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May 6, 2020

David Stoldt, General Manager
Monterey Peninsula Water Management District
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Monterey, California 93940
comments@mpwmd.net

Subject: Potential Acquisition of Monterey Water Supply and District Boundary Adjustment (Project)
NOTICE OF PREPARATION (NOP)
State Clearinghouse No.: 2020040069

Dear Mr. Stoldt:

The California Department of Fish and Wildlife (CDFW) received the NOP of an Environmental Impact Report (EIR) for the Project from the Monterey Peninsula Water Management District for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

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

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in the trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically

[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.

sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Water Rights: The use of unallocated stream flows is subject to appropriation and approval by the State Water Resources Control Board (SWRCB) pursuant to Water Code section 1225. CDFW, as Trustee Agency, is consulted by the SWRCB during the water rights process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Certain fish and wildlife are reliant upon aquatic ecosystems, which in turn are reliant upon adequate flows of water. CDFW therefore has a material interest in assuring that adequate water flows within streams for the protection, maintenance and proper stewardship of those resources. CDFW provides, as available, biological expertise to review and comment on environmental documents and impacts arising from project activities.

PROJECT DESCRIPTION SUMMARY

Proponent: Monterey County Water Management District (District).

Objective: The proposed Project is for the District to acquire, operate, and maintain the MCD water system. The objectives of the proposed Project are to implement the purpose approved by the local electorate in Measure J:

"…to ensure the long-term sustainability, adequacy, reliability, cost-effectiveness and quality of water service within the Monterey Peninsula Water Management District area,

to lower the cost of service to ratepayers, to promote and practice sustainable water management measures, and to establish public ownership of water system assets by establishing regulations requiring the District to take affirmative action, to the extent financially feasible, to acquire the water system assets owned and operated by the California American Water Company that currently provide water service to the District and its ratepayers."

Due to the passage of Measure J (described below), the District proposes to acquire the Monterey Water Supply system, referred to as the Monterey County District (MCD) water system, that serves the Monterey Peninsula and outlying areas within unincorporated Monterey County and within the District's jurisdiction. The acquisition and subsequent operation of this water supply system by the District represents the proposed project. The existing system is currently owned and operated by California American Water Company (Cal-Am), a subsidiary of the publicly-traded company, American Water Works Company, Inc. The District's proposed acquisition of the MCD water system would include all associated assets (i.e., real, intangible, and personal property) including, but not limited to water systems and production wells, utility plants, water rights, water supply contracts, and records, books, and accounts.

The proposed Project includes the District's subsequent operation and maintenance of the MCD water system. The District proposes only to acquire and operate the existing MCD water system, and is not proposing changes or expansion to the physical MCD water system or to the associated water rights, nor is the District proposing any changes to the manner of operation of the MCD water system or the exercise of the associated water rights.

Currently, the primary source of water for the MCD water system is supplied to customers from the Carmel River and the Seaside Groundwater Basin with a majority of supplies from the Carmel River coming from water withdrawn from the Carmel Valley Alluvial Aquifer. These supplies are supplemented through withdrawals from the Seaside Groundwater Basin, an adjudicated basin. The District's acquisition of Cal-Am's water rights would entitle the District to the currently established allocations assigned to Cal-Am and would require the District meet the same standards in terms of replenishment if it were to exceed established limits on withdrawals.

In addition to water rights, the MCD water system includes infrastructure that allows for the production, distribution, and delivery of water supplies within its service area. As reported, the MCD water system provides domestic water from its system of extraction wells, which has a total pumping capacity of approximately 29.18 million gallons per day. The MCD water system also includes approximately 614 miles of pipeline and approximately 40,000 customer connections. In addition, the MCD water system includes a Desalination Plant in Sand City, seven water treatment facilities, the Monterey Pipeline and Pump Station, 75 pump stations, 108 water storage facilities with

a total combined capacity of 613.9 million gallons, and 3,496 fire hydrants and an estimated 12,000 distribution valves. The proposed project would also include the acquisition of the planned Monterey Peninsula Water Supply Project, including the proposed 6.4 million gallon per day desalination plant. Cal-Am also owns property that generally supports system infrastructure (e.g., wells and water storage tanks) and public utility rights-of-way, including 117 assessor parcels with a total area of approximately 4,753 acres; this infrastructure is also part of the Project.

Location: The Project area is located within Monterey County and is bordered by California State University Monterey Bay and the former Fort Ord to the north, the Central Satellites and unincorporated Monterey County to the east, Yankee Point and the Santa Lucia Mountains to the south, and the Pacific Ocean to the west. The Project area consists of the existing Cal-Am MCD water system within the District's jurisdiction and may include assets outside the District that serve customers within the District. The existing MCD water system is a stand-alone system that serves an approximately 55 square-mile area that encompasses the majority of the Monterey Peninsula as well as portions of unincorporated Monterey County. The majority of the Project area is in District jurisdiction; however, the proposed Project would also include connections to adjacent areas outside of the District's current service area. Specifically, these connections include approximately 33 residential connections at Yankee Point, south of the District boundaries; and 10 residential connections in Hidden Hills, east of the District boundaries. Thus, the Project area includes the MCD water system, which entails areas within the current District boundaries plus these annexation areas.

Timeframe: Unspecified.

COMMENTS AND RECOMMENDATIONS

Portions of the Project description, such as MCD boundary acquisition, are not anticipated to physically impact fish and wildlife (biological) resources, while other activities such as operation and maintenance may directly impact biological resources through ground-disturbance and construction. The following CDFW comments and recommendations are intended for Project-related activities that may impact biological resources. These comments are to assist the District in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on biological resources. Editorial comments or other suggestions may also be included to improve the document.

Based on aerial imagery, species occurrence records, and the land cover types that intersect and comprise the project alignment, the Project area is known to and/or has high potential to support numerous special-status species, including CESA-listed species (CDFW 2020, CNPS 2019, UC Davis 2018). Therefore, the Project has the potential to significantly impact these species. Specifically, CDFW is concerned about

potential of the Project to significantly impact the State and federally threatened California tiger salamander (*Ambystoma californiense*); the federally threatened south-central California coast distinct population segment for steelhead trout (*Oncorhynchus mykiss irideus*); the federally threatened western snowy plover (*Charadrius alexandrinus nivosus*); the federally endangered Smith's blue butterfly (*Euphilotes enoptes smithi*); the State candidate endangered Western bumble bee (*Bombus occidentalis*); the State threatened, federally endangered, and California Rare Plant Ranked (CRPR) 1B.2 Monterey gilia (*Gilia tenuiflora* ssp. *arenaria*); the State endangered and CRPR 1B.1 seaside bird's-beak (*Cordylanthus rigidus* ssp. *littoralis*); the federally threatened and State species of special concern California red-legged frog (*Rana draytonii*); the State species of special concern northern California legless lizard (*Anniella pulchra*), coast horned lizard (*Phrynosoma blainvillii*), western pond turtle (*Emys marmorata*), burrowing owl (*Athene cunicularia*), and American badger (*Taxidea taxus*); and numerous CRPR plant species including but not limited to the federally threatened and CRPR 1B.2 Monterey spineflower (*Chorizanthe pungens* var. *pungens*); the CRPR 1B.1 Eastwood's goldenbush (*Ericameria fasciculata*), Pajaro manzanita (*Arctostaphylos pajroensis*), pink Johnny-nip (*Castilleja ambigua* var. *insalutata*), Kellogg's horkelia (*Horkelia cuneata* var. *sericea*), and Monterey pine (*Pinus radiata*); and the CRPR 1B.2 Hickman's onion (*Allium hickmanii*), Hooker's manzanita (*Arctostaphylos hookeri* ssp. *hookeri*), Jolon clarkia (*Clarkia jolonensis*), northern curly-leaved monardella (*Monardella sinuata* ssp. *nigrescens*), sand-loving wallflower (*Erysimum ammophilum*), sandmat manzanita (*Arctostaphylos pumila*), and Toro manzanita (*Artostaphylos montereyensis*). Many of these species occur in maritime chaparral, coastal scrub, coastal prairie, and grassland communities which are present within and adjacent to the Project area. In addition, the Carmel River within the Project area is known to support breeding populations of California red-legged frogs and steelhead trout (CDFW 2020). Other natural areas in the vicinity of the Project area where species mentioned above are known or likely to occur include the Carmel Lagoon, Fort Ord Natural Reserve lands managed by the University of California Natural Reserve System, Fort Ord Dunes State Park, Garland Ranch Regional Park, and the Frog Pond Wetland Preserve.

To evaluate impacts of the Project on these species, CDFW recommends that a qualified biologist conduct species-specific focused habitat assessments and, if suitable habitat is present, protocol-level surveys or assumption of presence. CDFW further recommends that the results of these surveys be summarized and used to evaluate Project impacts, impact avoidance and mitigation, and potential permitting needs in the Project's CEQA document. The CEQA document must provide quantifiable and enforceable measures as needed that will reduce impacts to less than significant levels.

I. Environmental Setting and Related Impact

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

COMMENT 1: California tiger salamander (CTS)

Issue: CTS are known to occur in the Project area and its vicinity (CDFW 2020). Review of aerial imagery indicates the presence of several wetland features in the Project's vicinity that have the potential to support breeding CTS. In addition, the Project area or its immediate surroundings may support small mammal burrows, a requisite upland habitat feature for CTS.

Specific impact: Without appropriate avoidance and minimization measures for CTS, potential significant impacts associated with any construction or ground disturbing activity include burrow collapse; inadvertent entrapment; reduced reproductive success; reduction in health and vigor of eggs, larvae and/or young; and direct mortality of individuals. In addition, depending on the design of any activity, the Project has the potential to result in creation of barriers to dispersal.

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to development (Shaffer et al. 2013). Loss, degradation, and fragmentation of habitat are among the primary threats to CTS (CDFW 2015, USFWS 2017a). The Project area is within the range of CTS and is both comprised of and bordered by suitable upland habitat. As a result, there is potential for CTS to occupy or colonize the Project area and for the Project to impact CTS.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)
To evaluate potential impacts to CTS associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 1: CTS Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment well in advance of Project implementation, to determine if the Project area or its vicinity contains suitable habitat for CTS.

Recommended Mitigation Measure 2: Focused CTS Surveys

If the Project area does contain suitable habitat for CTS, CDFW recommends that a qualified biologist evaluate potential Project-related impacts to CTS prior to ground-disturbing activities using the USFWS's "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (2003). CDFW advises that the survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS.

Recommended Mitigation Measure 3: CTS Avoidance

CDFW advises avoidance for CTS include a minimum 50-foot no disturbance buffer delineated around all small mammal burrows and a minimum 250-foot no disturbance buffer around potential breeding pools within and/or adjacent to the Project area. CDFW also recommends avoiding any impacts that could alter the hydrology or result in sedimentation of breeding pools. If avoidance is not feasible, consultation with CDFW is warranted to determine if the Project can avoid take.

Recommended Mitigation Measure 4: CTS Take Authorization

If through surveys it is determined that CTS are occupying the Project area and take cannot be avoided, take authorization may be warranted prior to initiating ground-disturbing activities by securing the acquisition of a state Incidental Take Permit (ITP) pursuant to Fish and Game Code section 2081(b) before Project ground or vegetation disturbing activities occur. Alternatively, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and obtain an ITP from CDFW at any time.

COMMENT 2: Monterey gilia, Seaside bird's-beak, and CRPR plant species

Issue: Monterey gilia and the CRPR plant species mentioned above are known to occur on and in the vicinity Project area (USFWS 2008, CDFW 2020). Lands designated for development that were transferred from the Department of the Army's former Fort Ord, as is the case with portions of the Project site, contain high quality habitat for the CESA-listed Monterey gilia (USFWS 2008). In addition, the sandy soils and maritime chaparral vegetation community present within portions of the Project area are suitable to support CESA-listed seaside bird's-beak (CDFW 2020, CNPS 2019, UC Davis 2018). The Project area also supports coastal scrub and coastal prairie communities, which have the potential to support numerous CRPR-species including, but not limited to, Monterey spineflower, Eastwood's goldenbush, Pajaro manzanita, pink Johnny-nip, Kellogg's horkelia, Monterey pine, Hickman's onion, Hooker's manzanita, Jolon clarkia, northern curly-leaved

monardella, sand-loving wallflower, sandmat manzanita, and Toro manzanita. Therefore, ground-disturbing activities such as grading, and development associated with Project implementation have the potential to impact special-status plant species.

Specific impact: Without appropriate avoidance and minimization measures potential impacts to special-status plant species include inability to reproduce and direct mortality. Unauthorized take of species listed as threatened, endangered, or rare pursuant to CESA or the Native Plant Protection Act is a violation of Fish and Game Code.

Evidence impact would be significant: Monterey gilia, seaside bird's-beak, and many of the CRPR-listed plant species above are narrowly distributed endemic species with specific habitat requirements. These species are threatened with habitat loss and habitat fragmentation resulting from development, vehicle and foot traffic, and non-native plant species (CNPS 2019), all of which may be unintended impacts of the Project. Therefore, impacts of the Project have the potential to significantly impact populations of the species mentioned above.

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate potential impacts to special-status plants associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 5: Special-Status Plant Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment well in advance of project implementation, to determine if the Project area or its vicinity contains suitable habitat for special-status plant species.

Recommended Mitigation Measure 6: Focused Surveys

CDFW recommends that the Project area be surveyed for special-status plants by a qualified botanist following the "Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities" (CDFW 2018). This protocol, which is intended to maximize detectability, includes identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary.

Recommended Mitigation Measure 7: Special-Status Plant Avoidance

CDFW recommends special-status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50-feet from the outer edge of the plant population(s) or specific habitat type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species.

Recommended Mitigation Measure 8: Special-Status Plant Take Authorization

If a State-listed plant species is identified during botanical surveys, consultation with CDFW is warranted to determine if the Project can avoid take. However, if take cannot be avoided, take authorization would need to occur through issuance of an ITP by CDFW to the District, pursuant to Fish and Game Code section 2081(b).

COMMENT 3: California Red-Legged Frog (CRLF)

Issue: CRLF have been documented to occur within the Carmel River, which is included in the Project Area (CDFW 2020). CRLF primarily inhabit ponds but can also be found in other waterways including marshes, streams, and lagoons. The species will also breed in ephemeral waters (Thomson et al. 2016). Review of aerial imagery indicates the presence of several ponded wetland features within the vicinity of the Project Area that may be suitable to support CRLF. As a result, the Project has the potential to impact CRLF.

Specific impact: Without appropriate avoidance and minimization measures for CRLF, potentially significant impacts associated with the Project's activities include burrow collapse, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs, larvae and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: CRLF populations throughout the State have experienced ongoing and drastic declines and many have been extirpated (Thomson et al. 2016). Habitat loss from growth of cities and suburbs, invasion of nonnative plants, impoundments, water diversions, stream maintenance for flood control, degraded water quality, and introduced predators, such as bullfrogs are the primary threats to CRLF (Thomson et al. 2016, USFWS 2017b). All of these impacts have the potential to result from the Project. Therefore, Project activities have the potential to significantly impact CRLF.

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate potential impacts to CRLF associated with the Project, CDFW recommends conducting the following evaluation of the Project Area and including

the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 9: CRLF Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project Area or its immediate vicinity contain suitable habitat for CRLF.

Recommended Mitigation Measure 10: CRLF Surveys

If suitable habitat is present, CDFW recommends that a qualified wildlife biologist conduct surveys for CRLF within 48 hours prior to commencing work (two night surveys immediately prior to construction or as otherwise required by the USFWS) in accordance with the USFWS *"Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog"* (USFWS 2005) to determine if CRLF are within or adjacent to the Project area.

Recommended Mitigation Measure 11: CRLF Avoidance

If any CRLF are found during preconstruction surveys or at any time during construction, CDFW recommends that construction cease and that CDFW be contacted to discuss a relocation plan for CRLF with relocation conducted by a qualified biologist, holding a Scientific Collecting Permit from CDFW for the species. CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends that a qualified biologist monitor construction activity daily for CRLF.

COMMENT 4: Northern California Legless Lizard and Coast Horned Lizard

Issue: Northern California legless lizards and coast horned lizards are known to occur in the vicinity of the Project area (CDFW 2020). Northern California legless lizards are fossorial and inhabit chaparral habitat with sandy or loose loamy soils (Thomson et al. 2016). Coast horned lizards occur in a wide variety of habitat types but require loose, fine soils for burrowing, open areas for thermoregulation, and shrub cover for refugia (Thomson et al. 2016). Review of aerial imagery and soil characteristics indicates that portions of the Project area are comprised of and surrounded by these requisite habitat features (CDFW 2020, UC Davis 2018).

Specific impact: Without appropriate avoidance and minimization measures for Northern California legless lizard and coast horned lizards, potentially significant

impacts associated with ground disturbance include burrow abandonment, which may result in reduced health or vigor of eggs and/or young, and direct mortality.

Evidence impact is potentially significant: Habitat loss and fragmentation resulting from development is the primary threat to Northern California legless lizard and coast horned lizard (Thomson et al. 2016). The Project area is within the range of Northern California legless lizard and coast horned lizard and portions of it are composed of and bordered by suitable habitat (i.e., chaparral with friable soils). As a result, ground-disturbing activities associated with development of the Project area have the potential to significantly impact local populations of this species.

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate potential impacts to Northern California legless lizard associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 12: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if the Project area or its immediate vicinity contain suitable habitat for Northern California legless lizard.

Recommended Mitigation Measure 13: Focused Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for Northern California legless lizard and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 14: Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows.

COMMENT 5: Western Pond Turtle (WPT)

Issue: Portions of the Project area lie adjacent to the Carmel River, which may provide suitable aquatic habitat for WPT. Upland areas adjacent to the Carmel River may provide overwintering and nesting habitat for WPT, which are known to overwinter terrestrially, and which require loose soils and/or leaf litter (Thomson et al. 2016). In addition, several occurrence records of WPT are reported within the vicinity of the Project area (CDFW 2020). The presence of these requisite habitat

features increases the likelihood of WPT occurrence and the potential for the Project to significantly impact the local WPT population.

Specific impact: Without appropriate avoidance and minimization measures for WPT, potential significant impacts associated with development of the Project include nest abandonment, reduced reproductive success, reduced health and vigor of eggs and/or young, and direct mortality.

Evidence impact would be significant: WPT are capable of nesting up to 1,600 feet away from waterbodies. Nesting occurs in spring or early summer and hatching occurs in fall. Hatchlings can remain in the nest throughout the first winter, emerging the following spring. In addition, WPT are slow to reach sexual maturity, which naturally reduces the number of WPT that are recruited into a population each year (Thomson et al. 2016). Threats to WPT include land use changes and habitat fragmentation associated with development, road mortality, as well as a decrease in suitable upland nesting/overwintering habitat (Thomson et al. 2016), all of which are potential impacts of the Project. As a result, Project development has the potential to significantly impact the local population of WPT.

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate the potential for the Project to impact WPT, CDFW recommends conducting the following evaluation of the Project area and including the following measures as conditions of approval in the Project's CEQA document.

Recommended Mitigation Measure 15: Preconstruction Surveys

CDFW recommends that a qualified wildlife biologist conduct focused surveys for WPT during the nesting season (March through August). If any nests are discovered, CDFW recommends that they remain undisturbed until the eggs have hatched, and the nestlings are capable of independent survival. In addition, CDFW recommends conducting pre-construction surveys for WPT immediately prior to initiation of construction activities.

Recommended Mitigation Measure 16: Avoidance

WPT detection during surveys warrants consultation with CDFW to discuss how to implement ground-disturbing activities and avoid take. However, CDFW recommends that if any WPT are discovered immediately prior to or during Project activities they be allowed to move out of the area on their own volition. If this is not feasible, CDFW recommends that a qualified biologist who holds a Scientific Collecting Permit from CDFW for the species capture and relocate the turtle(s) out of harm's way to the nearest suitable habitat immediately upstream or downstream from the Project area.

COMMENT 6: Burrowing Owl (BUOW)

Issue: BUOW have been documented to occur in the vicinity of the Project area (CDFW 2020). Review of aerial imagery reveals that suitable habitat for BUOW is present both within and in the vicinity of the Project area. BUOW inhabit open, treeless areas containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover (Poulin et al. 2011). Habitat both within and bordering portions of the Project area, has the potential to support these habitat features. Therefore, there is potential for BUOW to occupy or colonize the Project area or its vicinity.

Specific impact: Potentially significant direct impacts associated with Project-related construction include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California (Gervais et al. 2008). Therefore, ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW's "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Potentially Feasible Mitigation Measure(s) (Regarding Environmental Setting and Related Impact)
To evaluate potential impacts to BUOW associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 17: BUOW Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its vicinity contains suitable habitat for BUOW.

Recommended Mitigation Measure 18: BUOW Surveys

If suitable habitat for BUOW is present, CDFW recommends assessing presence/absence of BUOW by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium's (CBOC) "*Burrowing Owl Survey*

Protocol and Mitigation Guidelines" (CBOC 1993) and CDFW's *Staff Report on Burrowing Owl Mitigation*" (CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (i.e., April 15 to July 15), when BUOW are most detectable. In addition, CDFW advises that surveys include a 500-foot no-disturbance buffer around the Project area.

Recommended Mitigation Measure 19: BUOW Avoidance

Should a BUOW be detected, CDFW recommends that no-disturbance buffers, as outlined in the "*Staff Report on Burrowing Owl Mitigation*" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 20: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. Because BUOW may attempt to colonize or re-colonize an area that will be impacted, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 7: American Badger

Issue: American badger have been documented to occur in the vicinity of the Project area (CDFW 2020). Badgers occupy sparsely vegetated land cover with dry, friable soils to excavate dens, which they use for cover, and that support fossorial rodent prey populations (i.e., ground squirrels, pocket gophers, etc.) (Zeiner et al. 1990). The Project area may support these requisite habitat features and therefore the Project has the potential to impact American badger.

Specific impact: Without appropriate avoidance and minimization measures for American badger, potentially significant impacts associated with ground disturbance include direct mortality or natal den abandonment, which may result in reduced health or vigor of young.

Evidence impact is potentially significant: Habitat loss is a primary threat to American badger (Gittleman et al. 2001). Ground-disturbing activities that may result in habitat fragmentation have the potential to significantly impact local populations of American badger.

Recommended Potentially Feasible Mitigation Measure(s)
To evaluate potential impacts to American badger associated with the Project, CDFW recommends conducting the following evaluation of the Project area and including the following mitigation measures as conditions of Project approval in the Project's CEQA document.

Recommended Mitigation Measure 21: American Badger Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of Project implementation, to determine if the Project area or its immediate vicinity contain suitable habitat for American badger.

Recommended Mitigation Measure 22: American Badger Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for American badger and their requisite habitat features (dens) to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 23: American Badger Avoidance

Avoidance whenever possible is encouraged via delineation and observation of a 50-foot no-disturbance buffer around dens until it is determined through non-invasive means that individuals occupying the den have dispersed.

COMMENT 8: Crotch Bumble Bee (CBB)

Issue: On June 28, 2019, the Fish and Game Commission published findings of its decision to advance CBB to candidacy as endangered.v Pursuant to Fish and Game Code section 2074.6, CDFW has initiated a status review report to inform the Commission's decision on whether listing of CBB, pursuant to CESA, is warranted. During the candidacy period, consistent with CEQA Guidelines section 15380, the status of the CBB as an endangered candidate species under CESA (Fish & G. Code, § 2050 et seq.) qualifies it as an endangered, rare, or threatened species under CEQA. It is unlawful to import into California, export out of California, or take, possess, purchase, or sell within California, CBB and any part or product thereof, or attempt any of those acts, except as authorized pursuant to CESA. Under Fish and Game Code section 86, take means to hunt, pursue, catch, capture, or kill, or to attempt to hunt pursue, catch, capture, or kill. Consequently, take of CBB during the status review period is prohibited unless authorization pursuant to CESA is obtained.

CBB have been documented to occur within the vicinity of the Project area (CDFW 2020). Suitable CBB habitat includes areas of grasslands and upland scrub that contain requisite habitat elements, such as small mammal burrows. CBB primarily nest in late February through late October underground in abandoned small mammal burrows, but may also nest under perennial bunch grasses or thatched annual grasses, under brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014, Hatfield et al. 2015). Overwintering sites utilized by CBB mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Therefore, ground disturbance and vegetation removal associated with Project implementation has the potential to significantly impact local CBB populations.

Specific impact: Without appropriate avoidance and minimization measures for CBB, potentially significant impacts associated with ground- and vegetation-disturbing activities associated with construction of the Project include loss of foraging plants, changes in foraging behavior, burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs, young and/or queens, in addition to direct mortality in violation of Fish and Game Code.

Evidence impact is potentially significant: CBB was once common throughout most of the central and southern California; however, it now appears to be absent from most of that area, especially in the central portion of its historic range within California's Central Valley (Hatfield et al. 2014). Analyses by the Xerces Society et al. (2018) suggest there have been sharp declines in relative abundance by 98% and persistence by 80% over the last ten years.

Recommended Potentially Feasible Mitigation Measure(s)

To evaluate potential impacts to CBB associated with the Project, CDFW recommends incorporating the following mitigation measures into the EIR prepared for this Project and implementing the following mitigation measures as a condition of approval for the Project.

Recommended Mitigation Measure 24: CBB Surveys

CDFW recommends that a qualified biologist conduct focused surveys for CBB and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance associated with Project.

Recommended Mitigation Measure 25: CBB Take Avoidance

If surveys cannot be completed, CDFW recommends that all small mammal burrows and thatched/bunch grasses be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take.

Recommended Mitigation Measure 26: CBB Take Authorization

If CBB is identified during surveys, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, take authorization prior to any ground-disturbing activities may be warranted. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081(b).

II. Editorial Comments and/or Suggestions

Project Description: CDFW recommends that the Draft EIR provide a detailed description of all anticipated and reasonably foreseeable ground disturbing activities related to the Project such as operation and maintenance and new construction. Also, Figure 2 of the NOP shows four Cal-Am Central Satellite Water Systems (Garrapata, Toro, Cualar and Ralph Lane) that are not labeled as occurring within the Project boundary. Please provide clarification whether these areas are included with the Project or will remain within the jurisdiction of Cal-Am.

One objective of the proposed Project will be a reduction in water rates. If there is potential for water rate reduction to increase demand for surface water diversion,

CDFW recommends that the EIR analyze this potential and how it may impact biological resources.

Lake and Streambed Alteration: Project activities have the potential to substantially change the bed, bank, and channel of lakes, streams, and associated wetlands onsite and/or substantially extract or divert the flow of any such feature, such as the Carmel River, that is subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake (including the removal of riparian vegetation): (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial.

Activities within streams are subject to CDFW's regulatory authority. Construction activities within stream features have the potential to impact downstream waters. Streams function in the collection of water from rainfall, storage of various amounts of water and sediment, discharge of water as runoff and the transport of sediment, and they provide diverse sites and pathways in which chemical reactions take place and provide habitat for fish and wildlife species. Disruption of stream systems such as these can have significant physical, biological, and chemical impacts that can extend into the adjacent uplands adversely effecting not only the fish and wildlife species dependent on the stream itself, but also the flora and fauna dependent on the adjacent upland habitat for feeding, reproduction, and shelter.

Water diversions can impact flow regimes. Prolonged low flows can cause streams to become degraded and cause channels to become disconnected from floodplains (Poff et al. 1997). This process decreases available habitat for aquatic species including fish that utilize floodplains for nursery grounds. Prolonged low flows can also increase mortality for species that rely on specific flow regimes, such as endangered salmonids (Moyle 2002). Amphibians can also be sensitive to decreased flows. Kupferberg et al. (2012) reported that low flows were strongly correlated with early life stage mortality and decreased adult densities of California red-legged frogs, a species of special concern in California, and one with potential to occur in the Project area. In addition, alterations to flows can affect the health of riparian vegetation, reducing habitat quality for fish, wildlife, and plant species.

CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration Agreement (LSAA); therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts, a subsequent CEQA analysis may be necessary for LSAA issuance. For additional information on

notification requirements, please contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593

Water Rights: The Project proponents anticipate applying for the water rights associated with the proposed acquisition of the Cal-Am MCD water system. CDFW recommends that the EIR address how the Project will affect existing water rights including pre-1914 appropriative rights, riparian rights, prescriptive rights, appropriative rights approved under licenses, violations, and SWRCB Water Right (WR) Orders, including those associated with SWRCB Order WR 2009-0060.

As stated previously, CDFW, as Trustee Agency, is consulted by the SWRCB during the water rights process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Given the potential for impacts to sensitive species and their habitats, it is advised that consultation with CDFW occur well in advance of the SWRCB water right application process.

Nesting Birds: CDFW encourages implementation of ground disturbing projects during the bird non-nesting season. However, if ground-disturbing activities must occur during the breeding season (i.e., February through mid-September), the Project's applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate project-related impacts on nesting birds, CDFW recommends that a qualified wildlife biologist conduct pre-activity surveys for active nests no more than 10 days prior to the start of ground disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the work site to identify nests and determine their status. A sufficient area means any area potentially affected by the project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. Prior to initiation of construction activities, CDFW recommends that a qualified biologist conduct a survey to establish a behavioral baseline of all identified nests. Once construction begins, CDFW recommends that a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends the work causing that change cease and CDFW consulted for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250-feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the

birds have fledged and are no longer reliant upon the nest or parental care for survival. Variance from these no-disturbance buffers is possible when there is compelling biological or ecological reason to do so, such as when the construction area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including but not limited to, CTS, CRLF, Monterey gilia, and Monterey spineflower. Take under the federal Endangered Species Act (ESA) is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Similarly, for potential effects to steelhead trout and its critical habitat, CDFW recommends consultation with the National Marine Fisheries Service (NMFS). Consultation with the USFWS and NMFS in order to comply with FESA is advised well in advance of Project implementation.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB field survey form can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be emailed to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

If it is determined that the Project will impact fish and/or wildlife, an assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CONCLUSION

CDFW appreciates the opportunity to comment on the Project to assist the District in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols). Should you have questions regarding this letter or for further coordination please contact Annette Tenneboe, Senior Environmental Scientist Specialist, at the address provided on this letterhead, by telephone at (559) 243-4014 extension 231, or by email at Annette.Tenneboe@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

Attachment

ec: Office of Planning and Research, State Clearinghouse, Sacramento
State.Clearinghouse@opr.ca.gov

California Department of Fish and Wildlife:
Jeff Cann
Annette Tenneboe

REFERENCES

California Burrowing Owl Consortium (CBOC). 1993. Burrowing owl survey protocol and mitigation guidelines. Pages 171-177 *in* Lincer, J. L. and K. Steenhof (editors). The burrowing owl, its biology and management. Raptor Research Report Number 9.

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation. California Department of Fish and Game. March 7, 2012.

California Department of Fish and Wildlife (CDFW). 2015. California Tiger Salamander Technical Review – Habitat, Impacts and Conservation. California Department of Fish and Wildlife, October 2015.

CDFW. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. California Department of Fish and Wildlife. March 20, 2018.

CDFW. 2020. Biogeographic Information and Observation System (BIOS). https://www.wildlife.ca.gov/Data/BIOS. Accessed 28 April 2020.

California Native Plant Society, Rare Plant Program (CNPS). 2019. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website http://www.rareplants.cnps.org. Accessed 30 April 2020.

Gervais, J. A., D. K. Rosenberg, and L. A. Comrack. 2008. Burrowing Owl (*Athene cunicularia*) *In* California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California (W. D. Shuford and T. Gardali, editors). Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

Gittleman, J. L., S. M. Funk, D. MacDonald, and R. K. Wayne. 2001. Carnivore conservation. Cambridge University Press, Cambridge, United Kingdom.

Goulson, D. 2010. Bumblebees: behaviour, ecology, and conservation. Oxford University Press, New York. 317pp.

Hatfield, R., S. Colla, S. Jepsen, L. Richardson, R. Thorp, and S. Foltz Jordan. 2014. Draft IUCN Assessments for North American *Bombus* spp. for the North American IUCN Bumble Bee Specialist Group. The Xerces Society for Invertebrate Conservation, www.xerces.org, Portland, OR.

Hatfield, R., S. Jepsen, R. Thorp, L. Richardson and S. Colla. 2015. Bombus crotchii. The IUCN Red List of Threatened Species. http://dx.doi.org/10.2305/IUCN.UK.2015--2.RLTS.T44937582A46440211.en. Accessed January 17, 2020.

Kupferberg, S. J., W. J. Palen, A. J. Lind, S. Bobzien, A. Catenazzi, J. Drennan, and M. E. Power. 2012. Effects of flow regimes altered by dams on survival, population declines, and range-wide losses of California river-breeding frogs.

Moyle, P. B. 2002. Inland fishes of California. University of California Press, Berkeley, CA, USA.

Poff, N. L., J. D. Allan, M. B. Bain, J. R. Karr, K. L. Prestegarrd, B. D. Richter, R. E. Sparks, and J. C. Stromberg. 1997. The natural flow regime: a paradigm for river conservation and restoration. BioScience 47:769–784.

Poulin, R. G., L. D. Todd, E. A. Haug, B. A. Millsap, and M. S. Martell. 2011. Burrowing owl (*Athene cunicularia*), version 2.0. In The Birds of North America (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. https://doi.org/10.2173/bna.61. Accessed June 14, 2019.

Shaffer, H. B., J. R. Johnson, and I. J. Wang. 2013. Conservation Genetics of California tiger salamanders. Final Report prepared for Central Valley Project Conservation Program, Bureau of Reclamation, Sacramento, California.

Thomson, R. C., A. N. Wright, and H. B. Shaffer. 2016. California Amphibian and Reptile Species of Special Concern. California Department of Fish and Wildlife and University of California Press.

University of California, Davis (UC Davis). 2018. California Soil Resources Lab. https://casoilresource.lawr.ucdavis.edu/. Accessed 30 April 2020.

United States Fish and Wildlife Service (USFWS). 2003. Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander, October 2003.

USFWS. 2005. Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog. March 2005. 26 pp.

USFWS. 2008. Monterey Gilia Five-Year Review: Summary and Evaluation. March 2008

USFWS. 2017a. Recovery Plan for the Central California Distinct Population Segment of the California Tiger Salamander (*Ambystoma californiense*). U. S. Fish and Wildlife Service, Region 8, Sacramento, California. June 2017.

USFWS. 2017b. Species Account for California Red-legged frog. March 2017. 1 pp.

Williams, P. H., R. W. Thorp, L. L. Richardson, and S .R. Colla. 2014. Bumble bees of North America: An Identification guide. Princeton University Press, Princeton, New Jersey. 208pp.

Xerces Society for Invertebrate Conservation, Defenders of Wildlife, and Center for Food Safety. 2018. A petition to the state of california fish and game commission to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as Endangered under the California Endangered Species Act. October 2018.

Zeiner, D. C., W. F. Laudenslayer, Jr, K. E. Mayer, and M. White. 1990. California's Wildlife Volume I-III. California Department of Fish and Game, editor. Sacramento, CA, USA.

Attachment 1

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Potential Acquisition of Monterey Water Supply and District Boundary Adjustment

RECOMMENDED MITIGATION MEASURES	STATUS/DATE/INITIALS
Before Disturbing Soil or Vegetation	
Recommended Mitigation Measure 1: CTS Habitat Assessment	
Recommended Mitigation Measure 2: CTS Surveys	
Recommended Mitigation Measure 4: CTS Take Authorization	
Recommended Mitigation Measure 6: Special-Status Plant Surveys	
Recommended Mitigation Measure 8: Special-Status Plant Take Authorization	
Recommended Mitigation Measure 9: CRLF Habitat Assessment	
Recommended Mitigation Measure 10: CRLF Surveys	
Recommended Mitigation Measure 12: Habitat Assessment for Northern California Legless Lizard and Coast Horned Lizard	
Recommended Mitigation Measure 13: Focused Surveys for Northern California Legless Lizard and Coast Horned Lizard	
Recommended Mitigation Measure 15: WPT Preconstruction Surveys	
Recommended Mitigation Measure 17: BUOW Habitat Assessment	
Recommended Mitigation Measure 18: BUOW Surveys	
Recommended Mitigation Measure 21: American Badger Habitat Assessment	
Recommended Mitigation Measure 22: American Badger Surveys	
Recommended Mitigation Measure 23: American Badger Avoidance	
Recommended Mitigation Measure 24: CBB Surveys	
Recommended Mitigation Measure 26: CBB Take Authorization	
During Construction	
Recommended Mitigation Measure 3: CTS Avoidance	

RECOMMENDED MITIGATION MEASURES	STATUS/DATE/INITIALS
Recommended Mitigation Measure 5: Special-Status Plant Habitat Assessment	
Recommended Mitigation Measure 7: Special-Status Plant Avoidance	
Recommended Mitigation Measure 11: CRLF Avoidance	
Recommended Mitigation Measure 14: Avoidance for Northern California Legless Lizard and Coast Horned Lizard	
Recommended Mitigation Measure 16: WPT Avoidance	
Recommended Mitigation Measure 19: BUOW Avoidance	
Recommended Mitigation Measure 20: BUOW Passive Relocation and Mitigation	
Recommended Mitigation Measure 25: CBB Take Avoidance	