we encourage the public to take advantage of our appointment system. Appointments can be made at www.costamesaca.gov/appointments. Please note that It is required that all guests check in with our Concierge Staff, located on the 1st Floor Lobby, upon arrival at City Hall.

From: Medak, Christine <Christine_Medak@fws.gov>
Sent: Monday, November 17, 2025 6:35 PM
To: GREEN, BRENDA <brenda.green@costamesaca.gov>
Cc: Lubcke, Glen@Wildlife <Glen.Lubcke@Wildlife.ca.gov>; Turner, Jennifer@Wildlife <Jennifer.Turner@wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; FVPMP <FVPMP@costamesaca.gov>; Perez, Paola@Wildlife <Paola.Perez@Wildlife.ca.gov>; Ludovissy, Jennifer@Wildlife <Jennifer.Ludovissy@Wildlife.ca.gov>
Subject: Re: [EXTERNAL] Copy of letter re: Draft Fairview Park Master Plan Update

Brenda,

The U.S. Fish and Wildlife Service did not have a chance to complete our review of the Fairview Park Master Plan due to a lack of staff resources during the government shutdown (October 1 - November 12). We have been working closely with the City of Costa Mesa since at least 2012 to minimize impacts to sensitive resources in the park and we appreciate that many of our past recommendations have been implemented or incorporated as part of the plan (e.g., installing educational signs, boardwalk between vernal pools 1 and 4, and protective fencing, eliminating user-defined trails). We support comments/recommendations provided by California Department of Fish and Wildlife (CDFW) but would appreciate an opportunity to discuss these comments with the City, as they pertain to species protected under the Federal Endangered Species Act, prior to

finalization of the Master Plan. It is encouraging to see that the City has considered the ongoing documented impacts to biological resources associated with the existing glider area and is proposing to relocate the area away from vernal pools occupied by several federally listed species. In addition to CDFW comments, we recommend the following revisions/additions to the Master Plan, based on our limited review:

1. The plan identifies federally listed species on page 27 in the section titled "Federal Endangered Species Act (ESA)". Please add the least Bell's vireo and coastal California gnatcatcher (both known to occur in Fairview Park) to this section.
2. Development and implementation of a fence plan to minimize unauthorized entry into vernal pools should be a top implementation priority. The Master Plan identifies the need for protective fencing in several sections, but we recommend the potential types and locations of fences (fence plan) are included, consistent with the level of detail provided for the trail plan. The lack of appropriate fencing has contributed to unauthorized impacts and degradation of vernal pools in Fairview Park for decades and we are concerned that the lack of specificity in the Master Plan will result in this task continuing to languish, even as the trail system is developed.
3. We appreciate the change in the location of the proposed children's play area ("Nature Play Area"), to the Lawn Area. We recommend that native shrubs (e.g., lemonade berry, toyon or other large, dense shrubs) are used for visual/noise screening between the play area and adjacent recently restored and/or proposed native plant restoration areas to minimize disturbance to wildlife.

We appreciate the opportunity to provide comments on the Master Plan and anticipate continued coordination with the City regarding measures to avoid and minimize impacts to federally listed species as specific plans are further developed. Please feel free to contact me if you have questions regarding these comments.

Christine L. Medak
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
2177 Salk Avenue, Suite 250
Carlsbad, CA 92008
Office: 760-306-5935

<http://www.fws.gov/carlsbad/>

Check out our annual report



"I'd like to offer a plug for actually having the natural processes instead of having to simulate them."
— Nadav Nur, PRBO Conservation Science

From: Ludovissy, Jennifer@Wildlife <Jennifer.Ludovissy@Wildlife.ca.gov>
Sent: Thursday, November 13, 2025 2:06 PM
To: brenda.green@costamesaca.gov <brenda.green@costamesaca.gov>
Cc: Lubcke, Glen@Wildlife <Glen.Lubcke@Wildlife.ca.gov>; Turner, Jennifer@Wildlife <Jennifer.Turner@wildlife.ca.gov>; Hailey, Cindy@Wildlife <Cindy.Hailey@wildlife.ca.gov>; Medak, Christine <Christine_Medak@fws.gov>; State.Clearinghouse@lci.ca.gov <state.clearinghouse@lci.ca.gov>; fvpmp@costamesaca.gov <fvpmp@costamesaca.gov>; Perez, Paola@Wildlife <Paola.Perez@Wildlife.ca.gov>
Subject: [EXTERNAL] Copy of letter re: Draft Fairview Park Master Plan Update

This email has been received from outside of DOI - Use caution before clicking on links, opening attachments, or responding.

Hello Brenda,

Please see attached copy for your records. If you have any questions, please contact [Paola Perez](#).

Thank you,

Jenny

JENNY LUDOVISSY | [she/her](#)

Staff Services Analyst

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE

South Coast Region | (858) 716-7147

Monday - Friday | 7:30am-4:00pm

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I LOVE FAIRVIEW PARK! Elliott







From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [TERAN, STACY](#); [GONZALEZ, GLADYS](#)
Subject: FW: Fairview Park Master Plan Update
Date: Tuesday, December 2, 2025 9:37:37 AM

From: Debby Koken <deborah.koken@gmail.com>
Sent: Tuesday, December 2, 2025 8:42 AM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: Fairview Park Master Plan Update

I urge you to approve the Master Plan Update which reflects the science to protect habitat and allow low-impact public use as supported by the voters of Costa Mesa. Since there has been additional information received on the topic including communications from CDFW and USFWS, please allow additional public comment tomorrow night.

Debby Koken
Costa Mesa

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Dec. 2, 2025

Mayor Stephens and City Council Members
City of Costa Mesa
77 Fair Dr.
Costa Mesa, CA 92626

Dear Mayor and City Council Members,

I am writing in regard to the Fairview Park Master Plan Update (FPMPU) continuation listed as Item 1 under 'Old Business'. I have a few concerns about the way in which public comments and scientific recommendations are being handled by the city council.

1. **There has been new information publicized since the Nov. 18, 2025 city council meeting.** The new information, USFW recommendations, was not available to the public prior to that city council meeting and if it was available to city council, it was never mentioned by city council or staff. I request this new information be acknowledged by city council and noted that the USFW email is dated Nov 17, 2025. (see attached) Therefore, there should be public comments on this item since new information has been found that wasn't present at the Nov. 18, 2025 city council meeting.
2. **An area of concern is fairness and transparency by the city.** The 'Public Comments' from the city's website for the Nov. 18, 2025 meeting, does not have all the public comments that were sent in and validated before noon on Nov. 18, 2025.

Just one example is the 500 signatures that The Waldorf School of Orange County submitted and were validated with Date/Time Stamp by the city clerk's office.

There were also emails in support of the FPMPU but they are not included either, such as Fairview Park Alliance's email and comments as well as a longtime homeowner on Pacific Ave., Ronda Gilbert. Where are Ronda Gilbert's comments? Her email was sent in a few days prior to the Nov. 18th, 2025 meeting to FVPMUpdate@costamesaca.gov amongst many others?

Were emails separated by the city clerk's office for some reason? If so how and why?

This raises another concern, when Mr. Pettis asked Ms. Green at the Nov. 18, 2025 city council meeting if there were more emails for or against the FPMPU, her response couldn't have been accurate since not all emails and comments were accounted for and therefore should not be considered an official count like Mr. Pettis wanted. That wasn't supposed to be an attempt at an official count was it?

3. **Mr. Stephens' question about a 2014 USFW email was biased and unfair** because *it ignored the reason* for the USFW email; which was to address unlawful DG trails put on vernal pool 5 and 6 by the city.

"This information is provided in response to: (1) the installation of a path in Fairview Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp,,," USFW email Jul.24,2014

Mr. Stephens' out of context question focused on something that was not included in the email and because it wasn't included, Mr. Stephens implied it was verification for it to be okay. This is a fallacy. Just because gliderplanes weren't included in that email does not mean that they are okay and emails that are much more recent show they are not okay in Fairview Park. (USFW emails dated Jan. 27, 2025 and Nov. 17, 2025, CDFW emails Sept. 23, 2025 and Nov. 13, 2025)

Why wouldn't Mr. Stephens talk about the CDFW email dated Sept. 23, 2025 which he had and was the latest? Why was the CDFW email dated Nov. 13th, 2025 not given to council or the public until the middle of the meeting and the meeting had to be stopped to pass it out? Why was USFW's email dated Nov. 17, 2025 not accessible or acknowledged?

Mr. Stephens' excessive special privileges to HSS has been at the cost of the taxpayers and Fairview Park's natural and archaeological resources. The year-long agreement in 2023 is long overdue to end. The Fairview Park Steering Committee(FVPSC) has spent years on analyzing and evaluating all the information from the public and experts whether or not gliderplanes were compatible in Fairview Park. They have concluded and recommend multiple times that gliderplanes are not compatible in Fairview Park. The Parks and Community Services (PAC's) agree with that recommendation.

Why does Mr. Stephens and other council members not acknowledge or consider their recommendations?

Why doesn't Mr. Stephens or other council members ask if other locations outside of Fairview Park would be suitable for the gliderplanes?

Why does Mr. Stephens join in HSS President's attacks on city staff, all the various experts (Center for Biological Diversity, California Native Plant Society, Sea and Sage Audubon, and more), and state and federal agencies?

Why doesn't council trust the experts that they hired?

Why doesn't HSS want to move off the vernal pool complex? Don't they care that they are destroying sensitive habitat that supports endangered species? Perhaps HSS member, Mr. Costello spilled the beans during his public comments on Nov. 18, 2025 when he said that HSS didn't want to be put on the east side in the back where no one saw them. They liked being next to a sidewalk so they could talk to people and try to get them involved. I know people who avoid that sidewalk when HSS is there because they don't want to have to deal with them.

It is also apparent by looking at Public Comments emails from the Nov. 18, 2025 city council meeting on the city website, that those who were in opposition to the FPMPU used a generic format with misinformation in it that was given to them. Who in the community would knowingly give out misinformation to residents to help themselves? There are a lot of unanswered questions about the false narrative being perpetuated by some.

With a history of violations, now more than ever, USFW and CDFW expect the City of Costa Mesa to start living up to its responsibilities and protect the vernal pools and all of Fairview Park. Now more than ever, the community expects the City of Costa Mesa to stop wasting taxpayers' money on a destructive hobby in Fairview Park for two Costa Mesa residents. Now more than ever, the city can protect Fairview Park for the whole community and I urge you to take this opportunity for present and future generations.

Sincerely,
Kim Hendricks

From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [TERAN, STACY](#); [GONZALEZ, GLADYS](#)
Subject: FW: Fairview Park Master Plan
Date: Tuesday, December 2, 2025 10:57:55 AM

-----Original Message-----

From: Flo Martin <flomama@aol.com>
Sent: Tuesday, December 2, 2025 10:26 AM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: Fairview Park Master Plan

I urge the Council to allow additional public comment on the Fairview Park Master Plan Update. Significant new information has emerged since November 18, including regulatory agency correspondence from CDFW and USFWS that was not properly highlighted in the Agenda Report. These agencies recommend relocating the fly field, enhancing habitat protections, and addressing impacts on endangered species. The public deserves the same opportunity as the Council to review and respond to these critical updates. Please make new documents available and reopen public comment. Additionally, I recommend adopting the Fairview Park Steering Committee and Parks and Community Services Commission's recommendation—supported by CDFW and USFWS—to remove the fly field from Fairview Park.

Fairview Park belongs to nature—and to all of us.

I fully support the Draft Fairview Park Master Plan Update because it's grounded in science and reflects what the community wants: protect habitats, restore ecosystems, and allow low-impact public use.

Follow the recommendations of the Plan, City consultants, and regulatory agencies.

Stop hobbyist activities that damage these rare, irreplaceable habitats.

Let's keep Fairview Park wild, healthy, and thriving for future generations.

Flo Martin
2442 Andover Pl
Costa Mesa, CA 92626
9499333699

"It is when we are alone that we are the least alone." St. Augustine

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Report any suspicious activities to the Information Technology Department.

From: [Fairview Park Alliance](#)
To: [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Fairview Park
Date: Tuesday, December 2, 2025 9:58:56 AM
Attachments: [FPA comments to cc on Dec. 2, 2025.pdf](#)
[USFW Recommendation Jan. 27, 2025.png](#)
[CBD Comments Fairview Park City Council 11182025.pdf](#)
[Fairview Park Letter CDFW.docx.pdf](#)

Good Morning,

Please include the attached comments for tonight's meeting for Public Comments in general and also under Old Business Item #1 - Fairview Park Master Plan Update (if allowed).

Thank you,

Fairview Park Alliance

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fairviewparkalliance.org [FB](#) | [IG](#)

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State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 25, 2025

Brenda Green
 City Clerk's Office
 77 Fair Drive
 Costa Mesa, CA 92626
brenda.green@costamesaca.gov

Subject: DRAFT FAIRVIEW PARK MASTER PLAN UPDATE, COSTA MESA, CA

Dear Brenda Green:

The California Department of Fish and Wildlife (CDFW) has reviewed the technical reports which provide the framework for the Draft Fairview Park Master Plan (Plan) from the City of Costa Mesa (City). Thank you for the opportunity to provide comments and recommendations to the City Council regarding those activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Plan that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State, pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹ (Fish & Game 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 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

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.

Brenda Green
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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 City 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 & G. Code, § 2800 *et seq.*). The City is a participating landowner under the Central/Coastal Orange County NCCP/Habitat Conservation Plan (HCP).

PLAN DESCRIPTION SUMMARY

Objective: According to the City’s website, the objective of the Fairview Park Master Plan Update (Update) is to revise the 1998 Fairview Park Master Plan, last updated in 2008. In addition to the goals of aligning the existing Plan with current biological assessments, land uses, and environmental regulations/policies, it will also be used to create priorities and strategies for long-term management, preservation of natural resources, and future park projects. Future projects include, but are not limited to, restoration projects, trail improvements, park amenities, and special events.

Location: Fairview Park is in the City, and its address is 2525 Placentia Avenue. It is bordered by residential areas to the north and east, Talbert Regional Park to the south, and the Santa Ana River to the west. The park itself is bisected by Placentia Avenue, which runs north/south.

Biological Setting: The regional biological significance of Fairview Park cannot be overstated. The Park is the northernmost parcel of a rare, contiguous undeveloped natural open space, which stretches from Fairview Park southward through Talbert Regional Park and terminates at the Randall Preserve. The 208-acre, topographically diverse Park contains a multitude of habitat types and micro-habitats, including one of the last coastal terrace vernal pools complexes in Orange County (USFWS 2007) on its mesa. Vernal pools in Fairview Park also support several plant species that are locally rare (City 2008 and Chung 2010). The artificial ponds in the lowlands provide nesting and foraging habitat for riparian species. Other natural and sensitive habitats include native grasslands, coastal bluff scrub, alluvial scrub, riparian woodlands, and coastal sage scrub. These habitats serve as foraging and reproductive habitat, providing refugia for many sensitive species in an otherwise developed watershed. Approximately 12-acres of the Park is landscaped.

According to the Biological Technical Report (BTR; Hamilton Biological 2025), 222 vascular plants and over 262 wildlife species have been documented in the Park, a remarkable number of flora and fauna for an area with just under 200 acres of habitat.

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.”

Brenda Green
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Several listed species have been observed on site or have high or moderate potential to occur on site which include:

Invertebrates

- San Diego fairy shrimp (*Branchinecta sandiegonensis*; Endangered Species Act (ESA)-listed endangered),
- Crotch's bumble bee (*Bombus crotchii*; CESA Candidate for Threatened or Endangered Listing; CBB),

Birds

- Coastal California gnatcatcher [*Poliophtila californica californica*; ESA- listed threatened; CDFW Species of Special Concern (SSC); gnatcatcher],
- Least Bell's vireo (*Vireo bellii pusillus*; ESA-listed endangered; CESA-listed endangered; vireo),
- White-tailed kite (*Elanus leucurus*; CDFW Fully Protected Species),
- Belding's Savannah sparrow (*Passerculus sandwichensis beldingi*; CESA-listed endangered),
- Western burrowing owl (*Athene cunicularia*; SSC; CESA Candidate for Threatened or Endangered Listing),
- Coastal cactus wren (*Campylorhynchus brunneicapillus sandiegonensis*; SSC),
- Coopers hawk (*Astur cooperii*; SSC),

Plants

- San Diego button celery (*Eryngium aristulatum* var. *parishii*; California Native Plant Society Rare Plant Rank 1B.1), and,
- Southern tarplant (*Centromadia parryi* ssp. *Australis*; California Native Plant Society Rare Plant Rank 1B.1).

Please see Attachment A for a complete list of sensitive species present or with potential to occur at Fairview Park (Hamilton Biological 2025).

Prior CDFW Engagement: CDFW has a long history of engaging with the City on natural resources matters at Fairview Park, most notably vernal pool complex management issues, historic violations, and ongoing impacts to areas subject to Fish and Game Code 1600 *et seq.* Additionally, fulfillment of outstanding mitigation obligations regarding compensatory mitigation obligations at Fairview Park for off-site projects with the Orange County Transportation Authority (OCTA), the U.S. Army Corps of Engineers (ACOE), and the Department of Toxic Substances Control continue to languish and remain incomplete (OCTA 2018 and CDFW 2019). Despite repeated engagement with the City on natural resources matters at the Park, our attempts to partner with the City on these outstanding issues are largely ineffective. As outlined below, many of these obligations are incomplete or their status is unknown.

Brenda Green
September 25, 2025
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In 2014, CDFW partnered with the U.S. Fish and Wildlife Service (USFWS) to provide comments on vernal pool restoration after the installation of a path in the Park that was routed within and adjacent to vernal pools occupied by the federally endangered San Diego fairy shrimp (USFWS 2014). Impacts to these pools from the installation of paths and parking areas, improvements to Estancia High School stadium, and the operation of motorized vehicles during the wet season were mitigated through restoration efforts at pools 2, 5, 6, and 7 (Glen Lukos Associates 2015). It is unclear to CDFW and the USFWS (hereafter referred to as the Wildlife Agencies) as to whether the stated mitigation and restoration efforts were achieved in full.

In 2016, CDFW investigated the City's fill of Little Canyon as a possible violation of Fish and Game Code, section 1602, when soil stockpiles from the artificial pond creation were used to fill Little Canyon for purposes of trail creation and realignment. CDFW concluded the unauthorized activities were subject to Fish and Game Code; however, the statute of limitations to issue a Notice of Violation had passed and no action was taken. (City 2015)

In 2018, the City contacted CDFW regarding clearing of vegetation in and around the artificial pond complex during the nesting season for coastal California gnatcatcher. At that time, CDFW communicated that a Routine Maintenance Lake and Streambed Alteration Agreement (LSAA) per our Lake and Streambed Alteration program was required to move forward with the clearing. To date the City does not have a Lake and Streambed Alteration Agreement to authorize the work in those areas (Comment 3).

In 2019, the Wildlife Agencies and OCTA met with the City several times to discuss their outstanding mitigation obligations to OCTA and ACOE (OCTA 2018). These issues remain unresolved (Comment 4).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in reaching the stated goals of the Plan update; namely, aligning the existing Plan with current biological assessments, land uses, and environmental regulations and policies, while adequately identifying and/or mitigating the Plan's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. **Fly field Relocation.** CDFW strongly supports relocation of the model airplane fly field, as its continued operation in the vernal pool complex is in direct conflict with preservation and management of this important park feature. The goals of the Master Plan Update, as stated in the publicly available technical documents, cannot be achieved while private citizens continue take it upon themselves to grade and mow these sensitive habitats to maintain fly field runways on City property. Additionally, while these recreational activities have largely been considered passive, the degradation and improper maintenance of the pools is leading to a long-term reduction in vernal pool function and degradation.

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Not only would relocation of the model airplane fly field reduce habitat degradation and risk of unauthorized take of CESA candidate species, but it would also reduce the regulatory burden for the City. Based on current seasonal survey data, operation and maintenance of the fly field in its current location would likely require a CESA Incidental Take Permit (ITP) for western burrowing owl and Crotch's bumble bee. Western burrowing owl over-winters regularly on the Park's mesa, within proximity of the existing fly field. Mowing, grading, or any other maintenance of the fly field could cause unauthorized take of these species.

On October 15, 2024, the Fish and Game Commission published a Notice of Findings that designates western burrowing owl as a CESA candidate species. If the fly field is not relocated, no avoidance measures are implemented, and regular survey data is not collected, unauthorized take could occur. Furthermore, without Park enforcement, inadvertent attempts to flush western burrowing owl from the site may lead to indirect impacts to the species. Crotch's bumble bee has also been recently observed in Fairview Park (Endemic Environmental Services 2024). The California Fish and Game Commission accepted a petition to list Crotch's bumble bee as threatened or endangered under CESA, determining the listing, "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. At the fly field's current location, its operations and ongoing maintenance will substantially modify habitat and potentially reduce or impair the viability of future populations of bees. The Project may also reduce the number and range of the species without considering the likelihood that special status species on adjacent and nearby natural lands, such as Talbert Regional Park or Randall Preserve, may rely upon the habitat that occurs on the proposed Project site.

Finally, there is scientific evidence to support that the fly field activities lead to harassment of sensitive avian species, including raptors. Behavioral responses to model aircraft disturbances add to the daily energy expenditure of birds. When birds are disturbed, they can react with altered behaviors, such as agitation or flushing. Also, a bird may exhibit no outward signs of distress but experience an elevated heart rate (Ellenberg, Mattern and Seddon 2013), increased oxygen consumption, and change in metabolic rate, thus disrupting the bird's energy budget (Kempf and Hüppop 1998). Even outside breeding season, such disturbances can have a high impact to the individual bird as well as to the population. During the non-breeding season birds need to forage as much as possible to build up fat stores for migration, upcoming breeding activity, or harsh winter conditions (Kempf and Hüppop 1998). Birds that rely on Fairview Park for food and shelter could temporarily abandon these habitats during fly field use, leading to a loss of critical resources during key times, such as during migration or overwintering periods. This disruption can have significant consequences for their overall health, survival, and reproductive success. Depending on a species' breeding cycle, disturbances can have varying results (Ellenberg, Mattern and Seddon 2013). For fly field activities that occur at the beginning of nesting season, birds may choose not to nest in the area at all.

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As southern California's rare coastal open spaces are important stopovers for annual migration, model aircraft disturbances in those areas will affect many birds. Migratory birds rely on specific cues, including environmental factors such as light, temperature, and quiet, to guide their journeys. The presence of even lower-decibel noise and physical disturbances from fly field can interfere with these cues, potentially delaying or disrupting migration. This disruption could affect the birds' ability to arrive at their destination on time, impacting their survival and reproductive success (Schummer and Eddleman 2003). It can also interfere with the birds' flight paths, leading to potential collisions or forced changes in migration patterns. Noise and physical presence of model aircraft also affect the landscape and vegetation used by birds for cover and nesting. This is particularly concerning considering the known grading and mowing activities associated with the fly field maintenance.

2. **Enforcement.** To meet the stated goals of the Master Plan Update, CDFW strongly recommends that the Update include a discussion regarding the necessity for Park enforcement of adopted policy. Park enforcement is necessary to ensure the City complies with Fish and Game Code, as well as conditions as described in any forthcoming CDFW-issued permits (e.g., CESA ITP or LSAA). Without enforcement, continued habitat degradation through off-trail activity is likely, and unauthorized take under CESA is possible. We strongly recommend the City includes line-item funding for this purpose in its annual budget.
3. **Permitting Obligations.** The Fairview Park Master Plan Update should address in specific terms how and when it will meet its prior and ongoing wetland permitting obligations. CDFW has been engaging with the City since 2018, when CDFW was contacted regarding vegetation clearing in the artificial pond complex. Five years later in 2023, the City submitted a notification for routine maintenance in and around the ponds (EPIMS-ORA-38510-R5). On July 3, 2024, CDFW deemed that notification incomplete. To date, the City has not responded to CDFW regarding the outstanding items in our Notification Incomplete letter. It can only be assumed that, despite our efforts to negotiate in good faith with the City regarding wetland permitting obligations, seven years' worth of unauthorized impacts are likely to have occurred to areas subject to Fish and Game Code Section 1602. A Master Plan Update would not be complete without addressing the outstanding Routine Maintenance Agreement notification and any other one-time projects in the Park; this includes how they will be completed, funded, when, and by whom.

Given the City continues to disregard our requests for compliance, CDFW is within our rights to issue a Notice of Violation associated with the ongoing unauthorized impacts. FGC Section 1602 requires an entity to submit a written Lake and Streambed Alteration Notification to CDFW before: 1) substantially diverting or obstructing the natural flow of a river, stream, or lake; 2) substantially changing the bed, channel, or bank of a river, stream, or lake; 3) using any material from the bed, channel, or bank of a river, stream, or lake; and/or 4) depositing or disposing of debris, waste, material containing crumbled, flaked, or ground pavement where it may pass into a river, stream, or lake. Hence, any entity who engages in an activity

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subject to FGC Section 1602 without first notifying CDFW violates Section 1602. However, we continue to assert that it is in the best interest of the wetland resources, the City, and CDFW to issue an LSAA to authorize the impacts, if possible.

CDFW is available to meet regarding wetland permitting issues at the City's earliest convenience.

4. **Mitigation Obligations.** It is CDFW's understanding that restoration efforts associated with the Fairview Park Mesa, for which the City applied for a Restoration Management Plan (RMP) under CDFW's Cutting the Green Tape Program, were approved at the City Council meeting held on September 16, 2025. This restoration is aligned with the stated goals of the Master Plan Update and would fulfil the City's outstanding OCTA mitigation obligations. The draft restoration plan and the proposed CEQA addendum, prepared by the City, provide a sufficient level of detail regarding the work which will be authorized by the RMP, such that a contract can be bid in the absence of an issued permit.

In 2010, the City nominated the subject 23-acre Fairview Park Restoration Project (Restoration) for funding consideration to the OCTA. The Wildlife Agencies supported the recommendation for OCTA to fund the Restoration within Fairview Park. This Restoration was planned to be integrated into the OCTA Measure 2 (M2) NCCP/HCP as it has high potential to support similar vegetation communities to mitigate for identified M2 freeway construction activities; restores sensitive species listed under the California Natural Diversity Database; and should result in ecological benefits to the NCCP/HCP Covered Species. Once the Restoration is completed and approved by the Wildlife Agencies, OCTA will be able to use the restored habitat for mitigation as part of the OCTA M2 NCCP/HCP. The City agreed to ensure the long-term conservation of the natural resources at Fairview Park through verification of a conservation easement or other approved conservation instrument.

Below are the outstanding concerns pertaining to the Restoration that we have communicated to the City during meetings and phone calls over the past several years:

- a. Failure to restore the agreed upon habitat restoration acreage and implement a solution to resolve this shortcoming;
- b. Lack of documentation to demonstrate that adjacent mitigation for other projects does not overlap with the Project;
- c. Lack of progress on developing and recording a conservation easement or other approved conservation instrument over the entire project area; and,
- d. Lack of Lake and Streambed Alteration Notification for one-time work and ongoing maintenance of the Fairview Park ponds subject to Fish and Game Code section 1600 *et seq.*


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CDFW is committed to assisting the City in fulfilling its outstanding obligations. We look forward to working with the City to provide a complete RMP application package so that issuance of the RMP can move forward.

CONCLUSION

CDFW appreciates the opportunity to comment on the technical documents associated with the Master Plan Update to advise the City of Costa Mesa in identifying and mitigating the Updates' impacts on biological resources. Questions regarding this letter or further coordination should be directed to Jennifer Turner³, Senior Environmental Scientist, Supervisor.

Sincerely,

Signed by:

AD7D070BCB66466...
Glen M. Lubcke
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Sensitive Species at Fairview Park

ec: California Department of Fish and Wildlife
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Cindy Hailey, Staff Services Analyst

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REFERENCES

- CDFW. 2019. RE: Remedial Action Plan for Ascon Landfill Site Project, Huntington Beach, CA (SCH# 2013041010). Electronic mail received by X. Zhai from J. Turner on April 17, 2019. On file at CDFW.
- CDFW. 2023. EPIMS-ORA-38510-R5. Lake and Streambed Notification. Submitted by the City of Costa Mesa on June 26, 2023. On file at CDFW.
- CDFW. 2025. Incomplete Notification of Routine Maintenance Agreement No. EPIMS-ORA-38510-R5, Fairview Park Wetlands Maintenance Project. Issued July 3, 2024 to the City of Costa Mesa. On file at CDFW.
- ACOE. 2010. Personal Communication. Electronic mail received by C. Medak from J. Chung on April 16, 2010. On file at Carlsbad Fish and Wildlife Office.
- City of Costa Mesa. 2008. Fairview Park Master Plan March 1998, Revised February 2001 and November 2002, Updated November 2008. Online at <https://www.costamesaca.gov/community/fairview-park/fairview-park-master-plan>.
- City of Costa Mesa. 2015. Fairview Park. Electronic mail received by J. Edwards from B. Mejia on September 24, 2015. On file at CDFW.
- Ellenberg, Ursula, Thomas Mattern, and Philip J Seddon. 2013. "Heart Rate Responses Provide an Objective Evaluation of Human Disturbance Stimuli in Breeding Birds." *Conservation Physiology*. doi:10.1093/conphys/cot013.
- Glen Lukos Associates. 2015. Fairview Park Vernal Pool Restoration Plan for Restoration of Areas Within the Jurisdiction of the USFWS Pursuant to the Endangered Species Act. Prepared for the City of Costa Mesa. Costa Mesa CA.
- Hamilton Biological. 2025. Biological Resources Technical Report, Fairview Park, City of Costa Mesa. Prepared for the City of Costa Mesa. Online at <https://www.costamesaca.gov/home/showpublisheddocument/60543/638865317803900000>.
- Kempf, Norbert, and Ommo Hüppop. 1998. "Wie wirken Flugzeuge auf Vögel? - Eine bewertende Übersicht." *Naturschutz und Landschaftsplanung*. Summarized in English online at https://www.fai.org/sites/default/files/documents/ln_3-1_aircraft_effects_on_birds.pdf.
- OCTA. 2018. RE: Fairview Park Wetlands. Electronic mail received by J. Turner from L. Hill on December 11, 2018. On file at CDFW.

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Schummer, Michael L, and William R Eddleman. 2003. "Effects of Disturbance on Activity and Energy Budgets of Migrating Waterbirds in South-Central Oklahoma." *The Journal of Wildlife Management* 789-795.

USFWS. 2007. Endangered and threatened wildlife and plants; Designation of critical habitat for the San Diego fairy shrimp (*Branchinecta sandiegonensis*). Federal Register 72:70648-70714.

USFWS. 2014. Restoration, Management, and Protection of Vernal Pools within Fairview Park, City of Costa Mesa. Prepared by the Carlsbad Fish and Wildlife Office, Carlsbad, California.

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Attachment A: Sensitive Species at Fairview Park

Latin name Common name	Fed.	Global/ State	CNPS	Habitat/Regional Status	Potential to Occur in Fairview Park
Plants					
<i>Abronia villosa</i> var. <i>aurita</i> Chaparral Sand-Verbena	—	G5T2/S2	1B.1	Open sandy soils in alluvial washes, chaparral, and coastal sage scrub. Mainly in Riverside and San Diego Counties. Last extant Orange County population is at Fairview Park.	Possibly Extirpated. Small numbers found in northern lowlands in recent years; not detected in 2023, possibly due to brush clearance in area.
<i>Atriplex coulteri</i> Coulter's Saltbush	—	G3/S1S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. San Luis Obispo County south.	Moderate. Occurs within 5- 10 miles of park.
<i>Atriplex pacifica</i> South Coast Saltscale	—	G4/S2	1B.2	Clay soils on bluffs, mesas and open coastal areas. Santa Barbara County south.	Moderate. Historically occurred within 5-10 miles of park.
<i>Atriplex serenana</i> var. <i>davidsonii</i> Davidson's Saltscale	—	G5T1/S1	1B.2	Coastal cliff faces and bluffs. Santa Barbara County south to Orange County.	Moderate. Historical records within 5-10 miles of park.
<i>Calystegia sepium</i> ssp. <i>binghamiae</i> Santa Barbara Morning- Glory	—	G5TXQ/SX	1A	Coastal saltmarshes and stream banks. Localized populations in western Central Valley and southern California.	None. Name misapplied erroneously to plants in Orange County.
<i>Camissoniopsis lewisii</i> Lewis's Evening-Primrose	—	G4/S4	3	Sandy or clay soils on bluffs, mesas, and open coastal areas. San Luis Obispo County south.	Present. Scattered small populations along trail margins and other open areas.
<i>Centromadia parryi</i> ssp. <i>australis</i> Southern Tarplant	—	G3T2/S2	1B.1	Disturbed ground in saltmarshes and coastal sage scrub. Santa Barbara County south.	Present. Occurs along disturbed margins of trails; numbers fluctuate from year to year; more abundant in the park before creation of ponds in the northern lowlands.

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<i>Chaenactis glabriuscula</i> var. <i>orcuttiana</i> Orcutt's Pincushion	—	G5T1/S1	1B.1	Coastal dunes, bluffs, and mesas. Ventura County south; mostly in San Diego County.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of the site.
<i>Dudleya multicaulis</i> Many-stemmed Dudleya	—	G2/S2	1B.2	Clay banks, slopes, and sandstone outcrops. Kern County south to northwestern San Diego County.	Moderate. Occurs within 5- 10 miles of the park.
<i>Eryngium aristulatum</i> var. <i>parishii</i> San Diego Button-Celery	E	E	1B.1	Vernal pools. Mainly in San Diego County; the only Orange County population is at Fairview Park.	Present. Found in Ponds 4a, 4b, 4c. Numbers have declined over time; in recent years, plants appear to have been intentionally removed.
<i>Hordeum intercedens</i> Vernal Barley	—	G3G4/S3S4	3.2	Grasslands and vernal pools. Santa Barbara County south; scattered populations in the Central Valley.	Present. Occurs in grasslands and vernal pools; numbers in 2023 greatly reduced from previous years, probably due to increasing competition from non-native species.
<i>Horkelia cuneata</i> var. <i>puberula</i> Mesa Horkelia	—	G4T1/S1	1B.1	Sheltered coastal chaparral. San Luis Obispo County south to northwestern San Diego County.	Low. Occurs within 5- 10 miles, but park lacks coastal chaparral habitat.
<i>Lasthenia glabrata</i> ssp. <i>coulteri</i> Coulter's Goldfields	—	G4T2/S2	1B.1	Alkali soils and vernal pools. San Luis Obispo County south; scattered populations in the Central Valley.	Present. Pools 5 and 6 hold the County's largest population, with 100s to 1000s of plants; smaller numbers occur in a vernal wet half-pipe feature in the central mesa, adjacent to a large, disturbed area.
<i>Lycium californicum</i> California Boxthorn	—	G4/S4	4.2	Scrub habitats, mainly along the coast. Los Angeles County south.	Present. Occurs in coastal bluff scrub on the park's western slope.
<i>Microseris douglasii</i> ssp. <i>platycarpha</i> Small-flowered Microseris	—	G4T4/S4	4.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in vernal pools and grasslands in the park on both sides of Placentia Avenue.

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<i>Myosurus minimus</i> ssp. <i>apus</i> Little Mousetail	—	G5T2Q/ S2	3.1	Alkali soils and vernal pools. Mainly in the Central Valley and western Riverside County; the only Orange County population is at Fairview Park.	Present. Occurs around the margins of Pool 1; very few plants recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Nama stenocarpa</i> Mud Nama	—	G4G5/ S1S2	2B.2	Vernal pools and seasonally wet plains. Los Angeles County south; one record from southern Central Valley.	Present. Occurs in deepest parts of Pool 1.
<i>Nasturtium gambelii</i> Gambel's Watercress	E	T	1B.1	Freshwater marshes, streams, and drainage areas. San Luis Obispo County south to Orange County.	Low. Potentially suitable habitat present, but no extant populations known in Orange County.
<i>Navarretia prostrata</i> Prostrate Vernal Pool Navarretia	—	G2/S2	1B.2	Seasonally wet alkali soil and vernal pools. Central Valley; coastal slope from Alameda County south; one of two Orange County populations is at Fairview Park.	Present. Occurs around the margins of Pool 1, but fewer plants than expected were recorded in 2023, apparently due to competition from non-native plants and trampling.
<i>Orcuttia californica</i> California Orcutt Grass	E	E	1B.1	Vernal pools. Ventura County south; scattered populations in the Central Valley; the only Orange County population is at Fairview Park.	Present. Found in Pool 4a; several dozen plants emerged in 2023 after exceptional rains.
<i>Pentachaeta aurea</i> ssp. <i>alleni</i> Allen's Daisy	—	G4T1/S1	4.3	Clay grasslands and openings in coastal sage scrub. Known from San Joaquin Hills and Santa Ana Mountains of Orange County.	Low. Occurs within 5-10 miles of the park, but suitable habitat may not be present.
Saltspring Checkerbloom <i>Sidalcea neomexicana</i>	—	G4/S2	2B.2	Alkali springs and marshes. Ventura County south.	Low. Potentially suitable habitat present, but species not known to occur within 15 miles of park.
Invertebrates					
San Diego Fairy Shrimp <i>Branchinecta sandiegonensis</i>	E	G2/S1		Vernal pools and other ephemeral wetlands. Orange County south.	Present. Documented in seasonal pools on both sides of Placentia Avenue.

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Riverside Fairy Shrimp <i>Streptocephalus woottoni</i>	E	G1G2/ S2		Vernal pools and other ephemeral wetlands. Ventura County south.	Present. Documented in seasonal pools on west side of Placentia Avenue.
<i>Bombas crotchii</i> Crotch's Bumble Bee	—	C/S1S2	—	Many habitats. California and northwestern Baja California; most records from southern California.	Present. Uses native and non-native flowering habitats in the park (Endemic Environmental Services 2024). Nests in burrows, tufts of vegetation, cavities, rock piles, etc.
<i>Danaus plexippus</i> Monarch	C	G4T1T2 Q/S2	—	Breeds in areas with milkweed from Mendocino County south. In southern California, overwinters mainly in large stands of eucalyptus near the coast.	Present. Occurs as a transient; not known to breed or overwinter in the park.
<i>Panoquina errans</i> Wandering Skipper	—	G4G5/ S2	—	Coastal salt marsh with the required food plant, salt grass (<i>Distichlis spicata</i>). Santa Barbara County south.	Present. James Bailey observed one in the northern lowlands, but scarcity of salt grass in the park may preclude the species from becoming established.
<i>Helminthoglypta traskii traskii</i> Trask Shoulderband	—	G1G2T1 /S2S3	—	Many habitats. Coastal slope from Ventura County south.	High. Likely occurs in the less disturbed parts of the park.
Amphibians					
<i>Spea hammondi</i> Western Spadefoot	PT	SSC	—	Seasonal pools with nearby uplands suitable for aestivation. Shasta County south, excluding deserts.	Low. The species likely occurred at Fairview Park historically, because suitable habitat is present, but no records exist.
Reptiles					
<i>Actinemys pallida</i> Southwestern Pond Turtle	PT	SSC	—	Expansive natural areas that include permanent water and generally lack non-native turtles or exotic predators. Alameda County south, excluding deserts.	Present. One reported in Pond D in the northern lowlands (Endemic Environmental 2021).
<i>Phrynosoma blainvillii</i> Coast Horned Lizard	—	SSC	—	Expansive natural areas with sandy openings and native harvester ants. Shasta County south, excluding deserts.	Low. Unlikely to occur due to degradation and fragmentation of habitat, including presence of

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					Argentine ants.
<i>Aspidoscelis tigris stejnegeri</i> Coastal Whiptail	—	SSC	—	Widespread, in various habitats. Coastal slope from Santa Barbara County south.	Present. One reported at base of the park's western slope (Dudek 2003).
<i>Anniella stebbinsi</i> Southern California Legless Lizard	—	SSC	—	Various habitats with sandy soil or deep leaf-litter. Coastal slope from Ventura and Kern Counties south.	Moderate. May occur in areas with loose soils.
<i>Arizona elegans occidentalis</i> California Glossy Snake	—	SSC	—	Widespread, but uncommon, in habitats with loose soil. Coastal slope from Contra Costa County south.	Moderate. May occur in areas with loose soils.
<i>Salvadora hexalepis virgulata</i> Coast Patch-nosed Snake	—	SSC	—	Brushy and rocky habitats. Coastal slope from San Luis Obispo County south.	Low. Unlikely to occur due to degradation and fragmentation of habitat.
<i>Thamnophis hammondi</i> Two-striped Garter Snake	—	SSC	—	Widespread in the region, in and around perennial water.	Moderate. May occur in and around perennial water.
<i>Crotalus ruber</i> Red Diamond Rattlesnake	—	SSC	—	Various rocky habitats. Coastal slope from Los Angeles County south.	Low. Along the coast, not recorded west of the San Joaquin Hills. Records from Seal Beach area reportedly involve released animal(s).
Birds					
<i>Aythya americana</i> Redhead	—	SSC	—	Nests in various freshwater habitats; winters on lakes and bays. Range includes most of North America.	Present. A few have been recorded during winter. Some potential exists for nesting in the northern lowland ponds.
<i>Plegadis chihi</i> White-faced Ibis	—	G5/S3S4	—	Various freshwater habitats. Breeding range includes most of western North America; winters south to Central America.	Present. Up to several dozen non-breeders occur in the park in fall, winter, spring; small numbers have been recorded breeding in the northern lowland ponds.
<i>Sterna antillarum browni</i> California Least Tern	E	E	—	Breeds on sandy beaches, and in similar open coastal habitats, from Solano County south. Winters in western Mexico.	Present. Not expected to nest in the park, but local breeders occasionally forage in ponds in the northern

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					lowlands.
<i>Nannopterum auritum</i> Double-crested Cormorant	—	G5/S2	—	Freshwater and nearshore marine environments across most of North America. Nests in trees and snags near water.	Present. Non-breeders regularly forage in ponds in the northern lowlands. Could nest there as trees around the ponds mature.
<i>Ixobrychus exilis</i> Least Bittern	—	SSC	—	Resident of freshwater marshes with extensive emergent vegetation across large parts of North and South America.	Present. Small number of records from ponds in the northern lowlands; may nest in tules.
<i>Elanus leucurus</i> White-tailed Kite	—	FP	—	Nests in trees within expansive open space areas; more widespread during migration and winter. Forages in rangelands and marshy areas. Range includes large parts of North and South America.	Present. Forages regularly in the park. Could potentially nest in riparian woodlands.
<i>Aquila chrysaetos</i> Golden Eagle	—	FP	—	Extensive open areas across a cosmopolitan range; nests on cliffs and in tall trees away from settlements. In Orange County, occurs mainly in the foothills and mountains.	Low. Transients could occur rarely.
<i>Circus hudsonius</i> Northern Harrier	—	SSC	—	Nests on the ground in expansive open space areas; more widespread during migration and winter. Range includes most of North America.	Present. Small numbers regularly forage in the park's grassland and scrub habitats in fall, winter, and spring. Could possibly nest in the local area.
<i>Haliaeetus leucocephalus</i> Bald Eagle	—	E	—	Nests in tall trees, usually near water; forages in lakes, rivers, and marine environments. Range includes most of North America.	Present. Occurs rarely as a transient.
<i>Buteo regalis</i> Ferruginous Hawk	—	G4/S3S4	—	Breeds in central North America and winters mainly in expansive rangelands and agricultural areas to the south.	Present. Occurs rarely as a transient.

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<i>Buteo swainsoni</i> Swainson's Hawk	—	G5/S4	—	Breeds in Canada and western North America and winters from western Mexico to southern South America.	Present. Occurs rarely as a transient.
<i>Athene cunicularia</i> Burrowing Owl	—	C/SSC	—	Occurs across large parts of North America; nesting population west of the deserts nearly extirpated. Rare winter visitor in coastal southern California.	Present. Up to three often winter in Fairview Park, using open habitats on either side of Placentia Avenue. Not known to nest in the park.
<i>Asio flammeus</i> Short-eared Owl	—	SSC	—	Extensive open areas across a cosmopolitan range; nests in northern North America. Very rare fall/winter visitor across most of southern California.	Present. Occurs rarely as a transient.
<i>Empidonax traillii extimus</i> Southwestern Willow Flycatcher	E	E	—	Formerly a widespread breeder in southern California but now highly localized in areas of extensive riparian woodlands. Uncommon during migration.	Low (as a breeder). Habitat is marginal; no recent nesting records from Orange County. Occurs regularly, but uncommonly, as a transient.
<i>Pyrocephalus rubinus</i> Vermilion Flycatcher	—	SSC	—	Open country with trees. Formerly nested in the desert Southwest and into Mexico; now nests sparingly across southern California, including Orange County.	Present. Now apparently resident in small numbers; courtship behavior by a pair on 3/25/25.
<i>Vireo bellii bellii</i> Least Bell's Vireo	E	E	—	Nests uncommonly in riparian scrub and woodlands from Ventura County south; winters in western Mexico.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Lanius ludovicianus</i> Loggerhead Shrike	—	SSC	—	Occurs in open habitats across most of North America; nesting population on coastal slope of southern California nearly extirpated. Rare winter visitor in coastal southern California.	Present. Occurs rarely in fall and winter; does not nest.
<i>Poliioptila californica californica</i> Coastal California Gnatcatcher	T	SSC	—	Resident of coastal sage scrub habitat, favoring shallow slopes and elevations below 1,500 feet; Ventura County south.	Present. Small numbers resident in scrub habitats in Fairview Park and elsewhere along the lower Santa Ana River.

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<i>Campylorhynchus brunneicapillus</i> Cactus Wren, coastal populations	—	SSC	—	Rare and declining resident of cactus scrub habitat on the coastal slope from Ventura County south.	Extirpated. Small numbers formerly resident along the western bluff and elsewhere along the lower Santa Ana River have died out in recent years.
<i>Cistothorus palustris clarkae</i> Clark's Marsh Wren	—	SSC	—	Resident of marshes with extensive emergent vegetation; Los Angeles County to San Diego County.	High. A few late spring and summer records of Marsh Wren in the lowland ponds likely refer to <i>C. p. clarkae</i> , the local breeder. Records of Marsh Wren in fall and winter may involve migrant subspecies from elsewhere.
<i>Ammodramus savannarum</i> Grasshopper Sparrow	—	SSC	—	Nests in expansive grasslands and rangelands across most of North America. In Orange County, breeds mainly in the San Joaquin Hills and Lomas de Santiago; occurs rarely in fall and winter.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible, east of Placentia Avenue.
<i>Pooecetes gramineus affinis</i> Oregon Vesper Sparrow	—	SSC	—	Breeds in the Pacific Northwest and winters mainly in expansive open areas on the coastal slope of California.	High. Vesper Sparrows of unknown subspecies recorded in the park; <i>P. g. affinis</i> likely to occur occasionally in fall and winter.
<i>Passerculus sandwichensis rostratus</i> Large-billed Savannah Sparrow	—	SSC	—	Breeds in the northern Gulf of California; winters on the coast of southern California.	Present. Occurs rarely in fall and winter.
<i>Icteria virens</i> Yellow-breasted Chat	—	SSC	—	Nests uncommonly and locally in riparian woodlands with dense tangles across most of North America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
<i>Agelaius tricolor</i> Tricolored Blackbird	—	T	—	Nests in wetlands near expansive grasslands and rangelands required for foraging, mainly in California. Winters in rangelands and parks.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.

Brenda Green
 September 25, 2025
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<i>Xanthocephalus xanthocephalus</i> Yellow-headed Blackbird	—	SSC	—	Nests in wetlands with tall emergent vegetation across much of central and western North America. Winters mainly in Mexico.	Low (as a breeder). Occurs rarely as a transient or winter visitor. Nesting unlikely, but possible.
<i>Setophaga petechia</i> Yellow Warbler	—	SSC	—	Nests in woodlands across most of North America. Winters mainly from Mexico to South America.	Present. Small numbers nest in riparian habitats in Fairview Park and elsewhere along the lower Santa Ana River.
Mammals					
<i>Microtus californicus stephensi</i> South Coast Marsh Vole	—	SSC	—	Wetland communities and associated grasslands along the coast from southern Ventura County to northern Orange County (Sunset Beach).	None. Fairview Park lies seven miles southeast of the described range of this taxon; voles along the Santa Ana River should be <i>M. C. sanctidiegi</i> (Hall 1981).
<i>Perognathus longimembris pacificus</i> Pacific Pocket Mouse	E	SSC	—	Shrublands, coastal dunes, coastal sage scrub, and river alluvium habitats with loose, sandy soil. Coastal areas from Los Angeles County to San Diego County.	Low. Not recorded in Fairview Park or elsewhere along the Santa Ana River but may have occurred there historically. Very little sandy habitat potentially suitable for this species remains in the northern lowlands.
<i>Sorex ornatus salicornicus</i> Southern California Salt Marsh Shrew	—	SSC	—	Coastal salt marshes, and nearby freshwater wetlands, from Ventura County to Orange County.	Low. Fairview Park lacks the coastal salt marsh habitat with which this species is most closely associated.
<i>Neotoma lepida intermedia</i> San Diego Desert Woodrat	—	SSC	—	Widespread in scrub habitats, especially those with cactus, but sensitive to habitat fragmentation. Coastal slope from Monterey County south.	Moderate. Suitable cactus scrub occurs in the park, but this species may not be present due to fragmentation of the habitat.
<i>Lepus californicus bennettii</i> San Diego Black-tailed Jackrabbit	—	SSC	—	Occurs in various open settings, usually in expansive open space areas, from Santa Barbara County south.	Extirpated. Formerly recorded in the park (Hamilton 1995) and elsewhere along the lower Santa Ana River, but no recent observations known.

Brenda Green
 September 25, 2025
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<i>Choeronycteris mexicana</i> Mexican Long-tongued Bat	—	SSC	—	Ventura County south to Central America, often in coastal areas. Roosts in caves, crevices, under tree roots, and in man-made structures. Forages on nectar and pollen of agaves.	Low. Fairview Park generally lacks suitable roosting habitat and the agaves associated with this species.
<i>Eumops perotis californicus</i> Western Mastiff Bat	—	SSC	—	Roosts in crevices in cliffs and in tall buildings; feeds aerially. Widely distributed in California and Desert Southwest.	Low. The species may occasionally fly over the site while foraging, but suitable roosting is absent.
<i>Lasiurus frantzii</i> Western Red Bat	—	SSC	—	Roosts in foliage of many types of trees; feeds over a wide variety of habitats, often close to water in coastal lowlands. Widespread from western North America south to northern South America.	High. Riparian woodlands in the park appear suitable for roosting, and the park contains ample water and suitable foraging habitat.
<i>Lasiurus xanthinus</i> Western Yellow Bat	—	SSC	—	Roosts primarily or entirely in palms; often forages over water but also grasslands and scrub habitats. Southwestern United States south to Central America.	Moderate. Fairview Park lacks the palm trees most closely associated with this species, but Western Yellow Bats could roost in riparian woodlands and/or forage in the park.
<i>Antrozous pallidus</i> Pallid Bat	—	SSC	—	Widespread in western North America, in chaparral and similar habitats. Forages on the ground and in vegetation. Roosts in rock crevices and under tree bark.	Low. Fairview Park lacks extensive rocky areas or oak woodlands that would provide suitable roosting habitat, but Pallid Bats from other areas could potentially forage in the park.
<i>Taxidea taxus</i> American Badger	—	SSC	—	Occurs in expansive open space areas across most of western and central North America. In Orange County, recent records from the mountains and foothills.	Low. American Badgers have not been recorded at Fairview Park or elsewhere along the lower Santa Ana River. It is likely that the natural habitat is too reduced and fragmented to support a population.

Brenda Green
September 25, 2025
Page 21 of 21



November 18, 2025

Sent via email

Costa Mesa City Council
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626
cityclerk@costamesaca.gov

Re: Draft Master Plan Update for Fairview Park in the City of Costa Mesa

Dear City Council of the City of Costa Mesa:

We are writing to encourage the City of Costa Mesa to protect the valuable natural resources at Fairview Park (“Park”) by modifying the Draft Master Plan Update to re-site the current model airplane fly field away from Fairview Park. The City has an excellent opportunity to stop ongoing harms to sensitive species and habitats and set a foundation that protects and celebrates the unique and valuable natural resources present at Fairview Park.

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States. The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Orange County.

Fairview Park supports incredible biodiversity, including numerous threatened and endangered species as well as highly imperiled habitats. The Biological Resources Technical Report (“Report”) prepared for the Master Plan Update appropriately highlights these species, noting that the Park supports over 200 plants, several federally endangered birds and invertebrates, and several species that are currently candidates for protection under the California Endangered Species Act (“CESA”), among many other wildlife species. The abundance and diversity present in the Park are particularly notable for such an urban area.

Unfortunately, past use of the park has harmed valuable species and habitats. Invasive species, intentional malicious destruction of plants, and model airplane flying have all harmed vernal pools and the species that reside therein. In the case of model airplane flying, the Report provides a thorough accounting of the harms of this activity, including potential take of Crotch’s bumble bee and burrowing owl (both CESA candidate species), trampling of vegetation including rare special-status plants, spread of invasive plants, and disturbance of both resident and migratory birds (including nesting birds).

The Draft Master Plan Update (“Plan”) includes significant improvements in this regard but still allows for significant disruption to native species and habitats. We are very pleased to see that the Plan update moves the fly field away from the western side of the Park, removing the direct threat from this activity to the vernal pool watershed that has resulted in so much damage in the past. However, the east side of the park also hosts sensitive species and habitats. Burrowing owls have been observed overwintering in grasslands on both sides of Placentia Ave, and northern harriers, white-tailed kites, and other raptors use these habitats to forage. Seasonal pools on both the west and east sides of the Park also support federally endangered San Diego fairy shrimp. By moving the fly field to the east side of the Park, the Master Plan appropriately minimizes the impacts of this activity on vernal pools, but allows for the potential disruption and harm to special status birds, plants, and invertebrates on the east side of the Park. Special status species throughout the park should be protected, not just on the west side.

We fully support the Master Plan’s removal of hobby flying from the vernal pool watershed on the west side of the Park; this is an excellent improvement from existing conditions. We encourage City Council to strengthen the City’s commitment to its precious natural resources by protecting the east side of the park as well. Re-siting the fly field away from the Park entirely is the best way to remove the harmful impacts of this activity on any and all sensitive habitats and species present in the Park’s boundaries. We hope City Council will celebrate the progress that has been made with the current Draft Master Plan Update and push for even better stewardship of the Park’s wild spaces, ensuring that residents of Costa Mesa can enjoy this natural gem now and for years to come.

Thank you for the opportunity to comment on the Draft Master Plan Update. Please add the Center to your notice list for all future updates to the Project using the email addresses below and do not hesitate to contact the Center with any questions.

Sincerely,



Sofia Prado-Irwin
Staff Scientist
Center for Biological Diversity
2100 Franklin St. Suite 375
Oakland, CA 94612
(510) 844-7100 x548
spradoirwin@biologicaldiversity.org



A 501(c)(3) non-profit
corporation
Tax ID 82-2238446

Board:

Kim Hendricks
President
Julie Kennedy
Secretary
Jason Komala
Webmaster

Mailing Address:

FPA
P.O. Box 2471
Costa Mesa, CA 92628-2471

E-Mail Address:

info@FairviewParkAlliance.org

Website:

www.FairviewParkAlliance.org

Dec. 2, 2025

Mayor Stephens and City Council Members
City of Costa Mesa
77 Fair Dr.
Costa Mesa, CA 92626

Dear Mayor and City Council Members,

Fairview Park Alliance (FPA) is writing in regard to the Fairview Park Master Plan Update (FPMPU) continuation listed as Item 1 under 'Old Business'.

FPA wants to point out that new information has been publicized since the Nov. 18, 2025 city council meeting. The new information, USFW recommendations, was not available to the public prior to that city council meeting and if it was available to city council, it was never mentioned. FPA requests this new information be considered by city council. (see attached)

Another area of concern is the 'Public Comments' from the city's website for the Nov. 18, 2025 meeting. They do not have all the public comments that were sent in and validated before noon on Nov. 18, 2025. Just one example is the 500 signatures that The Waldorf School of Orange County submitted and were validated with Date/Time Stamp by the city clerk's office. There were also emails in support of the FPMPU but they were not included either, such as Fairview Park Alliance's email and comments. Long-time homeowner on Pacific Ave., Ronda Gilbert's comments aren't included either. Why? Her email was sent in a few days prior to the FVPMUpdate@costamesaca.gov amongst many others? Where is Kim Hendricks'? Were emails separated by the city clerk's office for some reason? If so how and why?

Fairview Park Alliance requests that ALL comments and emails be included for this item that were sent in before noon on Nov. 18, 2025. Any email or comment exclusions should be explained clearly and transparently to the public.

It is also apparent by looking at Public Comments emails from the Nov. 18, 2025 city council meeting, that those who were in opposition to the FPMPU used a generic format. The generic format has misinformation in it and pretends it knows about Measure AA but it is incorrect. Gliderplanes on a vernal pool watershed already violates Measure AA because they were never lawfully allowed there. See PAC's 2005 ruling and 2008 Master Plan. The glider launch/land site is next to the restrooms, not vernal pools.

The city's history of violations is costing the taxpayers exorbitant amounts of money. FPA hopes the city will follow CDFW and USFW recommendations to protect Fairview Park and by doing so will serve the whole community.

Why did Mr. Stephens align himself with HSS president Mat Garcia by choosing to focus on a 2014 USFW email that was sent about something else, instead of more recent emails by USFW and CDFW that are about gliderplanes in a vernal pool complex?

Mr. Stephens' questions about a 2014 USFW email were biased and unfair because *they ignored the reason* for the USFW email which was to address unlawful DG trails put on vernal pool 5 and 6 by the city at the time. Mr. Stephens' questions focused on something that was not included in the email and because it wasn't included, Mr. Stephens implied it was verification for it to be okay. This is a fallacy. Just because gliderplanes weren't included in that email doesn't mean that they are okay and emails

that are much more recent show they are not okay in Fairview Park. (USFW emails dated Jan. 27, 2025 and Nov. 17, 2025, CDFW emails Sept. 23, 2025 and Nov. 13, 2025)

Why wouldn't Mr. Stephens talk about the CDFW email dated Sept. 23, 2025 which he had and was the latest? Why was the CDFW email dated Nov. 13th, 2025 not given to council or the public until the middle of the meeting and the meeting had to be stopped to pass it out? Why was USFW's email dated Nov. 17, 2025 never mentioned?

Mr. Stephens' excessive special privileges to HSS has been at the cost of the taxpayers and Fairview Park's natural and archaeological resources. The year-long agreement in 2023 is long overdue to end. Mr. Stephens' direction to continue allowing HSS where they are is in violation of state and federal laws. (CDFW email Sept. 23, 2025) FPA urges the city to stop wasting money on a destructive hobby in Fairview Park for two Costa Mesa residents.

The Fairview Park Steering Committee has spent years doing comprehensive analyses based on all information available from the public and various experts. They have concluded and recommended multiple times that gliderplanes are not compatible in Fairview Park. Parks and Community Services (PAC's) agree with that recommendation. Why does Mr. Stephens and some council members not acknowledge or consider their recommendations? Why does Mr. Stephens and some other council members not ask about other potential locations outside of Fairview Park that would be suitable for the gliderplanes. Why?

Why does Mr. Stephens join in HSS President's attacks on city staff, all the experts, and state and federal agencies?

Why doesn't council trust the experts that they hired? What grounds do they have to distrust them? Council has not been able to give any reason to doubt the scientific findings by different biologists and restoration experts.

Why doesn't HSS want to move off the vernal pool complex? Don't they care that they are destroying sensitive habitat that supports endangered species? Perhaps HSS member, Mr. Costello spilled the beans during his public comments on Nov. 18, 2025 when he said that HSS didn't want to be put on the east side in the back where no one saw them. They liked being next to a sidewalk so they could talk to people and try to get them involved. It hasn't worked so far and I know people who avoid that sidewalk when HSS is there because they don't want to have to deal with them.

It is also apparent by looking at Public Comments emails from the Nov. 18, 2025 city council meeting on the city website, that those who were in opposition to the FPMPU used a generic format with misinformation in it that was given to them. Who in the community would knowingly give out misinformation to residents to push their personal interest? There are many unanswered questions that cast a false narrative on the update.

The reality is the FPMP Update could use a few changes but overall reflects the wants of the community and Fairview Park's uniqueness very well.

Now more than ever, USFW and CDFW expect the City of Costa Mesa to start living up to its responsibilities and protect the vernal pools and all of Fairview Park. Now more than ever, the community expects the City of Costa Mesa to protect Fairview Park for present and future generations.

Sincerely,
Kim Hendricks
President, Fairview Park Alliance

From: Medak, Christine <Christine_Medak@fws.gov>
Sent: Monday, January 27, 2025 11:38 AM
To: DALTON, KELLY M. <KELLY.DALTON@costamesaca.gov>
Subject: Re: [EXTERNAL] RE: Harbor Soaring Society at Fairview Park

Thank-you for the update.

For the record, the U.S. Fish and Wildlife Service does not support activities by the Harbor Soaring Society that impact either federally listed or sensitive biological resources within Fairview Park. It appears the measures we previously provided have not been fully implemented and there are resources in the vicinity of the flying field that were not previously considered (e.g., burrowing owl, bumblebee, and tarplant). We recommend that activities with

the potential to impact federally listed/sensitive species are discontinued until the City can complete a full evaluation of potential impacts as part of the master plan update.

Christine L. Medak
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
2177 Salk Avenue, Suite 250





December 2, 2025

Submitted via email to the Costa Mesa City Clerk: cityclerk@costamesaca.gov

Mayor John Stephens and Council Members
City of Costa Mesa
77 Fair Drive
Costa Mesa, CA 92626

RE: **SUPPORT** - Fairview Park Plan Adoption with Recommendations

Dear Honorable Mayor Stephens and City Council,

Coastal Corridor Alliance (CCA) would like to comment further as you make a decision to proceed on the Fairview Park Master Plan Update at the December 2, 2025 City Council Meeting. CCA supports following the natural resource agencies direction and recommendations, as well as using the best available expert science, within a specific implementation timeframe.

The community expects the Council to provide direction that leads to the incorporation of public comments and the 25 consultant, Steering Committee, and Parks and Community Services (PACS) recommendations into the Final Fairview Park Master Plan Update.

We understand the stakes and emotions are high. That said, we are deeply disappointed that the community was misled into submitting letters opposing the Plan. Staff clarified that most of the activities listed in the opposition letters (i.e., losing Concerts in the Park, loss of the model trains, loss of legal trails, etc.) were not actually threatened. This discounts many opposition letters, because the claims were simply not true.

Hundreds of letters of support for the Plan were submitted, including 500 from the Waldorf community. Further, **deference should be given to the wishes of the Tribal Nations with ancestral ties to this land**, which agree with scientists and support removing the hobbyist activities from the sensitive habitat areas to protect wildlife and historical cultural resources.

Sister Agency Recommendations

The Council must decide if it will follow the recommendations and science related to habitat and species protection offered by the California Department of Fish and Wildlife and the United States Fish and

Wildlife Service. The issues raised by these two agencies involve legal compliance with state and federal law. These issues should not be treated as a popularity contest by the Council. Instead, they should be at the forefront of the decision and evaluated for potential consequences (such as fiscal impact, enforcement action, and/or legal challenges). CCA supports following the recommendations of these agencies.

Financial & Legal Liabilities

The City has already spent a huge amount of taxpayer funds, to the tune of hundreds of thousands of dollars, including time monitoring, researching options, and discussing the Harbor Soaring Society (HSS) flyfield. HSS is not paying for these services, the community is. Ongoing costs for staff monitoring, and the legal risk of keeping HSS where they are in the vernal pool watershed is not something taxpayers should be burdened with for a select few hobbyists. Future costs will continue to be high whether the flyfield is on the west or the east side of Fairview Park, but not if it was moved from Fairview Park.

Staff and Master Plan Support

CCA has enjoyed a wonderful partnership with Kelly Dalton and his Fairview Park Staff. They are dedicated, professional, and full of integrity. They care deeply about stewarding the Park and its resources in fulfillment of the existing Master Plan and their job descriptions. The new Plan Update is a great update to the existing Plan, fulfilling its purpose with more specificity. We are disappointed community members chose to personally attack staff when they've worked for years to get to this meeting and decision, all at the City's direction.

The Real Impacts or 'Why' Plane Flying Isn't Compatible in Habitat

CCA remains concerned that lay observations, which are not scientifically informed, are being touted as truth. It is easy for people to assume that since they don't see impacts, that impacts don't exist. As is often the case, the biggest impacts can easily go unnoticed. Here are some of the reasons why flying model planes in sensitive habitats has unacceptable impacts (just like flying kites or other activities would).

1. **Model plane crashes are guaranteed to happen each session. Flyers cannot control where they land planes. Pilots trudge through native habitat to retrieve them**, causing damage to native plants, and disruption to animals who flee. This doesn't happen in predictable places along established paths. Instead, it happens anywhere the planes might crash, so the whole fly area is at an unpredictable risk (unlike the trains which run on a permanent track).
2. **Flying planes are foreign objects in birds' natural habitat air space.** We have observed birds either staying away, perched in a nearby tree watching and waiting until the plane is gone. Sometimes birds fly by to investigate planes. Often they dive at planes in flight, as we have documented many times. Either way, birds are wasting valuable and limited time and energy

otherwise needed for disruption-free survival in the only places left for them to feed. The flyfield makes surviving at Fairview Park more stressful for wildlife.

3. **Planes fly using the same thermals that raptors use to hunt.** This specific air space is needed for wildlife success and should be treated as a priority.
4. **Limiting hospitable habitat range:** Animals foraging at Fairview Park need the space at Fairview Park, plus that of adjacent lands, to meet basic survival needs. For example, the same pair of white tailed kites need the whole area along the Santa Ana River Estuary for hunting. If one area like Fairview Park is less safe and deters the pair from hunting, the whole area becomes too constrained to support the pair, potentially leading to extirpation. This regional impact is not easily identified with such a granular focus on Fairview Park.

Cactus Wren: The question was raised about why the cactus wren was extirpated after decades of plane flying at Fairview Park, inferring that it wasn't the planes that caused it. Cactus wren extirpation is the result of the **cumulative** impacts of decades of increased human activity at Fairview Park, including the planes. It can take some decades for extirpation to occur. Cactus wren also went missing in Banning Ranch / Randall Preserve for about eight years. But, recently they've returned to the Preserve. This means that there's a nearby population that could expand back into Fairview Park if safe habitat were provided for them. This would support a healthier, more genetically diverse population of Cactus Wren in the Coastal Corridor.

The above impacts are similar for unofficial trail use. Trail users may perceive that wildlife is unbothered by their presence, but this is certainly not the case. Trails disrupt otherwise contiguous native habitat, and people invariably cause wildlife to flee or interrupt their regular behavior.

The natural world is complex and highly sensitive. We learn more every day from the continued revelation of science. We invite the whole community, including hobbyists, to carefully consider the sensitive needs of our last remaining wild places and its native plants and animals.

Thank you for considering this additional information. As always, we are available for questions.

Sincerely,



Melanie Schlotterbeck
Stewardship Consultant

From: [Megan Lulow](#)
To: [FVPMP](#); [PACS Comments](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Support for the Fairview Park Master Plan Update
Date: Tuesday, December 2, 2025 11:44:46 AM

Dear Costa Mesa Mayor and City Council,

I support the Draft Fairview Park Master Plan Update. It presents clear, scientific findings that uphold the public's wishes for Fairview Park to prioritize habitat protection, restoration, and low-impact human use.

Please follow the recommendations of the Plan, City consultants, and regulator agencies, to protect these last, crucial habitats from the disruption of hobbyist activities.

Thank You,

Megan Lulow

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From: [SUSAN BURGESS](#)
To: [FVPMP](#); [CITY CLERK](#); [CITY COUNCIL](#); pacscomment@costamesaca.gov
Subject: Support for the Fairview Park Master Plan Update
Date: Monday, December 1, 2025 2:28:46 PM

To Whom It May Concern:

I support the Draft Fairview Park Master Plan Update. It presents clear, scientific findings that uphold the public's wishes for Fairview Park to prioritize habitat protection, restoration, and low-impact human use.

Please follow the recommendations of the Plan, City consultants, and regulator agencies, to protect these last, crucial habitats from the disruption of hobbyist activities.

Thank You

Susan Burgess

Sent from my iPhone

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From: [Peter Scharnell](#)
To: [PACS Comments](#); [CITY CLERK](#); [CITY COUNCIL](#); [FVPMP](#)
Subject: Subject: Support for the Fairview Park Master Plan Update
Date: Monday, December 1, 2025 2:22:17 PM

Dear Costa Mesa Mayor and City Council,

I support the Draft Fairview Park Master Plan Update. It presents clear, scientific findings that uphold the public's wishes for Fairview Park to prioritize habitat protection, restoration, and low-impact human use.

Please follow the recommendations of the Plan, City consultants, and regulator agencies, to protect these last, crucial habitats from the disruption of hobbyist activities.

Thank You,

Peter Scharnell

Secretary

Cell: [\(770\) 715-0619](#)



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From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [TERAN, STACY](#); [GONZALEZ, GLADYS](#)
Subject: FW: Costa Mesa master plan
Date: Monday, December 1, 2025 2:31:34 PM

From: debra marsteller <debmarst@gmail.com>
Sent: Monday, December 1, 2025 2:28 PM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: Costa Mesa master plan

Dear city Council, I am writing in support of our Master plan with the updates that will limit hobby and recreation activities at Fairview Park. I am so grateful we have this jewel within our city that protects the natural habitat. I am also grateful that we have such a wonderful city council. It's usually a thankless job and you guys are doing it well. Of course, limiting ice activities Here is a huge priority as well. I hope you will continue to do all that you can to protect our friends and neighbors

Debbie Marsteller
2878 Boa Vista Dr.,
Costa Mesa, 92626

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From: [Dan Silver](#)
To: [FVPMP](#); [PACS Comments](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Draft Fairview Park Masterplan, December 2, 2025 - SUPPORT
Date: Monday, December 1, 2025 3:00:16 PM

Dec. 1, 2025

Dear Mayor and Citymembers:

Endangered Habitats League would like to reiterate its support for the Draft Fairview Park Master Plan Update. It provides a sound scientific basis for carrying out the public's desire for a balance of low-impact recreation and wildlife protection.

Please follow the recommendations of City consultants and regulatory agencies to protect these last remnants of Costa Mesa's natural history from incompatible flying of airplanes and illegal trail use.

Thank You

Sincerely,
Dan Silver

NOTE NEW MAILING ADDRESS

Dan Silver, Executive Director
Endangered Habitats League
505 S Flower St #71001
PO Box 71001
Los Angeles CA 90071

213-804-2750
dsilverla@me.com
<https://ehleague.org>

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From: billmccarty2012@gmail.com
To: [CITY CLERK](#)
Cc: [PACS Comments](#); [CITY COUNCIL](#); [FVPMP](#)
Subject: Please approve the Fairview Park Master Plan update
Date: Monday, December 1, 2025 4:23:31 PM

I'm writing to voice my support for Draft Fairview Park Master Plan Update.

Please let the scientific data compiled by city consultants and regulatory agencies guide your actions. Approve the plan and its recommendations, and prioritize habitat protection, restoration, and low-impact use for Fairview Park.

Thank you

Bill McCarty
Costa Mesa

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From: [Christine Reese](#)
To: [FVPMP](#); [PACS Comments](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Fairview Park Restoration
Date: Tuesday, December 2, 2025 7:12:44 AM

Hello,

I would like to express my encouragement towards approving the Fairview Park Master Plan Restoration as it stands. I think this is a unique opportunity to show the world what taking care of a sensitive habitat can bring not only to the health of the the land but for the community. The young will get to see this committed stewardship and science taking place. One of the most beautiful things we can do with our hands is to help nature grow again. Our connection to the earth gives people spiritual fulfillment, well being and a sense of true belonging. Biblically, God asks us to be stewards of the earth. It is our home and fulfills a deep need for each of our souls.

With 8.5 billion people in the world, our natural world is in need our love, attention, and human ingenuity more than ever. Please allow Fariview Park to become an example of this care.

What I witnessed last City Council meeting was a huge support from the community for restoration of Fairview Park's sensitive habitat. There has been such a beautiful devoted volunteer effort so far to help restore the land. Let's not impede on their progress but instead support it. It's not every day that a unique project like this can come together and present itself with a successful plan and outcome. If we can somehow make it an educational venture for all residents and visitors, I think this could be an excellent draw to the our wonderful city of Costa Mesa.

May I also suggest possibly roped off areas instead of fences? This may be less off putting for those who like to stroll through regularly.

I would like to think that in a projected amount of time that an increase of activities could be added back to the park but for now I think it really is smart to not initiate impactful activities as described by the experts involved.

Possibly find ways for HSS to fly planes in near by areas that are not as sensitive?

Thank you all for listening and discerning all points of view in this matter,

It is not an easy job but I do believe the majority has spoken,

With much consideration,

Christine Reese
1885 Parkview Circle
Costa Mesa
Resident since 2014

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From: [Catherine Colon](#)
To: [FVPMP](#); [PACS Comments](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Support for the Fairview Park Master Plan Update
Date: Tuesday, December 2, 2025 1:16:00 AM

Dear Costa Mesa Mayor and City Council,

I fully and passionately support the Draft Fairview Park Master Plan Update. Costa Mesa and the surrounding areas are so incredibly lucky to have such an area of outstanding natural beauty and scientific interest. I was born and grew up in California and it is heart breaking to see the loss of so many important habitats. Their value cannot be over estimated for so many reasons, one of which is the benefit of mental health and stress relief from our fast paced lives. Fairview Park provides this precious resource for the community.

The plan itself is impressive in the way it has scientifically evaluated the site and drawn attention to what is clearly necessary. I wholeheartedly agree with the need to prioritize habitat protection, restoration, and low-impact human use.

I urge you to please follow the recommendations of the Plan, City consultants, and regulator agencies to protect these last, crucial habitats from the disruption of hobbyist activities. It is bizarre to me that there should even have to be an argument about this point as no one is saying this small group of people shouldn't be able to engage in their hobby, just that they should do so at less sensitive locations.

Please put the protection of these habitats first. It would be unimaginably tragic to lose such a precious resource and a great legacy for the council to protect it for its community.

Thank you.

Kind regards,
Catherine Colon
3033 Java Road
Costa Mesa, CA 92626

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From: cathyboyd2024@gmail.com
To: [CITY CLERK](#)
Cc: cathyboyd2024@gmail.com
Subject: Please Approve the Fairview Park Master Plan Update
Date: Tuesday, December 2, 2025 11:48:46 AM

Hello!

Please, please approve the Fairview Park Master Plan Update! It's so important to save our wildlife and the noise from the planes hurts our ears and disrupts the quiet and serenity of the park for humans and the little critters.

Thank you and PLEASE APPROVE THE FAIRVIEW PARK MASTER PLAN UPDATE!

Thanks, Cathy Boyd

Cathy Boyd
(714) 345-6224

Costa Mesa Resident – 40 years.

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December 2, 2025

HSS Written Public Comment – December 2, 2025 City Council Meeting

From: Mat Garcia, President, Harbor Soaring Society (HSS)

Re: Draft Fairview Park Master Plan Update – Request to Halt Update and Initiate Local Historic Landmark Designation for the Flying Field

Mayor, Mayor Pro Tem, and Councilmembers,

Executive Summary

- The Draft Fairview Park Master Plan Update is **misaligned with Measure AA, technically inconsistent**, and **overwhelmingly opposed** by the community
– *155 of 195 written comments (11/18) opposed the plan.*
- The plan appears driven by **consultant incentives** (MIG, LandIQ, Endemic Environmental) tied to large restoration contracts and grant-funding opportunities—not by community priorities or decades of balanced park use.
- **CDFW letters relied on staff-supplied descriptions**, not direct observation, resulting in:
 - major inconsistencies between the 2023, September 2025, and November 2025 letters;
 - selective application of environmental concerns to the flying field while **ignoring identical or greater impacts** from trains, concerts, dog-walking, bikes, and trails.
- Under CEQA, the flying field (since 1964) and trains (since the 1980s) are **existing, legally established uses**, which:
 - **do not require removal**,
 - must simply avoid *new* impacts, and
 - lose this protection if relocated (triggering new CEQA review, potential permits, and Measure AA issues).
- Relocating the flying field would **destroy the activity entirely**, as the proposed site is not aerodynamically viable and would be treated as a **new CEQA project**, not a continuation of historic use.

HSS respectfully requests:

1. **Halt the Master Plan Update process**, and
2. **Initiate Local Historic Landmark designation** for the Fairview Park Flying Field to protect its 61-year community legacy.

Introduction

Thank you for the opportunity to submit written public comment on tonight's continuation of the Draft Fairview Park Master Plan Update deliberations. After decades of active engagement with the City and with resource agencies, and after extensive review of the technical documents and public records, HSS believes the Draft Master Plan Update is fundamentally misaligned with community priorities and with the intent of Measure AA.

HSS requests that the City Council take the following actions:

1. **Stop the Fairview Park Master Plan Update process**, and
2. **Direct staff to begin the process of designating the Fairview Park Flying Field as a Local Historic Landmark**, protecting its 61-year legacy as a unique and irreplaceable community resource.

To assist the Council, this comment is organized into four key areas.

1. Financial and Institutional Incentives Behind the Master Plan Update

Public records show that LandIQ and MIG—two firms central to the Draft Master Plan Update—hold **multiple active contracts with the City** that are directly tied to large-scale restoration activities in Fairview Park.

These include:

- **LandIQ's July 1, 2025 contract** to support the **Mesa Habitat Restoration Project**, and
- **MIG's February 4, 2025 Professional Services Agreement** for continued specialized planning and restoration-related support.

In addition to these standalone contracts, **LandIQ also serves as MIG's subcontractor** for the biological and technical work used to justify major changes recommended in the Draft Master Plan Update.

LandIQ and MIG are financially and professionally incentivized to promote a Master Plan framework that:

- maximizes restoration acreage,
- increases justification for future grant funding,
- expands consultant-managed projects, and

- elevates regulatory oversight by framing long-standing human uses as “non-compatible.”

This incentive structure does *not* inherently align with the community’s interests or Measure AA’s mandate. When viewed alongside the Draft Master Plan proposals—mass fencing, eliminating informal trails, restricting bike access, and relocating the flying field—the pattern is unmistakable:

Consultant-driven restoration ambitions are steering the Master Plan toward the most restrictive interpretation possible, even when the environmental data does not support such extremity.

This does not imply wrongdoing. But it does mean the Master Plan Update was produced within a framework where the consultants benefit most from **maximizing restoration acreage and minimizing human use**, rather than balancing ecological protection with the park’s 60-year history of recreational and educational activities.

This is not a community-driven plan. It is a consultant-optimized plan. Other consultants including Barry Nerhus’ company, Endemic Environmental (\$1.4M contract issued), have also weighed in on this topic and are equally financially misaligned with the community.

2. CDFW Communications Were Elicited by Staff and Contain Clear Inconsistencies

HSS has now reviewed three key CDFW communications:

- The **2023 CDFW email** recommending closure of the flying field, written only because staff explicitly solicited such a statement;
- The **September 25, 2025 CDFW letter**, which raises broad theoretical concerns; and
- The **November 13, 2025 CDFW letter**, which significantly reframes or softens previously stated positions.

These letters vary dramatically in tone, conclusions, and scope.

Notably:

- **None of the letters identify the model trains**—which operate with permanent infrastructure, noise, vibration, crowds, year-round vegetation removal, and are located in burrowing owl habitat—as an ecological concern.

- **All letters appear to rely heavily on staff-supplied descriptions**, not first-hand observation (no CDFW or USFWS staff have observed flying field operations in at least five years).
- The **2023 letter was solicited specifically to support staff’s proposed closure of the flying field**, as demonstrated by email records.
- The **September and November 2025 letters conflict with one another**, raising serious questions about reliability and context.

Regulatory agencies depend on accurate, complete representations from the City. When staff repeatedly presents worst-case or incomplete information, the resulting letters reflect the *input*, not independent analysis.

The flying field has operated for **61 years** without documented biological impact. That history deserved to be included, yet was not.

3. The Importance of “Existing Use” Under CEQA

The flying field (1960s) and the model trains (1980s) are not new activities. Under CEQA, they are:

“Existing, legally established uses.”

This matters enormously.

CEQA treats existing uses differently from new or relocated uses.

CEQA distinguishes between:

- **Existing, longstanding, permitted park uses** (like the flying field since 1964 and the trains since the 1980s), and
- **New or relocated projects**, which are examined as *new impacts* even if the activity itself is familiar.

Why this matters:

Because the flying field and the trains are existing, legally established uses, CEQA does **not** require their removal. CEQA requires that:

- existing uses avoid **new** or **additional** impacts, and
- any maintenance or operations stay within their historical footprint and character.

This is precisely how the model trains and model gliders have coexisted with wildlife for decades:

no documented biological impacts, no expansion, and operations consistent with past practice.

However, if the City relocates the flying field—or the trains—to a different location:

- CEQA treats that relocation as a **new project**, not a continuation of the existing use.
- This triggers a much higher regulatory standard, including potential:
 - environmental impact analysis,
 - mitigation requirements,
 - consultations with resource agencies,
 - possible take permits, and
 - potential Measure AA implications, including the need for a public vote.

This is why existing-use status is not just historically important — it is the legal foundation that keeps these activities viable in Fairview Park.

The ‘meat & potatoes’:

- The flying field and the trains remain permissible *because they are long-established existing uses*, not new intrusions.
- Eliminating or relocating them erases that legal protection and turns a stable, low-impact, historic community asset into a new CEQA-triggering project.
- And moving the gliders destroys the activity entirely because the new location is not geographically suitable.

For these reasons, preserving the flying field and the trains **at their long-established locations** is both environmentally responsible and legally prudent.

4. Community Impact, Logical Inconsistencies, and HSS Requests

The Draft Master Plan applies environmental logic inconsistently. The very concerns cited against gliders—noise, movement, presence, vegetation disturbance, habitat adjacency—are present to a **far greater degree** for:

- the model trains,

- Concerts in the Park,
- dog walking,
- jogging,
- bicycle use, and
- mesa trail networks.

If gliders are “non-compatible,” then nearly every beloved community activity is likewise non-compatible.

In our 11/18/2025 Council presentation, HSS emphasized:

- The environmental arguments used against gliders apply equally—or more strongly—to the trains, concerts, bikes, dog walkers, and informal trails.
- Yet only one activity—the flying field—is targeted for elimination.
- This selective application of biological concerns undermines the credibility of the Draft Plan and of the resource agency letters.
- Community input overwhelmingly **opposes** the Draft Plan. Of 195 written comments on 11/18:
 - **155 opposed**
 - **29 supported**
 - 11 were indeterminable
- The Plan has not been built on transparent, neutral, or complete technical analysis.
- The existing 2008 Master Plan already provides a framework that balances habitat and community use consistent with Measure AA.

HSS therefore respectfully renews the following requests:

(1) Stop the Fairview Park Master Plan Update process.

The Draft Plan is not supported by the community, contains extensive technical inaccuracies, and appears driven by financial incentives rather than public benefit.

(2) Direct staff to begin the process of designating the Fairview Park Flying Field as a Local Historic Landmark.

For 61 years, this field has served generations of Costa Mesa youth, families, educators, engineers, veterans, and aviators. Its cultural, educational, and historical value is undeniable and irreplaceable.

Conclusion

Fairview Park should remain what the community has always intended—a **shared open space that protects wildlife and supports human experience**, not a fenced preserve shaped by consultant contracts and grant incentives.

HSS stands ready to collaborate with the City and resource agencies to protect sensitive species while maintaining long-standing community uses — the very balance the park has successfully achieved for generations.

HSS asks the City Council to protect the legacy of Fairview Park by halting the Master Plan Update and initiating historic landmark designation for the flying field.

Thank you for your time and your careful deliberation.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Respectfully,

Mat Garcia

President, Harbor Soaring Society, a 501(c)(3) nonprofit

From: [Weston Everett](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, December 2, 2025 11:34:03 AM

Mayor, Mayor Pro Tem, Councilmembers,

I agree with the below comments, the park should remain essentially as-is for community use, there is ample space for wildlife in the park and surrounding natural areas beyond the mesa.

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
[Your Name]
[Optional City or Neighborhood or ZIP]
[Optional Phone]

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From: [Lisa S.](#)
To: [CITY CLERK](#); [CITY COUNCIL](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, December 2, 2025 8:40:20 AM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve Concerts in the Park, bicycle and dog-walking trail access, the model glider field in its current location, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife AND continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,

Lisa Snowden
City resident since for 20+ years

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From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [TERAN, STACY](#); [GONZALEZ, GLADYS](#)
Subject: FW: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, December 2, 2025 8:15:49 AM

From: Ron Grater <ron.grater@gmail.com>
Sent: Tuesday, December 2, 2025 8:12 AM
To: CONSTITUENT SERVICES <constituentservices@costamesaca.gov>
Subject: I do NOT support the Draft Fairview Park Master Plan

Good morning members,

I started flying RC Gliders at the field in the park next to the Santa Ana River Bed in the 1970's.

I built the gliders from kits and enjoyed the peaceful and relaxing feeling of soaring my glider up into the sky.

In 1967/68, as a Marine serving on the DMZ, I came home a mess.

Taking up my hobby of building gliders and flying them helped me get back to my old self.

There is a lot to say for what comes out of building an aircraft that flies.

As a young boy I developed the ability to build flying models. giving me the proud feeling of accomplishment.

I knew early in life I wanted to be an engineer. After completing 2 years at Long Beach City College, I joined the Marines on their 2 year program, 1966. I went to Vietnam and served as a "ground-pounder", on missions that changed my perspective in life.

Coming home was difficult at Cal State Long Beach with demonstrations against the war.

I was flunking out of College, when one day, I remembered that I never failed at anything before and decided to knuckle down and study hard and got my degree, and became an engineer working at North American Aviation on the B-1 bomber.

Why am I telling you this???

Because model plane building and flying and overcoming the problems faced while building the planes helped develop me into the person I am today. And it helped me overcome the issues I faced coming home from Vietnam.

Today I have three children and one grandson and a very loving wife.

I believe that children at early ages must have interests that instill in them pride of accomplishment and being around others to share in the same interests. This helps young people grow up with goals and ambitions, to move forward in life to accomplish those goals and set new ones and become a productive member of our American Society and also help others do the same.

Please do not allow the present draft of the Fairview Park Master Plan to pass as it

is.

The city of Costa Mesa needs places for young people to learn and strive to accomplish their goals and venture into engineering where our country needs more good Engineers in the future. It needs a place for young and old to enjoy a park that offers so much to help people in the community. I mentioned young people a lot but the senior citizens of the community also need a place to enjoy mixing with other people and feeling good about themselves and their accomplishments in old age.

Thank you for reading this and sincerely hope it makes a difference in the way you look at Fairview Park.

Ronald Grater

Member of the AMA, the Scale Squadron of Southern California, the Orange County Modelers Association and the VA.

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From: [Gavin Fujimoto](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, December 2, 2025 8:00:52 AM

Mayor, Mayor Pro Tem, Councilmembers,

I am a student at the University of California, Irvine who discovered the Harbor Soaring Society and its activities last spring through a university-level design project. Although I am not a resident within Costa Mesa, it has become a part of my life to make the drive every other Saturday to Fairview Park and meet with other members.

I am writing to express that I do not believe the current location or the activities of the flying field have been particularly invasive to the natural environment or ecological activity at Fairview Park. When I joined the society, the organizers made it abundantly clear to respect the surroundings and follow all rules set by the city and community. Members have no tolerance for unruly behavior from anyone, even the children that often participate. Anybody operating a glider is expected to demonstrate control over their aircraft or have assistance from somebody who does.

I understand that the current plans have, to a limited extent, proposed a new location for the flying field. However, I believe there are genuine concerns about the timeline for this plan to come into fruition, and the state of the soaring society in the meantime. Historically, changes to the operation of the flying field have only resulted in more restrictions, without much communication with the soaring society to explore the impact or discuss alternative measures. There exists a genuine fear that the existing plan may be used as a step towards shutting the society down completely.

I do not believe enough emphasis is placed on the importance of the field to the Costa Mesa community. As an aerospace engineering student who only discovered my passion early into my undergraduate years, I can only imagine how my life would have changed had I known about the soaring society years before. I am positive that the opportunity to interact with the members and fly the gliders means a lot to the young children and even more so to the high schoolers who are in the process of deciding their own future. I've even shared my own university experiences with concerned parents and the students themselves, which I would have never had the chance to do otherwise. The activities of the society bridge the generational gap and bring together people of all backgrounds, a rarity in this day and age.

In its current state, I cannot support the Fairview Park Master Plan and hope revisions are made to preserve the community as much as the rich ecology of the park.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Gavin Fujimoto
Foothill Ranch
9498998424

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From: [Janet Barker](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, December 2, 2025 7:56:46 AM

Good morning,

This is a park and should not be used as a nature preserve.

This park is one of the few accessible public spaces in our community, and restricting its use would negatively impact families, seniors, and residents who depend on it for recreation and community activities.

There are ways to protect the natural environment without removing the park from public use. I strongly urge you to reconsider this decision and work with residents to find a balanced solution that preserves both nature and public access.

Mayor, Mayor Pro Tem, Councilmembers, I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly. I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park. If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan. Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities. Please include this comment in the public record for the December 2, 2025 City Council meeting. Thank you.

Janet Barker
Costa Mesa, CA 92626

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From: [Ferran Marti](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 11:18:28 PM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly. I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park. If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan. Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities. Please include this comment in the public record for the December 2, 2025 City Council meeting. Thank you,

Ferran Marti

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From: [Henry Smith III](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 10:04:35 PM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. I have written about this previously expressing concern for lack of access for many groups using the park, bicycles, dog walkers, concerts, etc.

In addition to previous comments, I believe recent developments in Orange County such as the coming preserve on the former Banning Ranch site mean there is enough “preserve” in the area. A compromise where part of Fairview becomes a preserve and the remainder continues to be publicly accessible open space would be a good solution. **Please send this plan back to the consultants asking for compromise to be included.**

Henry A. Smith III
Harbor Soaring Society

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From: [Julie Huynh](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 9:35:52 PM

Mayor, Mayor Pro Tem, Council members,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly. My family with 2 small kids live to ride their bikes in the park and also the goat hill junction railroad is a gem that makes our city notable.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Julie Huynh
92626 Zip Code
909-379-9590

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From: [Phil G](#)
To: [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 8:56:04 PM

I do NOT support the Draft Fairview Park Master Plan

I support model airplane flying at the park. It should be allowed every day.

Phil Garcia

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From: [Marc McReynolds](#)
To: [CITY CLERK](#)
Subject: I don't like the current Fairview Park master plan
Date: Monday, December 1, 2025 7:53:19 PM

For starters, I'm concerned that some city staff may have misled state/federal agencies as to the facts of park usage, in an effort to secure funding for Fairview Park plan revisions favored by a (vocal) minority of the community. It's especially concerning if their intent is an end-around of Measure AA, depriving voters of a chance to decide for themselves the future of this unique community resource.

The ecology of the undeveloped park area has evolved for thousands of years *in concert with* human usage and even habitation. "Ecology Studies" types fail to understand and therefore acknowledge the resilience and change inherent in dynamic ecosystems. All they can do is take a snapshot, stare at the picture, and tell themselves that the only/best outcome is for the picture to remain exactly the same for... forever, I guess. But as the larger exo-environment continues to change around a particular spot, such static thinking is at best wishful, and more likely counterproductive (unintended consequences of well-intended static-think).

In the fifty-plus years I have enjoyed the undeveloped area, species have no doubt come and gone, same as anywhere else. But I'll hand in my science degree if that's been because of kids riding their bikes over a few dirt mounds next to a paved trail... or me walking through the well-defined interior trails... or some floaty gliders touching down mostly in a small parcel adjacent to a paved service road.

Thank you for your consideration. Marc McReynolds

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From: [Jamie Pendarvis](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 7:52:55 PM

Mayor, Mayor Pro Tem, Councilmembers,

We do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Jamie and Jazi Pendarvis
Mesa Verde

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From: [Dan Vozenilek](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 7:49:34 PM

Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Major changes are needed so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I am particularly concerned that staff have singled out Harbor Soaring Society for disproportionate scrutiny, despite its decades of safe and responsible operations. At the same time, staff have failed to properly vet alternative flying field locations, leaving the impression of bias and undermining confidence in the process. A fair and transparent review requires that HSS be treated equitably and that all potential sites undergo rigorous, documented evaluation before any changes are considered.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,

Dan Vozenilek
Costa Mesa resident

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From: [mikeftre](#)
To: [CITY CLERK](#)
Subject: FW: FVP Master Plan
Date: Monday, December 1, 2025 7:48:33 PM

----- Original message -----

From: mikeftre <mikeftre@gmail.com>
Date: 12/1/25 7:33 PM (GMT-08:00)
To: citycouncil@costamesaca.gov, citycleek@costamesaca.gov
Subject: FVP Master Plan

Mayor, Mayor Pro Tem, Councilmembers:

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and please direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I again want to comment on staff's untruthful comments to CDFW stating HSS grades frequently and how's before each flying session. To my knowledge, the field was graded one time, decades ago, by the city! Mowing is performed with permission of, and under guidance of, staff & city biologist, and was last done over a year ago.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Mike Costello
714-875-7994
mikeftre@gmail.com

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From: [Don Atchinson](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 7:43:24 PM

Mayor, Mayor Pro Tem, Councilmembers, I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly. I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park. If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan. Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities. Please include this comment in the public record for the December 2, 2025 City Council meeting. Thank you, [Your Name] [Optional City or Neighborhood or ZIP] [Optional Phone]

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From: [Jen R](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I DO NOT support Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 7:38:33 PM

Mayor, Mayor Pro Tem, and Councilmembers,

It has been brought to my attention the goal of changing Fairview Park, ostensibly for the better of all who seek to use it. However, it is my understanding this revision of the Master Plan will destroy rather than preserve and defend this wonderful green space, home to varieties of wildlife.

We must keep our parks as welcoming and nurturing as possible to encourage everyone's experience in them. Erecting new fences will not accomplish this. Denying access to trails, dog-walking areas, and removing accessible arts and cultural programs absolutely will not accomplish this.

Please respect and honor Measure AA. Please do not move forward on this Plan update and instead retain the 2008 version of the Master Plan.

Further, I request my comments be included in the public record for the December 2, 2025 City Council meeting.

Thank you.

Jennifer Richardson
Santa Ana, California

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From: [Matthew Schultheis](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 7:04:20 PM

Mayor, Mayor Pro Tem, Councilmembers,

As a local engineer in the aerospace community, I would like to remind the city council the importance of maintaining the glider field at Fairview Park. In my personal experience, flying gliders has led me to a career in aerospace engineering. It is not a trivial sport, but one that I recommend every child, adult or aerospace enthusiast takes part in. It develops the means which I personally experienced to grow into an aerospace engineer, whether it's simply balsawood, fiberglass, or carbon composites it creates that step towards a career in aerospace aviation and beyond.

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Matt
Costa Mesa, 92627

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From: [Liz Colenbrander](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: We do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 6:03:12 PM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,

Family of Mesa Verde

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From: [L. L.](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Monday, December 1, 2025 5:59:36 PM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,
Lam Lam

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From: johnritt@yahoo.com
To: [CITY COUNCIL](#)
Cc: [CITY CLERK](#)
Subject: I do not support the Fairview Park Master Plan
Date: Monday, December 1, 2025 10:43:12 AM
Importance: High

Mayor, Mayor Pro Tem, Councilmembers, and City staff

As a longtime Costa Mesa resident who participated in the 1998 and 2008 Fairview Park Master Plan updates, I supported revisions that reflected the needs and interests of our community. Those earlier updates struck a balance between public access and environmental stewardship. I am concerned that the current Master Plan update moves away... from the guidelines set forth in Measure AA and toward... converting the park into a preserve without meaningful compromise. Some claims advanced in support of sweeping restrictions do not seem to be grounded in impartial, publicly vetted studies. If adopted, this direction risks shifting the park from stewardship, to exclusion—more fences and less access—at a time when Costa Mesa’s population is growing and residents need thoughtful, nearby access to nature. We should preserve that legacy by choosing a reasoned, evidence-based plan that protects sensitive habitat and cultural resources while keeping the park meaningfully open to the public.

Requested Revisions to the Proposed Master Plan

- **Prioritize compatible access:** Maintain existing community uses that are compatible with conservation, including Concerts in the Park, the Model Railroad, Waldorf School access, pedestrian and jogging trails, and the Model Glider Field in its current location.
- **Ensure an inclusive process:** Engage a broad cross-section of resource agencies, residents, experts, and stakeholders so no single interest dominates outcomes.

Fairview Park can and should remain both protected and accessible. I respectfully ask the Council to revise the proposed Master Plan update to reaffirm a balanced approach that sustains the current level of public access.

Thank you for your consideration.

John Rittenhouse
Mesa Del Mar

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From: [Paul-Erik D](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Sunday, November 30, 2025 12:00:32 PM

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Regards, Dr Paul Dcarpio
Costa Mesa Resident

Dr Paul-Erik D
Project/Program Manager (PMP, PgMP, PhD EE)
+1 (508) 333 - 3591
drpdcarpio@gmail.com

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From: [Curt Nguyen](#)
To: [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Sunday, November 30, 2025 3:21:44 AM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the November 18, 2025 City Council meeting.

Thank you,
Curt Nguyen
Zipcode:92626

[Yahoo Mail: Search, Organize, Conquer](#)

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From: [David Hall](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, November 25, 2025 10:17:06 AM

Mayor, Mayor Pro Tem, Council members,

Hello,

In these days of increasing stress and anxiety over politics, housing, affordability, crime, and other factors, I believe it is important to maintain green and open spaces for good mental health on public level. Many studies have been done on the subject and they show the value of having green space in urban and suburban areas in reducing stress, anxiety and improving overall mental health & happiness. Exposure to green space has been linked to better sleep, lower blood pressure, and reduced risk of chronic disease.

I have provided links to a few of these studies & articles below.

In light of what these studies indicate, I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the December 2, 2025 City Council meeting.

Thank you,

[David L. Hall]

[Yucaipa, CA 92399]

[909 790-5875]

Erin Bunch/Pop Sugar article

Being outside is good for you – Here's Why.

<https://www.popsugar.com/fitness/health-benefits-being-outside-49323570>

Staff writer/Harvard School of Public Health/ Child & Maternal Health

Time in Nature Can Boost Physical and Mental Well-Being

<https://hsph.harvard.edu/news/time-spent-in-nature-can-boost-physical-and-mental-well-being/>

Jo Barton, Mike Rogerson

The importance of greenspace for mental health

<https://pmc.ncbi.nlm.nih.gov/articles/PMC5663018/>

Elizabeth Hoge, MD, Charlotte Wulf

The Case for Green Space: A Cost Effective Mental Health Resource.

<https://adaa.org/learn-from-us/from-the-experts/blog-posts/consumer-professional/case-green-space-cost-effective>

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From: [kari nieblas](#)
To: [MARR, ANDREA](#)
Cc: [STEPHENS, JOHN](#); [CHAVEZ, MANUEL](#); [PETTIS, JEFF](#); [GAMEROS, LOREN](#); [BULEY, MIKE](#); [REYNOLDS, ARLIS](#); [CITY CLERK](#); [CITY COUNCIL](#)
Subject: Please do NOT approve the draft Fairview Park Master Plan
Date: Monday, November 24, 2025 7:33:02 AM

Dear Councilmember Marr,

I attended the City Council meeting Tues night about the Fairview Park draft master plan – I appreciated your comments about the need for thorough consideration, and transparency and consistency in the process.

As I commented on Tues night, I prefer to keep compatible recreation in Fairview. I'm also concerned that City should be clearer in the intent and scope of the draft plan, and consistent in how it treats existing uses at Fairview.

First, regarding HSS, CDFW's 9/25/25 letter says that an incidental take permit "would likely" be required if the fly field stays in place. But CDFW has yet to meet with HSS or observe flight or field maintenance operations, or actually require a permit. The City should first find out if a permit is actually needed, not make decisions based on an assumption.

Also, CDFW's 11/13/25 letter prefers fly field relocation to the eastside of the park, but notes that take authorization may also be required there. HSS has explained why site conditions on the eastside are not suitable for glider flying, and why other local sites are also not viable alternatives. The City should recognize that a decision to relocate the fly field is a decision to eliminate local flying entirely.

As for other reasons to remove the fly field...

- if being a long-standing use pre-dating Measure AA doesn't prevent relocation/removal of the fly field, how are the concerts, trains, and other compatible recreation uses protected?

- if noise impacts (from near-silent gliders) justifies relocation/removal of the fly field, how could concerts be allowed?

- if potential vernal pool impact justifies relocation/removal of the fly field, how can the train tracks remain located in a vernal pool (particularly as CDFW's 11/13/25 letter supports that trains on the eastside of Fairview would be subject to the same incidental take concerns as gliders if moved there)?

- if potential impacts to sensitive species/habitat justifies relocation/removal of the fly field, how can dogs (even leashed) still be allowed on the mesa?

Further, it seems that limiting compatible recreation in Fairview is not consistent with the City's General Plan. The Recreation element acknowledges the westside (Planning Area 1) already has plenty of "major public open space features" (Canyon and Talbert) but is also "the most densely populated and highly developed [area] in the City, leaving very limited opportunities to fulfill this service deficiency" other than Fairview. (Costa Mesa General Plan, Open Space and Recreation Element, p. OSR-15, available at [636740022584770000](#)). If the City eliminates existing compatible recreation in Fairview, it would leave westside residents without adequate space to meet, and move, and play.

HSS is just the most-discussed example of the many current compatible recreation uses of the park. The City's handling of HSS raises concerns about how other compatible uses will be handled. If the intent is to limit/remove these uses too, this should be clear so the public has an opportunity to comment. If this is not the intent, then the City should be consistent, and leave the flying field (and trains) as located.

Thank you.

Kari

----- Forwarded Message -----

From: kari nieblas <knieblas@yahoo.com>

To: John.Stephens@costamesaca.gov <John.Stephens@costamesaca.gov>; Manuel.Chavez@costamesaca.gov <Manuel.Chavez@costamesaca.gov>; jeff.pettis@costamesaca.gov <jeff.pettis@costamesaca.gov>; Andrea.Marr@costamesaca.gov <Andrea.Marr@costamesaca.gov>; LGameros@costamesaca.gov <LGameros@costamesaca.gov>; mike.buley@costamesaca.gov <mike.buley@costamesaca.gov>; Arlis.Reynolds@costamesaca.gov <Arlis.Reynolds@costamesaca.gov>

Cc: citycouncil@costamesaca.gov <citycouncil@costamesaca.gov>; cityclerk@costamesaca.gov <cityclerk@costamesaca.gov>

Sent: Tuesday, September 16, 2025 at 08:27:46 AM PDT

Subject: 9/16/25 City Council Agenda, New Business Item #3 - please deny new permanent fencing in Fairview Park

Dear City Council,

Please deny approval of the professional services agreement (PSA) proposed as part of Item #3 on tonight's [Agenda](#).

The Project would permanently fence-off Park area from recreational use

The PSA would engage Endemic Environmental Services (Endemic) to perform habitat restoration and monitoring services at Fairview Park for 7 years. It would also permanently fence-off a large area of Fairview Park from community/recreational use.

The Mesa Restoration Project Map shows that Endemic would install 6,400 feet of "Temporary Fence" surrounding a large area of the north part of the Park (the north mesa). (Attachment 1). This includes many small trails and the dirt mounds frequently used for recreation by Park visitors.

The proposed PSA provides the objective to restore habitat within the area, and then replace the temporary fence with "a permanent fence" to "protect the restored habitat from recreational impacts...." (Attachment 3, p. 5, Objective 2.2).

The Project requires approval under Measure AA

Newly restricting use of this large area of the Park would be counter to the intent and the letter of voter-approved Measure AA. The purpose of Measure AA is to "[k]eep Fairview Park as a natural and open space...." (emph. added), and to ensure that Costa Mesa officials and citizens have a voice in any "development or change" to Fairview Park (emph. added). (Costa Mesa Municipal Code (CMMC) §12-86).

More specifically, Measure AA requires that any "significant change to Fairview Park" must be approved by the City Council and the City voters. (CMMC §12-89).

Building "permanent structures" is a "significant change" under Measure AA. (CMMC §12-87 ["Significant change" means (1) Any of the following activities within Fairview Park:... h. Building of permanent structures;...."]).

The proposed fencing is a permanent "structure" which requires approval under Measure AA. (CMMC §12-87 [A "[s]tructure" is "installed on, above or below ground" and specifically includes "poles"; see also, e.g., 14 Cal. Code Regs. §15303(e) ["fences" are accessory "structures" under California regulations]).

While Measure AA does not apply to significant changes for "restoration purposes", this Project isn't limited to restoration. Instead, the addendum describes this as the "Fairview Park Coastal Sage Scrub

and Flower Fields Habitat Restoration **and Enhancement** Project” (Attachment 2, p.3 [emph. added]). As described in the addendum, the proposed Project is designed to fulfil the City’s conservation and preservation commitments, **and** to implement “voluntary habitat restoration and **enhancement** initiatives to **augment** the conservation value of the site.” (Attachment 2, p. 3 [emph. added]). The point being that the Project goes beyond “restoration” – to “enhancement” and newly converts existing Park recreation/habitat areas into only habitat.

The Addendum does not consider the Project’s recreational impacts

The “Fairview Park Master Plan IS/MND (1997) Addendum to the File” (Addendum) finds no significant impacts to protected species resulting from the proposed Project. (Attachment 2, p. 10). However, the Addendum’s description of the proposed Project does not describe the 6,400’ of permanent fencing (Attachment 2, p. 3), and the Addendum also fails to consider any impacts to recreation (which would occur with installation of the proposed fencing).

Conclusion

Please deny the approvals recommended in Item 3. If the item is brought back for future consideration, the Addendum should describe the fencing and consider the recreational impacts, and the Project should be agendized as a significant change that restricts recreation in Fairview Park and requires approval under Measure AA.

Thank you.

Kari

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From: [Jeffrey Alai](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: Fwd: FW: I do NOT support the Draft Fairview Park Master Plan
Date: Wednesday, November 19, 2025 11:38:20 PM

Mayor, Mayor Pro Tem, and Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider fields in its current location, Concerts in the Park, the dirt mounds, bicycle and dog-walking trail access, and the Goat Hill Junction Railroad.

I also do not support any new fencing that reduces public access. Any revision should honor the intent Measure AA and protect the open, shared character of the park.

If the Draft plan cannot be revised to reflect community uses and expectations, **City Council should consider canceling the update and retaining the 2008 Master Plan.**

Fairview Park should remain a **shared space** that protects wildlife **and** continues to provide room for people, families, and community activities.

Please include this comment in the public record for the Nov. 18 City Council meeting.

Thank you,

Jeffrey Alai

Costa Mesa, Mesa Verde

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From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [GONZALEZ, GLADYS](#); [TERAN, STACY](#)
Subject: FW: I DO NOT SUPPORT THE DRAFT FAIRVIEW PARK MAST PLAN
Date: Wednesday, November 19, 2025 8:03:41 AM

From: Carina E. DiMatteo <cdmtg@aol.com>
Sent: Tuesday, November 18, 2025 9:05 PM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: I DO NOT SUPPORT THE DRAFT FAIRVIEW PARK MAST PLAN

We have so few open spaces left in Costa Mesa. Stop this now. As a long time resident - 25 years - its awful to think we may lose another public access to Fairview park!!

Carina E. DiMatteo
C2 Financial

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From: [MUNOZ, SANDY](#)
To: [GREEN, BRENDA](#); [TERAN, STACY](#); [GONZALEZ, GLADYS](#)
Subject: FW: Fairview Park birds
Date: Wednesday, November 19, 2025 8:01:52 AM
Attachments: [Fairview Park Birds Email.pdf](#)

From: Mat Garcia <mat.garcia@live.com>
Sent: Tuesday, November 18, 2025 9:40 PM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: Fw: Fairview Park birds

Please read this email. It's from Scott Thomas from Sea and Sage Audubon.

He recommends flying should be 5 days a week.

Mat

Mat Garcia
(714) 287-5757

From: Mathew Garcia <mat.garcia@live.com>
Sent: Tuesday, May 20, 2025 12:09:25 PM
To: citycouncil@costamesaca.gov <citycouncil@costamesaca.gov>
Cc: GRUNER, BRIAN <brian.gruner@costamesaca.gov>
Subject: Fw: Fairview Park birds

Council members,

HSS greatly appreciates all the support we have received from the council over the last 6 years. I am forwarding two emails to you on the topic of the Fairview Park Flying Field. This is the first email, and it is a response from Scott Thomas of Sea and Sage Audubon from November of 2020. It is quite surprising to see how the narrative around a reasonable flying field compromise has shifted so dramatically from what it was to what it is now and what is being asked of HSS today.

Directly below is what I forwarded today to Brian Gruner, Jason Komala, and Kohl Crecelius as they have been actively discussing the path forward with us this year. And below that, and attached, is the email from Scott Thomas in response to HSS' request for his input.

Thank you for taking the time. I know your time is sought after by many. Please feel free to call or email me with any questions.

Thank you,
Mat Garcia
2025 HSS President
714-287-5757

From: Mathew Garcia <mat.garcia@live.com>
Sent: Tuesday, May 20, 2025 11:00 AM
To: GRUNER, BRIAN <brian.gruner@costamesaca.gov>; Jason.Komala@costamesaca.gov
<jason.komala@costamesaca.gov>; Kohl Crecelius <kohl.crecelius@gmail.com>
Subject: Fw: Fairview Park birds

Brian, Jason, Kohl,

Thank you for taking the time this year to engage on the topic of the flying field. I wanted to share with you a past email from Scott Thomas, a leader and active member of the Sea and Sage Audubon Society, an Orange County, California chapter of the National Audubon Society.

The email is important because it shows what was considered a reasonable compromise from Sea and Sage Audubon's perspective. In November of 2020, Scott suggests a good compromise would be:

1. Limiting fly times from 2 hours after sunrise to 2 hours before sunset
2. Giving the birds and habitats days off, such as limiting flying to 5 days a week
3. And, there would have to be provisions that if the park staff or their contracted biologist(s) determine that if unforeseen and significant disturbances occurred, all parties would work to find and implement new management solutions, including as a worst case, suspending fly operations if that was all that could be done.

We have done all those things and more. The above is with the airfield in the same location it has been for 61 years now, and flying any electric aircraft 10lbs or less, per the flying field rules when Scott wrote this email.

How has the narrative around a reasonable compromise shifted so dramatically from what it was to what it is being asked of HSS today?

Additionally, I think this email shows that HSS has demonstrated a desire to work together

with park stakeholders.

Let me know your thoughts,
Mat

----- Forwarded message -----

From: **Scott** <redtail1@cox.net>
Date: Tue, Nov 17, 2020, 8:08 PM
Subject: RE: Fairview Park birds
To: mikeftre <mikeftre@gmail.com>
Cc: Susan Sheakley <susansheakley@cox.net>, Bettina Eastman
<bettinae24@gmail.com>

Hi Mike,

I apologize for taking so long to respond.

In order to answer your question I need to set the stage a bit to put things in context. Fairview Park is designated as a nature park with an emphasis on passive recreation. The challenge for us is that model aircraft flying is neither a typical, nor a passive use for an urban park, so the interferences (disturbances) are difficult to access. What we do know is that some birds are definitely disturbed at some level by aircraft flying over or through their territories. We would like to see the fly field continue at some level, so with that I have to respond to your questions with this question in mind; are there measures that can be taken in regards to timing and seasons to reduce disturbances?

The breeding season is when most birds are the most vulnerable and the most important part of the year for most wildlife. That season is long for birds in southern California. Owls began nesting as early as February and many other species do not stop until mid-August. The brunt of breeding occurs from about mid-March to mid-July. And, there are a few species that can breed almost year round. The White-tailed Kites using the park nested into late September in 2020

On a daily basis, many bird species are more active in the early mornings and late afternoon. This can change quite a bit during the breeding season when adults have to feed growing

young almost all day long, and some birds feed all day no matter what time of year.

There are likely more than 100 species of birds that use Fairview Park, all with different needs and life histories, so I can only answer in generalities and there are a lots of variables. It's hard to say exactly which mitigation measure or any combination of mitigation measures would have the best effect, other than ceasing the activity all together, but I think there are some things that could be worth considering.

Unfortunately, if we mapped all the important times for all the birds and try to avoid them all, we might only have a few months when flying had only a small impact, so we suggested in our last correspondence to the steering committee some compromise measures to be considered. In addressing the same questions you raised, we proposed; limiting fly times from 2 hours after sunrise to 2 hours before sunset, giving the birds and habitats days off, such as limiting flying to 5 days a week. And, there would have to be provisions that if the park staff or their contracted biologist(s) determine that if unforeseen and significant disturbances occurred, all parties would work to find and implement new management solutions, including as a worst case, suspending fly operations if that was all that could be done.

I know that's a little more than you asked, but I didn't want to answer in a vacuum. Please let me know if we can be of further assistance.

Thanks for reaching out to us,

Scott

(949) 293-2915

(I copied a few others in our organization that have been engaged at the park)

From: mikeftre <mikeftre@gmail.com>
Sent: Saturday, November 14, 2020 5:02 PM
To: Redtail@cox.net
Subject: Fairview Park birds

Scott,

I am the incoming president of Harbor Soaring Society, which flies model airplanes at Fairview Park in Costa Mesa. I am in the process of drafting a new use agreement with the city.

One of the city's concerns is the potential for interference between our model planes and the park's bird life. Are there seasons when the birds are more or less vulnerable? Are there times of day?

Thanks,

Mike

Mike Costello

714-875-7994

mikeftre@gmail.com

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Fwd: Fairview Park birds

From Mike Costello <mikeftre@gmail.com>

Date Tue 8/9/2022 6:41 PM

To Mat Garcia <mat.garcia@live.com>

----- Forwarded message -----

From: **Mike Costello** <mikeftre@gmail.com>

Date: Fri, May 21, 2021, 3:40 PM

Subject: Fwd: Fairview Park birds

To: Henry Smith <hsmith@ccsiglobal.com>

----- Forwarded message -----

From: **Scott** <redtail1@cox.net>

Date: Tue, Nov 17, 2020, 8:08 PM

Subject: RE: Fairview Park birds

To: mikeftre <mikeftre@gmail.com>

Cc: Susan Sheakley <susansheakley@cox.net>, Bettina Eastman <bettinae24@gmail.com>

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Scott

(949) 293-2915

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Thanks,

Mike

Mike Costello

714-875-7994

mikeftre@gmail.com

From: [JAIME RODRIGUEZ](#)
To: [CITY CLERK](#)
Subject: Fairview Park
Date: Wednesday, November 19, 2025 7:01:05 AM

Mayor, Mayor Pro Tem, and Council members,

I do NOT support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, the dirt mounds, bicycle and dog-walking trail access, and the Goat Hill Junction Railroad.

I also do not support any new fencing that reduces public access. Any revision should honor the intent of Measure AA and protect the open, shared character of the park. If the Draft Plan cannot be revised to reflect community uses and expectations, City Council should consider canceling the update and retaining the 2008 Master Plan.

Fairview Park should remain a shared space that protects wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the Nov. 18 City Council meeting.

Thank you,

Jaime Rodriguez
Costa Mesa Resident

Sent from my iPhone

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From: [Jordan Susman](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the Draft Fairview Park Master Plan
Date: Tuesday, November 18, 2025 9:20:25 PM

Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the November 18, 2025 City Council meeting.

Thank you,

Jordan Susman
(949) 355-5154
West side

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From: [Carina E. DiMatteo](#)
To: [CITY CLERK](#)
Subject: I DO NOT SUPPORT THE DRAFT FAIRVIEW PARK MASTER PLAN
Date: Tuesday, November 18, 2025 9:08:24 PM

I have been a resident of Costa Mesa for 25 years and I think fencing off this area is a horrible idea. We have such precious land left and to lose another open access area is tragic. Please stop this now!!!!

Carina E. DiMatteo
C2 Financial

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From: [MUNOZ, SANDY](#)
To: [CITY CLERK](#)
Subject: FW: I do NOT support the new master plan for Fairview Park
Date: Tuesday, November 18, 2025 7:53:25 PM

-----Original Message-----

From: Denise Burch <kdlburch@gmail.com>
Sent: Tuesday, November 18, 2025 7:48 PM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>; cityclerk@costamesac.gov
Subject: I do NOT support the new master plan for Fairview Park

Come on people! Please don't take away from our usable open spaces! We have been coexisting with wildlife for years and all is well. Please don't change things for us.

Thank you,
Denise Burch

Costa Mesa resident since 1985

Sent from my iPhone

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From: [Asia Ingram](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I do NOT support the draft Fairview park master plan
Date: Tuesday, November 18, 2025 6:06:09 PM

Mayor pro team i do not support this draft master plan.

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From: [MUNOZ, SANDY](#)
To: [CITY CLERK](#)
Subject: FW: Fairview Park master-planned
Date: Tuesday, November 18, 2025 5:47:49 PM

From: Vicky Dearing <vdearing2025@gmail.com>
Sent: Tuesday, November 18, 2025 11:27 AM
To: CITY COUNCIL <CITYCOUNCIL@costamesaca.gov>
Subject: Fairview Park master-planned

Dear, Mayor, Mayor Pro Tem, Councilmembers,

I do not support the current Draft Fairview Park Master Plan. Please make major changes so the community can continue long-standing uses at Fairview Park. The Plan should explicitly preserve the model glider field in its current location, Concerts in the Park, bicycle and dog-walking trail access, the dirt mounds, and the Goat Hill Junction Railroad — and direct staff to work with the resource agencies on an approach that allows these uses to continue safely and compliantly. My 13 year grandson's current favorite activity is riding his bike at the bluffs at the mounds. He also enjoyed the trains when he was younger and we love the concerts in the park.

I also do not support any new fencing that reduces public access. Any revision should honor the community intent of Measure AA and protect the existing open, shared character of the park.

If the Draft Master Plan cannot be revised to reflect the community's uses and expectations, then the City Council should consider canceling the Master Plan Update and retaining the existing 2008 Fairview Park Master Plan.

Fairview Park should remain a shared space that protects sensitive wildlife and continues to provide room for people, families, and community activities.

Please include this comment in the public record for the November 18, 2025 City Council meeting.

Best regards,

Vicky Dearing

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From: [Kristian Gray](#)
To: [CITY COUNCIL](#); [CITY CLERK](#)
Subject: I Do Not support the Draft for Fairview Park master plan
Date: Tuesday, November 18, 2025 5:18:51 PM

Mayor, Mayor Pro Tem, and Councilmembers,

I do Not support the current draft for Fairview Park master plan!

Fairview Park is a valuable resource for the community with open space where people and nature have coexisted since 1500 BC !

Do not limit the access to the bluff top or those incredible views. The walking and biking trails are great and the park is something we can be proud of here in Costa Mesa.

Fairview Park should remain a shared space that protects wildlife, and keeps and provides plenty of space for people, families, and community activities, like walking, biking, concerts in the park, flying field, model trains, etc.

My family has been in the area over 50 years and have owned and run several large and successful dealerships in Costa Mesa that have contributed jobs and tax revenue to the city for decades. Having grown up in Costa Mesa, and Mesa Verde adjacent to the park it's been a blessing to see the positive transition from what it was, to the bike and walking trail friendly park it has become.

In recent times it's been a beautiful spot to come together with longtime friends from the area and take in the summer concerts in the park, or go for a morning walk before work, or a bluff top bike ride at sunset where friends and families bring the next generations of park supporters. I have really come to appreciate the beauty of Fairview Park.

Respectfully

Kristian Gray

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