



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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GAVIN NEWSOM, Governor
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June 8, 2020

Governor's Office of Planning & Research

Jun 09 2020

STATE CLEARINGHOUSE

Mr. Jeff Rubin
City of Calabasas
Community Services Department
100 Civic Center Way
Calabasas, CA 91302
jrubin@cityofcalabasas.com

Subject: Filing of Notice of Exemption in Compliance with Section 15062 of the Public Resources Code, Wild Walnut Park, SCH # 2020050061, Los Angeles County

Dear Mr. Rubin:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Notice of Exemption (NOE) for Wild Walnut Park Updates (Project). 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 the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's 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, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (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 (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 state 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, including 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.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Project Description and Summary

Objective: As the Lead Agency, City of Calabasas Community Services Department (City) is proposing updates to existing facilities within the developed 1.5-acre portion of the 26-acre Wild Walnut Park. Project activities include:

- Relocation of the park entrance to a position approximately 40 feet south of the current entrance/exit location to improve safety at the park entrance and at the Old Topanga Canyon Road/Mulholland Highway intersection.
- Construction of a reconfigured permeable-paver parking lot that would have 23 spaces, including accessible spaces, to replace 18 existing spaces that lack accessibility.
- Construction of a 121-square-foot accessible portable restroom enclosure.
- Construction of a 2,900-square-foot children's playground area.
- Placement of approximately 620 feet of new 4-rail wood fencing around a 0.5-acre area for an enclosed dog play/run area.
- Replace approximately 350 feet of existing 2-rail wood fencing.
- Construction of an informational kiosk.
- Construction and reconstruction of approximately 500 feet of decomposed granite and mulched pathway extensions to improve park accessibility.

Location: The City of Calabasas is located in western Los Angeles County along the Ventura Freeway, approximately 25 miles from downtown Los Angeles. The 26-acre, Wild Walnut Park is located at intersection of Old Topanga Canyon Road and Mulholland Highway. Wild Walnut Park is adjacent to Dry Creek Canyon Park.

Comments and Recommendations

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

Project Description and Related Impact Shortcomings

Comment #1: Categorical Exemption

Issue: Page 1 of the NOE Environmental Exemption Assessment (Assessment) states, "This Project is categorically exempt - CEQA Guidelines sections 15303 (Class 3, New Construction of Small Structures); 15304 (Class 4, Minor Alterations to land); and, 15311 (Class 11, Accessory Structures)". The City adopted a categorical exemption for the Project despite the presence of sensitive tree species and potential habitat for special-status plants and wildlife. In the 2008, *City of Calabasas 2030 General Plan Final Environmental Impact Report* (General Plan), the City acknowledges there are important habitats and species of concern (plants and wildlife) in Wild Walnut Park is located (see General plan Figures 4.3-3, 4.3.5; Table 4.3-1, 4.3-2). The City did not provide evidence in the form of an Initial study or Biological Resources Assessment, to conclude that the project would not impact biological resources (i.e., plants, wildlife, natural communities).

Specific impact: The City concluded that the Project would not impact biological resources and

the Project was granted a categorical exemption by the City of Calabasas under CEQA guidelines sections 15303, 15304, and 15311. However, page 10 of the Assessment discloses the presence of California black walnut (*Juglans californica*) and oak trees (*Quercus* spp.) in the Project area. Both woodland alliances are considered sensitive and protected tree species that could be impacted by Project activities. Activities identified within the NOE that could be impact resources include:

The City proposes to install a natural children's play area under three California black walnuts as illustrated in the *2019 Wild Walnut Park Master Plan*. There could be impacts to these walnut trees during construction of play equipment.

The City proposes to install a dog play area and children's play area in an annual grassland (see General Plan, Figure 4.3-2). The grassland is located at the bottom of a valley that could be drained by a seasonal stream (USGS 2020). Water could collect in the grassland and create a seasonal pool (i.e., vernal pool). The matrix of grassland and vernal pool vegetation communities could support special-status plants found in valley grassland and vernal pool vegetation communities (see General Plan, Table 4.3-1). The dog play and children's play areas are neither a small or existing structure/facility that would allow for exemption under CEQA Guidelines section 15303, 15304, or 15311.

Page 13 of the Assessment states, "the project will be accomplished entirely within the existing developed area of the park (approximately 1.5 acres and comprising less than 5.7 percent of the total park area)." The annual grassland in the 1.5-acre Project area has no history of being significantly development hence an initial assessment is needed to assess presence or absence of biological resources.

Oak trees are present throughout the grassland. The City proposes to relocate small oak trees less than 2-inch DBH that were planted as part of a community event. Relocating oak trees can potentially spread pathogens and impact naturally occurring oak woodland, especially if the planted oaks were sourced from nurseries that have tested positive for Sudden Oak Death (*Phytophthora ramorum*) (CDFA 2020; UCIPM 2010).

Why impact would occur: Project construction includes ground and vegetation disturbing activities that may result in direct or indirect mortality, population declines, or local extirpation of sensitive plant species. Providing a categorical exemption could lead to an incomplete analysis of Project's potential impacts to biological resources in Wild Walnut Park and adjacent open space/natural areas (e.g., Dry Creek Canyon Park, Significant Ecological Areas).

Evidence impact would be significant: CEQA Guidelines section 15300.2 Exceptions, (a) Location states, "Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies." The presence of California black walnut and oak on site, both sensitive vegetation alliances with protection at the City and State level, would indicate that the Project site is a particularly sensitive environment. Furthermore, annual grasslands and potential vernal pool vegetation communities could support special-status

plants.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends a qualified biologist conduct a comprehensive initial assessment of plants, wildlife, and sensitive natural communities within and adjacent to the project area, with emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050 and 5515). CDFW requires species-specific surveys for plants and wildlife be conducted at the appropriate time of year and time of day when sensitive species are active or otherwise identifiable. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated.

An environmental document (e.g. Biological Resources Assessment) should disclose assessment findings, discuss potential impacts to biological resources, and identify appropriate mitigation measures to offset such impacts.

Mitigation Measure #2: CDFW recommends the lead agency reconsider the CEQA document required for this project.

Comment #2: Impacts to Nesting Birds

Issue: The City adopted a categorical exemption for the Project despite the presence of special-status birds, including raptors. A review of the California Natural Diversity Database (CNDDB) found multiple CESA-listed and Federal Endangered Species Act (ESA) listed species within a 5-mile radius from the Project site. Species include (but not limited to) bank swallow (*Riparia riparia*), Cooper's hawk (*Accipiter cooperii*), ferruginous hawk (*Buteo regalis*), golden eagle (*Aquila chrysaetos*), loggerhead shrike (*Lanius ludovicianus*), merlin (*Falco columbarius*), osprey (*Pandion haliaetus*), least Bell's vireo (*Vireo bellii pusillus*), and yellow-breasted chat (*Icteria virens*). These birds may nest in trees, shrubs, or in open fields and grasslands in or adjacent to the Project site.

Specific impact: Project construction may occur during the bird nesting season. The City is proposing to construct children's play area under three California black walnuts. Construction of the dog run enclosure will occur near oak trees.

Why impacts would occur: Construction during the breeding season for nesting birds and raptors could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Impacts could result from noise disturbances, increased human activity, dust, vegetation clearing, ground disturbing activities (e.g. staging, access, excavation, grading), and vibrations caused by heavy equipment. Such disturbances could result in increased nestling mortality due to nest abandonment or decreased feeding frequency.

Evidence impact would be significant: The loss of occupied habitat or reductions in the number of rare bird species, either directly or indirectly through nest abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation. Furthermore, nests of all native bird species are protected under State laws and regulations,

including Fish and Game Code sections 3503 and 3503.5. CDFW also considers impacts to Species of Special Concern (SSC) a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures. Raptors, also referred to as "birds of prey", are a valuable resource to the State of California, and therefore all raptors are protected (Fish & G. Code, §§ 3503, 3503.5, & 3513; Cal. Code Regs., tit. 14, §§ 251.1, 652 & 783 *et seq.*).

Mitigation Measure #1: CDFW recommends a thorough, recent, and season-appropriate initial assessment conducted by a qualified biologist and disclosing the results in an environmental document. The document should also discuss appropriate mitigation measures to protect nesting birds on the Project site.

Mitigation Measure #2: To protect nesting birds that may occur on site, CDFW recommends that the final environmental document include a measure that no construction should occur from February 15 (January 1 for raptors) through August 31.

Mitigation Measure #3: If Project activities occur between February 15 (January 1 for raptors) through August 31 CDFW recommends the Lead Agency require surveys be conducted by a qualified biologist no more than 14 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site including 500-foot buffer. If Project activities are delayed or suspended for more than 14 days during the breeding season, the Lead Agency should repeat the surveys. If nesting raptors and migratory songbirds are identified, CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests.

These buffers should be maintained 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. These buffers should be increased if needed to protect the nesting birds.

Comment #3: Special-Status Plant Survey

Issue: The City adopted a categorical exemption for the Project despite the presence of annual grassland and potential vernal pool vegetation communities that could support special-status plants (see General Plan, Table 4.3-1). Mowing/disking of the grassland could create suitable habitat for disturbance-loving plants. A review of CNDDDB and Calflora for special-status plants in the Santa Mountains National Recreation Area and Calabasas area found the following species could occur in the Project area: Lyon's pentachaeta (*Pentachaeta lyonii*), pale-yellow layia (*Layia heterotricha*), Malibu baccharis (*Baccharis malibuensis*), and Munz's tidy tips (*Layia munzii*). These species have a California Rare Plant Rank of 1B and are rare throughout their range (see complete definition at <https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>). Lyon's pentachaeta is CESA-listed and ESA-listed as endangered. The CNDDDB shows only 20 records of Lyon's pentachaeta in Ventura County and 37 in the state since 1990. There is only one record of Malibu baccharis and Munz's tidy tips in Ventura County.

Specific impacts: Project activities including vegetation clearing and ground disturbance (e.g., staging, access, excavation, grading, parking, trampling) would occur in annual grassland and potential vernal pool plant communities.

Why impact would occur: Project activities, including vegetation clearing and ground disturbance (e.g. staging, access, excavation, grading, parking, trampling) may result in direct mortality, population declines, or local extirpation of special-status plants.

Evidence impacts would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these special-status plant species will result in the Project to have a substantial adverse direct, indirect, and cumulative effect, on any species identified as a candidate, sensitive, or species in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends conducting thorough, recent, and season-appropriate surveys for special-status plants by a qualified biologist/botanist and disclosing the results in the final environmental document. Based on the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW 2018), a qualified biologist should “conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting.” The final CEQA documentation should provide a thorough discussion on the presence/absence of sensitive plants on site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.

Mitigation Measure #2: Based on the results of a special-status plant survey and discussion of potential impacts, CDFW recommends working with a qualified biologist/botanist to determine a species and area-specific mitigation ratio and create a plan to restore associated vegetation structure (i.e. density, diversity, abundance), soils, and other biotic and abiotic factors that support special-status plants.

Comment #4: Impacts to Special-Status Wildlife

Issue: The City adopted a categorical exemption for the Project despite the presence of habitat that could support special-status wildlife (see General Plan, Table 4.3-2). A review of CNDDDB for special-status wildlife in the Santa Mountains National Recreation Area and Calabasas area found the following species could occur in the Project area: coast horned lizard (*Phrynosoma blainvillii*) and Crotch bumble bee (*Bombus crotchii*). Coast horned lizards can be found in annual grassland habitats and forage on the ground in open areas. Coast horned lizards hibernate in the winter burrowed into the soil under surface objects such as rocks, in mammal burrows or in crevices (Brattstrom 2013; CDFW 2000). Crotch bumble bees can be found in open grasslands (Williams et al. 2014).

Specific impacts: Project activities including vegetation clearing and ground disturbance (e.g., staging, access, excavation, grading, parking, trampling) would occur in grassland that could

provide habitat for special-status wildlife. Bumble bees nest underground, often in abandoned holes made by rodents or occasionally abandoned bird nests. Some bee species may nest on the surface of the ground (in grass tussocks) or in empty cavities (hollow logs, dead trees, under rocks, etc.) (The Xerces Society 2018). Any near-surface or subsurface disturbance of the ground is likely disastrous for bumble bee colonies or overwintering queens (The Xerces Society 2018).

Why impact would occur: Project activities, including vegetation clearing and ground disturbance (e.g., staging, access, excavation, grading, parking, trampling) may result in direct mortality, population declines, or local extirpation of special-status wildlife.

Evidence impacts would be significant: Reptiles and amphibians are protected under State laws and regulations, including Fish and Game Code section 5050. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends conducting thorough, recent, season, and time-of-day-appropriate surveys for special-status wildlife by a qualified biologist and disclosing the results in the final environmental document.

Mitigation Measure #2: CDFW recommends a biological monitor be present before and during initial grubbing and grading operations to salvage wildlife species that may be killed or injured by heavy equipment. Many wildlife species will utilize fossorial mammal den sites. Such den sites should be inspected and not disturbed until confirmed unoccupied. Salvaged wildlife of low mobility should be removed and placed onto adjacent habitat out of harm's way. Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.

Mitigation Measure #3: The Project may result in the use of open pipes used as fence posts, property line stakes, signs, etc. Due to the location of the Project site and the open space that is in the surrounding vicinity, CDFW recommends that all hollow posts and pipes be capped to prevent wildlife entrapment and mortality because these structures mimic the natural cavities preferred by various bird species and other wildlife for shelter, nesting and roosting. Raptor's talons can become entrapped within the bolt holes of metal fence stakes resulting in mortality. Metal fence stakes used on the Project site should be plugged with bolts or other plugging materials to avoid this hazard.

Additional Recommendations

Wild Walnut Park is adjacent to County of Los Angeles Significant Ecological Areas (SEAs) (Los Angeles County 2020). For a final environmental document, CDFW recommends the City consult with a biologist to consider potential impacts of the proposed project on surrounding open space/natural areas beyond the boundaries of Wild Walnut Park. Impacts may include spread of non-native, invasive plants or introduction of novel species because of increased ground disturbance and foot traffic through Wild Walnut Park.

Mr. Jeff Rubin
City of Calabasas
Community Services Department
June 8, 2020
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Filing Fees

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

We appreciate the opportunity to comment on the Project to assist the City of Calabasas Community Services Department in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Ruby Kwan-Davis, Senior Environmental Scientist, at Ruby.Kwan-Davis@wildlife.ca.gov or (657) 215-1007.

Sincerely,

DocuSigned by:
Erinn Wilson-Olgin
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Erinn Wilson
Environmental Program Manager I

ec: CDFW

Victoria Tang – Los Alamitos
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References:

- [CDFA] California Department of Food and Agriculture. 2020. Statewide Sudden Oak Death Quarantine. [Internet]. [cited 2020 June 1]. Available from: <https://www.cdfa.ca.gov/plant/pe/InteriorExclusion/SuddenOakDeath/>
- Brattstrom, B.H. 2013. Distribution of the Coast Horned Lizard, *Phrynosoma coronatum*, in Southern California. Bulletin of Southern Cal. Academy of Sciences 112(3): 206-2017.
- [CDFW] California Department of Fish and Wildlife. March 20, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities [Internet]. Available from: <https://wildlife.ca.gov/Conservation/Survey-Protocols>
- [CDFW] California Department of Fish and Wildlife. 2000. Coast Horned Lizard. California Wildlife Habitat Relationships System. [Internet]. [cited 2020 June 1]. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentVersionID=17641>
- Los Angeles County. 2020. Significant Ecological Areas (SEA) Ordinance Implementation Guide. [Internet]. [cited 2020 June 1]. Available from: <http://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf>
- [UCIPM] University of California Agriculture and Natural Resources Statewide Integrated Pest Management Program. September 2010. Sudden Oak Death [Internet]. [cited 2020 June 1]. Available from: <http://ipm.ucanr.edu/PMG/PESTNOTES/pn74151.html>
- [USGS] United States Geological Survey. (2020). 2020 USGS National hydrography Dataset for Hydrologic Unity (HU) 8. [downloaded June 1, 2020]. Available from the USGS The National Map website: <https://viewer.nationalmap.gov/basic/>
- Williams, P. H., R. W. Thorp, L. L. Richardson, and S .R. Colla. 2014. The Bumble bees of North America: An Identification guide. Princeton University Press, Princeton.
- The Xerces Society. 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. [Internet]. [cited 2020 June 1]. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161902&inline>



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CDFW recommends the following surveys prior to project activities and language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)			
	Mitigation Measure	Timing	Responsible Party
MM-BIO-1-Initial Assessment	CDFW suggests a season and species-specific, comprehensive initial assessment conducted by a qualified biologist and an environmental document be generated containing the appropriate mitigation measures for each of the sensitive species on the Project site.	Prior to Project activities	City of Calabasas Community Services Department
MM-BIO-2-CEQA Document	CDFW recommends the lead agency reconsider the CEQA document required for this project.	Prior to Project activities	City of Calabasas Community Services Department
MM-BIO-3-Impacts to Nesting Birds	A season, species-specific initial assessment conducted by a qualified biologist and an environmental document shall be generated containing the appropriate mitigation measures to protect nesting birds on the Project site.	Prior to Project activities	City of Calabasas Community Services Department

<p>MM-BIO-4- Impacts to Nesting Birds</p>	<p>To protect nesting birds that may occur on site, CDFW recommends that the final environmental document include a measure that no construction should occur from February 15 (January 1 for raptors) through August 31</p>	<p>Prior to/during Project activities</p>	<p>City of Calabasas Community Services Department</p>
<p>MM-BIO-5- Impacts to Nesting Birds</p>	<p>If avoidance is not feasible a qualified biologist shall complete surveys for nesting birds no more than 14 days prior to the beginning of any Project-related activity for the entire Project site including 500-foot buffer. If Project activities are delayed or suspended for more than 14 days during the breeding season the qualified biologist shall repeat the surveys. If nesting raptors and migratory songbirds are identified, the following minimum no-disturbance buffers shall be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests.</p> <p>These buffers shall be maintained 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. These buffers shall be increased if needed to protect the nesting birds.</p>	<p>Prior to/during Project activities</p>	<p>City of Calabasas Community Services Department</p>
<p>MM-BIO-6- Impacts to Nesting Birds</p>	<p>If an active nest is found within 500 feet of the Project site, a qualified biologist shall determine the nesting status and set up a species-appropriate no-work buffer that shall be no less than 300 feet. Buffers shall be marked around the active nest site as directed by the qualified biologist. No Project activities shall be allowed inside these buffers until the birds have fledged.</p>	<p>During Project activities</p>	<p>City of Calabasas Community Services Department</p>

<p>MM-BIO-7- Impacts to Special-Status Plants</p>	<p>CDFW recommends conducting focused surveys for special-status plants by a qualified biologist/botanist and disclosing the results in the final environmental document. Based on the <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</i> (CDFW 2018), a qualified biologist should “conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting.” The final CEQA documentation should provide a thorough discussion on the presence/absence of sensitive plants on site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.</p>	<p>Prior to Project activities</p>	<p>City of Calabasas Community Services Department</p>
<p>MM-BIO-8- Impacts to Special-Status Plants</p>	<p>Based on the results of a special-status plant survey and discussion of potential impacts, CDFW recommends working with a qualified biologist/botanist to determine a species and area-specific mitigation ratio and create a plan to restore associated vegetation structure (i.e. density, diversity, abundance), soils, and other biotic and abiotic factors that support special-status plants.</p>	<p>Prior to Project activities</p>	<p>City of Calabasas Community Services Department</p>
<p>MM-BIO-9- Impacts to Special-Status Wildlife</p>	<p>CDFW recommends conducting focused surveys for special-status wildlife by a qualified biologist and disclosing the results in the final environmental document.</p>	<p>Prior to Project activities</p>	<p>City of Calabasas Community Services Department</p>
<p>MM-BIO-10- Impacts to Special-Status Wildlife</p>	<p>CDFW recommends a biological monitor be present before and during initial grubbing and grading operations to salvage wildlife species that may be killed or injured by heavy equipment. Many wildlife species will utilize fossorial mammal den sites. Such den sites should be inspected and not disturbed until confirmed unoccupied. Salvaged wildlife of low mobility should be removed and placed onto adjacent habitat out of harm’s way. Grubbing and</p>	<p>Prior to/during Project activities</p>	<p>City of Calabasas Community Services Department</p>

	<p>grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.</p>		
<p>MM-BIO-11- Impacts to Special-Status Wildlife</p>	<p>The Project may result in the use of open pipes used as fence posts, property line stakes, signs, etc. Due to the location of the Project site and the open space that is in the surrounding vicinity, CDFW recommends that all hollow posts and pipes be capped to prevent wildlife entrapment and mortality because these structures mimic the natural cavities preferred by various bird species and other wildlife for shelter, nesting and roosting. Raptor's talons can become entrapped within the bolt holes of metal fence stakes resulting in mortality. Metal fence stakes used on the Project site should be plugged with bolts or other plugging materials to avoid this hazard.</p>	<p>Prior to/during Project activities</p>	<p>City of Calabasas Community Services Department</p>