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July 31, 2020

Governor's Office of Planning & Research

Mr. Mark Evans
La Cañada Unified School District
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La Cañada, CA 91011
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Jul 31 2020

STATE CLEARINGHOUSE

Subject: Palm Crest Elementary School Modernization Project, Mitigated Negative Declaration, SCH # 2020070049, La Cañada Unified School District, Los Angeles County

Dear Mr. Evans:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND) for the Palm Crest Elementary School Modernization Project (Project). The MND's supporting documentation includes *Appendix A Project Plans*, *Appendix B Exterior Materials and Landscaping*, *Appendix D1 Arborist Report*, *Appendix D2 Tree Inventory Photo Plate*, and *Appendix H1 Phase 1 ESA*.

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

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& G. Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Project Description and Summary

Objective: The La Cañada Unified School District (District) proposes to modernize buildings and facilities at Palm Crest Elementary School (School). The proposed Project involves the construction of one new classroom building, which would be comprised of an east and a west wing. The two-story classroom building would include approximately 23,184 square feet evenly divided between the first and second floor. The Project would also include renovation of 18 existing classrooms; conversion of one classroom building to four specialty classrooms; demolition of the old District Office and existing garage; removal of trees for construction of a new upper parking lot; alteration/improvement to the existing drop-off area; alteration/improvement to the existing west parking lot; installation of temporary portable classrooms for use during Project construction; construction and extension of site utilities to new classroom buildings; improvement to landscaping areas; and construction of pedestrian walkways.

Location: Palm Crest Elementary School is located in the city of La Cañada Flintridge, Los Angeles County. The School is located at 5025 Palm Drive. The Project site is in an urban area and is surrounded by residential uses. The Project site is generally located south of Jessen Drive and Solliden Lane, west of Palm Drive, and north of Ravista Lane. The Halls Canyon Channel is located approximately 500 feet west of the Project site beyond existing homes.

Comments and Recommendations

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

Specific Comments

Comment #1: Impacts to Nesting Birds

Issue #1: The Biological Study Area (BSA) has canopy cover and structure that may invite native, sensitive, or special status nesting bird species. CDFW is concerned that mitigation measure proposed for impacts to nesting birds in the Initial Study (IS)/MND, MM BIO-1 in Table 7.0-1, is inadequate to reduce impacts to less than significant.

Issue #2: Field surveys were conducted on January 23 and 28, 2020. CDFW is concerned that field surveys were not conducted during peak bird nesting season but rather during the early start of raptor season (January 1) and outside of bird nesting season (February 15 – August 31). As such, fields survey may have had missed detections of native, sensitive, or special status nesting birds or raptors. One or more field surveys during peak bird nesting season should have been conducted to adequately conclude that sensitive and special status birds and raptors do not nest in areas within and immediately adjacent to the Project site.

Specific Impacts: Increased nesting mortality due to nest abandonment or decreased feeding frequency as a result of Project construction and activities. Impacts to sensitive or special status

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birds or raptors not previously known or identified to be on the Project site or within its vicinity could possibly occur.

Why impacts would occur: Construction during the nesting bird season could result in the loss of fertile eggs or nestlings or otherwise lead to nest abandonment in areas within or adjacent to the Project site. Impacts could result from noise disturbances, increased human activity, increased lighting, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment.

Evidence impacts would be significant: Nests of all native bird species are protected under State laws and regulations, including Fish and Game Code sections 3503 and 3503.5. Furthermore, reductions in the number of special status bird species, either directly or indirectly through nest abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation. CDFW also considers impacts to Species of Special Concern a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the District work with qualified biologists to prepare a Project and site-specific Nesting Bird Mitigation Plan prior to starting Project construction and activities. A Nesting Bird Mitigation Plan should include measures A through F below at a minimum.

- a) "To protect nesting birds that may occur on site, no Project construction or activities shall occur from February 15 through August 31, and as early as January 1 for raptors."
- b) "If Project construction or activities during this period must occur, a qualified biologist shall complete a survey for nesting bird activity within the Project site and a 500-foot buffer (as access to adjacent areas allows), including areas with increased impacts resulting from noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites."
- c) "A qualified biologist shall conduct bird surveys no more than 14 days prior to removing any trees or buildings to provide confirmation on the presence or absence of active nests in affected trees or buildings. Surveys shall be conducted for the duration of such Project activities that occur during the bird nesting season."
- d) "If an active nest is found, a qualified biologist shall determine the nesting status and set up a species-appropriate no-work buffer that should be no less than 300 feet initially (500 feet for raptor nests) or as determined by a qualified biologist depending on the species and location. Buffers shall be marked around the active nest site as directed by the qualified biologist and maintained during Project construction and activities. Buffers shall be increased if needed to protect the nesting birds. Removal of the affected trees or buildings shall be deferred, no additional Project activities shall be allowed inside buffers, and construction personnel shall be restricted from the area until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the

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nest or parental care for survival. Construction personnel shall be instructed on the sensitivity of buffered areas.”

- e) “The buffer perimeter shall be fenced or adequately demarcated. A qualified biologist shall serve as a construction monitor during those periods when Project activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. Buffer fencing shall be constructed with materials that are not harmful to wildlife. Prohibited materials shall include, but are not limited to, spikes, glass, razor, or barbed wire.”
- f) “Vegetation clearing and grubbing activities when birds are likely to be nesting shall be monitored by a qualified biologist. Such activities shall only occur when a qualified biologist is present to ensure that these activities remain within the Project footprint (i.e. outside the demarcated buffer), that flagging/stakes/fencing are being maintained, and to minimize the likelihood that active nests are abandoned or fail due to Project activities.”

Recommendation #1: If the District proposes to modify any of the mitigation measures A through F, the District should submit its Nesting Bird Mitigation Plan to CDFW. If modifications are proposed, the Nesting Bird Mitigation Plan should: 1) identify CDFW’s mitigation measure that the District proposes to modify, 2) state proposed changes, and 3) provide a brief discussion that demonstrates that proposed modifications would still protect nesting birds and raptors and reduce impacts to less than significant.

Recommendation #2: CDFW recommends one or more field surveys during peak bird and raptor nesting season. Survey methodology and findings, including negative findings, should be documented in a report. The report should be provided as an appendix in final environmental documents.

Comment #2: Coast Live Oak Trees

Issue #1: CDFW is concerned the MM BIO-2 is inadequate to protect coast live oak trees (*Quercus agrifolia*) designated to be preserved during the life of Project construction and activities. Also, MM BIO-2 does not specify measures to replace a “preserved” coast live oak tree should Project construction and activities lead to decreased health or mortality of a preserved tree.

Issue #2: Page 4.4-37 in the IS/MND states, “the District intends to incorporate native tree species into its landscaping plans. Of particular note, two native coast live oak trees are scheduled to be planted as part of the landscaping plans of the project design.” CDFW is concerned that the Project will remove three large coast live oak trees, R1, R5, and R8, but replace only two (also stated in MM BIO-3 page 4.4-38). Furthermore, *Appendix A Project Plans* does not show coast live oak trees in the landscaping plan. *Appendix B1 Exterior Materials and Landscaping* has “southern live oak” in the landscaping plan (no scientific name provided); however, *Appendix D1 Arborist Report* identifies the oak trees in the Project site as coast live oak. CDFW is concerned that coast live oak trees are not part of the final landscaping plan and may be replaced with a different species and variety of oak tree.

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Issue #3: CDFW is concerned the MM BIO-3 is inadequate to ensure that replacement oak trees will be successful in restoring the habitat, structure, foliage, canopy, and aesthetics lost by removing three large coast live oak trees during the Project.

Specific Impacts: A short-term and long-term reduction in available nesting and perching habitat and structure for birds.

Why impacts would occur: The Project may reduce the footprint of available nesting and perching habitat and structure for birds in the short-term and potentially long-term if the Project is inadequate in mitigating for impacts to coast live oak trees. Even if replacement oak trees survive transplanting, oak tree saplings could remain small and shrubby for many years. It may take 20 to 40 years, potentially longer under drought conditions, for replacement oak trees to reach maturity and restore the habitat, structure, foliage, and canopy lost by removing coast live oak trees. As such, birds may be unable to nest in planted coast live oak trees until they mature.

Coast live oak trees not targeted for removal may be impacted by heavy vehicles and equipment and other Project activities. The placement of fill dirt and ingress and egress routes of heavy construction vehicles can continually compact the root zone and roots may not be able to acquire nutrients, water, and oxygen, causing the tree to die (Hostetler and Drake 2009). Designated zones for disposal of debris and chemicals should be away from any trees meant to be preserved. Debris can be toxic or can change soil pH due to leeching of chemicals into the ground which could affect trees (Hostetler and Drake 2009).

Evidence impacts would be significant: Oak trees provide habitat for nesting birds. The loss of occupied habitat or reductions in the number of sensitive or special status bird species, either directly or indirectly through nest abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends modifying MM-BIO 2 to include underlined language and remove language with strikethrough.

“During project construction, the measures described below shall be taken to protect any oak trees designated to be preserved and for which the root systems are located near and vulnerable to damage by construction activities. These measures shall be performed by a certified arborist or under the supervision of a certified arborist and/or qualified restoration professional. The exposed tap root, main roots and any surface-feeding roots exceeding one inch in diameter shall be wrapped in protective moistened burlap during the excavation of existing pavement and buildings and during the re-grading phase and installation of the new parking lot. The roots zone (under dripline) and 5 feet from the drip line ~~should~~ shall be excavated with ~~a mini-excavator and/or~~ hand tools, using a probe (metal rod or stick) to locate and unearth roots, leaving them in their natural orientation. A mini excavator shall be used only if absolutely necessary. Work will be done as quickly as possible to expose the roots for as little time as possible and the roots will be reburied with clean fill as soon as is feasible (no longer than a day or so, if possible). The burlap will be kept moist. Efforts will be made to avoid cutting roots. If roots ~~are~~ need to be cut, they will be cut with sharpened, clean, disinfected tools (10% bleach solution) with every effort to avoid tearing the root and to avoid tearing the root surface. A minimum distance of eight feet should be maintained of the root (distance from the root crown

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to terminal end of root), where possible. If the current elevation of the two tree's existing root collars differs by more than one foot from the grade of the new parking lot grade then a 10-foot radius of soil at the root collar grade shall be placed around each tree. If a certified arborist or and/or qualified restoration professional determines work is being performed improperly, that individual(s) shall stop work and determine the best course of action to avoid any tree damage or mortality before restarting work.

These procedures have a potential to cause decreased health (greater than 25% signs of visible stress) or mortality of any oak trees designated to be preserved. If any root disturbing activities are determined to have caused irreversible impacts that may eventually lead to decreased health or mortality of any oak tree, those activities and potential impacts shall be documented immediately. All documentation shall be summarized in a report provided to the La Cañada Unified School District at the end of Phase 1. Preserved oak trees that may succumb to impacts shall be replaced with oak trees that are of the same species and variety."

Mitigation Measure #2: Placement of fill dirt, staging areas, chemicals, or debris should be away from any oak trees designated to be preserved.

Mitigation Measure #3: CDFW recommends modifying MM-BIO 3 to include underlined language and remove language with strikethrough.

"To offset the loss of native trees scheduled for removal during construction and project operations, ~~two~~ three coast live oak trees (*Quercus agrifolia*) shall be planted in the courtyard area of the new two-story building that will be erected in the northwest region of the project site. ~~The container stock of these oak trees will be acquired from a plant nursery and will be 48" box trees as a minimum size (or as directed by the landscape architect or certified arborist).~~ The District and landscape architect shall work with a certified arborist and/or qualified restoration professional to select the most appropriate location for replacement coast live oak trees. Coast live oak trees shall not be planted in the courtyard area if the specific location(s) selected will be subject to future modernization projects or ground disturbance work that may impact replacement trees. Locations shall have appropriate biological or physical factors required by coast live oak trees to grow and persist where possible.

The District and landscape architect shall work with a certified arborist and/or qualified restoration professional to acquire appropriately sized, locally sourced coast live oak trees from a local native plant nursery that implements *Phytophthora*/Clean Nursery Stock protocols. This may reduce the probability of introducing coast live oak trees contaminated with pests, diseases, and pathogens that could spread and infect native oak trees or habitats. A certified arborist and/or qualified restoration professional shall inspect and potentially quarantine nursery stock before bringing them into the Project site and supervise the installation/transplanting of the coast live oak trees.

The District shall protect and monitor the survivorship of planted coast live oak trees until the trees begin to produce seeds. The District shall consult with the certified arborist and/or qualified restoration professional on a long-term maintenance plan to provide protective caging, shading, and irrigation. Oak trees shall be protected from trampling, damage, or climbing. The District shall also consult with the certified arborist and/or qualified restoration professional if coast live oak trees show symptoms of stress and determine the appropriate response to prevent mortality.

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Recommendation #1: CDFW recommends adding the following sentence to beginning of MM BIO-3: "This project will remove three coast live oak trees." The sentence should be modified to reflect the actual number of coast live oak trees removed as needed.

Recommendation #2: CDFW recommends a minimum mitigation ratio of 2:1 for impacts to coast live oak trees. Coast live oak trees may be difficult to establish from seed or sapling, especially under drought conditions. A mitigation of 1:1 would be inadequate if replacement trees are unsuccessful. A higher mitigation ratio would account for mortality and attrition of replacement coast live oak trees, and potential mortality of any oak trees marked for preservation. If all replacement trees survive and reach reproductive maturity, this will have a net benefit for birds.

Recommendation #3: CDFW recommends modifying landscape plants to include coast live oak trees and specify *Quercus agrifolia*.

Recommendation #4: CDFW encourages the District to continuing working with their arborist and landscape architects to preserve coast live oaks trees R2, R6, and R7. Since these trees can be avoided (per discussion on Page 4.4-35), these three trees should be preserved, especially given their maturity, dense foliage, and large canopy, and are considered "highly aesthetic".

Recommendation #5: CDFW recommends the following sources for additional information about Clean Nursery Stock protocols and soilborne pathogens in the genus *Phytophthora* as discussed in Mitigation Measure #3.

- [Best Management Practices for Producing Clean Nursery Stock](#) provided by Phytosphere Research.
- [Understanding and Managing Sudden Oak Death in California](#) provided by Phytosphere Research.
- [A Reference Manual for Managing Sudden Oak Death](#) in California provided by the United States Department of Agriculture.

Comment #3: Spreading Invasive Pests and Diseases

Issue: The Project would remove coast live oak and eucalyptus (*Eucalyptus camaldulensis*) trees that may host invasive pests and diseases. According to *Appendix D1 Arborist Report*, discoloration was documented on coast live oak trees R1 and R8.

Specific Impacts: The Project may result in the spread of tree insect pests and diseases into areas not currently exposed to these stressors. This could result in expediting the loss of oaks and other trees in California which support a high biological diversity including special status species.

Why impacts would occur: The Project would remove tree species that could host insect pests and diseases. Chippers, trucks, chainsaws, and any tools used to remove trees may contain infected plant fragments. These fragments can be spread to new locations if the equipment and tools are not disinfected or cleaned before moving to the next work location.

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Trees will be removed and presumably hauled to off-site locations for disposal. This may expose off-site oak and other tree species to pest and disease.

Evidence impacts would be significant: The Project may have a substantial adverse effect on any sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW or United States Fish and Wildlife Service (USFWS). The Project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS that are dependent on oak woodlands and other woodland habitats susceptible to insect and disease pathogens.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the District work with a qualified arborist to prepare an Infectious Tree Disease Management Plan (Management Plan) and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases including but not limited to: sudden oak death (*Phytophthora ramorum*), [thousand canker fungus](#) (*Geosmithia morbida*), [Polyphagous shot hole borer](#) (*Euwallacea* spp.), and [goldspotted oak borer](#) (*Agrilus auroguttatus*), diseased trees should not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan should be included as an appendix in the final environmental document.

Recommendation #1: A Management Plan should be provided to CDFW for review and included as an appendix in the final environmental document.

Comment #4: Impacts to Bats

Issue: The IS/MND addresses hoary bat (*Lasiurus cinereus*) and silver-haired bat (*Lasionycteris noctivagans*), which have a low potential to occur within the BSA. The IS/MND does not address the potential for bats, in general, to occur within the BSA. Also, the IS/MND does not discuss whether buildings such as the District Office could provide roosting habitat for bats.

Specific Impacts: Direct impacts include removal of trees, vegetation, and/or structures that may provide roosting habitat and therefore has the potential for the direct loss of bats. Indirect impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. Demolition, grading, and excavating activities may impact bats potentially using man-made structures or surrounding trees as roost sites.

Why impacts would occur: In urbanized areas, bats use trees and man-made structures for daytime and nighttime roosts (Avila-Flores and Fenton 2005; Oprea et al. 2009; Remington and Cooper 2014). Trees and crevices in buildings in and adjacent to the Project site could provide roosting habitat for bats. Barrel tiled roofs may provide habitat. Roof tiles need not be damaged for bats to use them. Bats can fit into very small seams, as small as a ¼ inch. Modifications to roost sites can have significant impacts on the bats' usability of the roost and can impact the bats' fitness and survivability (Johnston et al. 2004). Extra noise, vibration, or the reconfiguration of large objects can lead to the disturbance of roosting bats which may have a negative impact

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on the animals. Human disturbance can also lead to a change in humidity, temperatures, or the approach to a roost that could force the animals to change their mode of egress and/or ingress to a roost. Although temporary, such disturbance can lead to the abandonment of a maternity roost (Johnston et al. 2004).

Evidence impacts would be significant: Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Several bat species are considered California Species of Special Concern (SSC) and meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #1: CDFW recommends a qualified bat specialist conduct bat surveys to determine baseline conditions within the Project site and within a 500-foot buffer (as access to adjacent areas allows), where accessible, to identify trees and/or structures that could provide daytime and/or nighttime roost sites. Surveys should include all areas that would experience increased impacts resulting from noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. CDFW recommends using acoustic recognition technology to maximize detection of bats. Night roosts are typically utilized from the approach of sunset until sunrise. In most parts of California, night roost use will only occur from spring through fall while day roosts are typically utilized during the spring, summer, and fall in California (Johnston et al. 2004).

Recommendation #2: Survey methodology and results, including negative findings, should be submitted to CDFW for review 2 weeks prior to initiation of Project activities; and, provided as an appendix in the final environmental document. Depending on survey results, provide an analysis of potentially significant effects of the proposed Project on the bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125).

If there are potentially significant impacts and a revision of the MND is needed, CDFW recommends recirculating the MND and environmental documents so CDFW may provide more appropriate comments on avoidance, minimization, and mitigation measures (CEQA Guidelines, § 15073.5).

Comment #5: Impacts to Non-Game Mammals and Wildlife

Issue: Special status birds and raptors have a moderate potential to occur in the Project site. Natural areas in the Halls Canyon Channel area may invite birds, raptors, and additional wildlife such as small mammals. Because the Project site is near the Halls Canyon Channel, wildlife could occur in the Project site in the daytime or nighttime. CDFW is concerned that Project construction, activities, and equipment may impact wildlife and result in mortality without appropriate mitigation measures.

Specific impacts: Project construction, activities, and equipment may result in the mortality of various birds and other wildlife.

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Why impacts would occur: The Project may result in the use of open pipes as fence posts, property line stakes, signs, etc. 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. Direct impacts to wildlife may occur from: ground disturbing activities (e.g., staging, access, excavation, grading); wildlife being trapped or entangled in construction materials and installation of restrictive fencing; and, wildlife could be trampled by heavy equipment operating in the Project site.

Evidence impacts would be significant: Mammals occurring naturally in California are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Impacts to special status wildlife 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 special status wildlife species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative 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 USFWS.

Recommended Potentially Feasible Mitigation Measure(s): CDFW recommends the following mitigation measures to avoid impacts to wildlife for the duration of Project construction and activities.

Mitigation Measure #1: If fencing is proposed for use during construction or during the life of the Project, fences shall be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire.

Mitigation Measure #2: "Before starting or moving construction vehicles, especially after a few days of nonoperation, operators shall inspect under all vehicles to avoid impacts to any wildlife that may have sought refuge under equipment."

Mitigation Measure #3: "All hollow posts and pipes shall be capped, and metal fence stakes shall be plugged with bolts or other plugging materials to prevent wildlife entrapment and mortality."

Mitigation Measure #4: CDFW recommends using low level lighting as described in MM AES-1 in Table 7.0-1. CDFW also recommends eliminating all non-essential lighting and avoid or limit the use of artificial light during the hours of dawn and dusk, as these windows of time are when many wildlife species are most active. Night lighting can disrupt the circadian rhythms of many wildlife species. Many species use photoperiod cues for communication (e.g., bird song; Miller 2006), determining when to begin foraging (Stone et al. 2009), behavior thermoregulation (Beiswenger 1977), and migration (Longcore and Rich 2004). Phototaxis, a phenomenon which results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it (Longcore and Rich 2004).

Recommendation #1: The California Natural Diversity Database's (CNDDDB) dataset, *Natural Areas Small – California Essential Habitat Connectivity*, depicts large, relatively natural habitat blocks that support native biodiversity, and small areas essential for ecological connectivity between them (Essential Connectivity Areas, ECA). A few ECAs exist between the Angeles National Forest and San Rafael Hills/Cherry Canyon Park. The School is located between these

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two large habitats blocks and could be designed to incorporate elements that may facilitate wildlife movement.

CDFW recommends the District consider permeable fencing as part of the School's design. Wildlife impermeable fencing is fencing that prevents or creates a barrier for the passage of wildlife from one side to the other. Chain link fences – a type of impermeable fencing - can create hazards and barriers for wildlife movement, seasonal migrations, and access to food and water. CDFW recommends reviewing [A Landowner's Guide to Wildlife Friendly Fences](#) for additional information.

CDFW also recommends incorporating native plants found in California Buckwheat Scrub and Coast Live Oak Woodland vegetation communities in the landscaping design. This would extend the area covered by mostly native vegetation from Halls Canyon Channel onto the School campus, creating more native vegetation connectivity.

Additional Comments

Landscaping: Habitat loss and invasive plants are a leading cause of native biodiversity loss. Invasive plant species spread quickly and can displace native plants, prevent native plant growth, and create monocultures. The District should not plant, seed, or otherwise introduce invasive exotic plant species to landscaped areas that are adjacent and/or near native habitat areas. CDFW recommends using native, locally appropriate plant species and drought tolerant, lawn grass alternatives to reduce water consumption. Information on alternatives for invasive, non-native, or landscaping plants may be found on the [California Invasive Plant Council's, Don't Plant a Pest](#) webpage. The [Audubon Society's Native Plants Database](#) is a resource to identify native plants and trees that will attract and benefit birds. Birds may help to control and reduce insects, reducing the need for pesticides. The [California Native Plant Society's Gardening](#) and [Xerces Society's Pollinator-Friendly Native Plant Lists](#) webpage has information on native plant species that invite insects and pollinators. Pollinators are critical components of our environment and essential to our food security. Insects – and primarily bees – provide the indispensable service of pollination to more than 85% of flowering plants (Ollerton et al. 2011)

Per CEQA Guidelines Section 21081.6(a)(1), CDFW has provided the La Cañada Unified School District with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

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 the La Cañada Unified School District 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 La Cañada Unified School District in adequately analyzing and minimizing/mitigating impacts to biological

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resources. CDFW requests an opportunity to review and comment on any response that the La Cañada Unified School District 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.

Sincerely,

DocuSigned by:
Erinn Wilson-Olgin

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Erinn Wilson
Environmental Program Manager I

ec: CDFW

Victoria Tang – Los Alamitos
Karen Drewe – Los Alamitos
Susan Howell – San Diego
CEQA Program Coordinator - Sacramento

State Clearinghouse

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Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project.

Biological Resources (BIO)			
Mitigation Measure (MM)		Timing	Responsible Party
MM-BIO-1- Impacts to Nesting Birds	The District shall work with qualified biologists to prepare a Project and site-specific Nesting Bird Mitigation Plan. A Nesting Bird Mitigation Plan should include MM-BIO-2 to MM-BIO-7 .	Prior to Project construction and activities	La Cañada Unified School District (District)
MM-BIO-2- Impacts to Nesting Birds	To protect nesting birds that may occur on site, no Project construction or activities shall occur from February 15 through August 31, and as early as January 1 for raptors.	Prior to Project construction and activities	District/ Construction Personnel
MM-BIO-3- Impacts to Nesting Birds	If Project construction or activities during this period must occur, a qualified biologist shall complete a survey for nesting bird activity within the Project site and a 500-foot buffer (as access to adjacent areas allows), including areas with increased impacts resulting from noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites.	Prior to Project construction and activities	District
MM-BIO-4- Impacts to Nesting Birds	A qualified biologist shall conduct bird surveys no more than 14 days prior to removing any trees or buildings to provide confirmation on the presence or absence of active nests in affected trees or buildings. Surveys shall be conducted for the duration of such Project activities that occur during the bird nesting season	Prior to Project construction and activities	District

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MM-BIO-5- Impacts to Nesting Birds	If an active nest is found, a qualified biologist shall determine the nesting status and set up a species-appropriate no-work buffer that should be no less than 300 feet initially (500 feet for raptor nests) or as determined by a qualified biologist depending on the species and location. Buffers shall be marked around the active nest site as directed by the qualified biologist and maintained during Project construction and activities. Buffers shall be increased if needed to protect the nesting birds. Removal of the affected trees or buildings shall be deferred, no additional Project activities shall be allowed inside buffers, and construction personnel shall be restricted from the area until the qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. Construction personnel shall be instructed on the sensitivity of buffered areas.	Prior to/During Project construction and activities	District/ Construction Personnel
MM-BIO-6- Impacts to Nesting Birds	The buffer perimeter shall be fenced or adequately demarcated. The qualified biologist shall serve as a construction monitor during those periods when Project activities would occur near active nest areas to ensure that no inadvertent impacts on these nests would occur. Buffer fencing shall be constructed with materials that are not harmful to wildlife. Prohibited materials shall include, but are not limited to, spikes, glass, razor, or barbed wire.	Prior to/During Project construction and activities	District/ Construction Personnel
MM-BIO-7- Impacts to Nesting Birds	Vegetation clearing and grubbing activities when birds are likely to be nesting shall be monitored by a qualified biologist. Such activities shall only occur when a qualified biologist is present to ensure that these activities remain within the Project footprint (i.e. outside the demarcated buffer), that flagging/stakes/fencing are being maintained, and to minimize the likelihood that active nests are abandoned or fail due to Project activities.	During Project construction and activities	District/ Construction Personnel
MM-BIO-8- Impacts to Coast Live Oak Trees	During project construction, the measures described below shall be taken to protect any oak trees designated to be preserved and for which the root systems are located near and vulnerable to damage by construction activities. These measures shall be performed by a certified arborist or under the supervision of a certified arborist and/or qualified restoration professional. The	During/After Project construction and activities	District/ Construction Personnel

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	<p>exposed tap root, main roots and any surface-feeding roots exceeding one inch in diameter shall be wrapped in protective moistened burlap during the excavation of existing pavement and buildings and during the re-grading phase and installation of the new parking lot. The roots zone (under dripline) and 5 feet from the drip line shall be excavated with hand tools, using a probe (metal rod or stick) to locate and unearth roots, leaving them in their natural orientation. A mini excavator shall be used only if absolutely necessary. Work will be done as quickly as possible to expose the roots for as little time as possible and the roots will be reburied with clean fill as soon as is feasible (no longer than a day or so, if possible). The burlap will be kept moist. Efforts will be made to avoid cutting roots. If roots need to be cut, they will be cut with sharpened, clean, disinfected tools (10% bleach solution) with every effort to avoid tearing the root and to avoid tearing the root surface. A minimum distance of eight feet should be maintained of the root (distance from the root crown to terminal end of root), where possible. If the current elevation of the two tree's existing root collars differs by more than one foot from the grade of the new parking lot grade then a 10-foot radius of soil at the root collar grade shall be placed around each tree. If a certified arborist or and/or qualified restoration professional determines work is being performed improperly, that individual(s) shall stop work and determine the best course of action to avoid any tree damage or mortality before restarting work.</p> <p>These procedures have a potential to cause decreased health (greater than 25% signs of visible stress) or mortality of any oak trees designated to be preserved. If any root disturbing activities are determined to have caused irreversible impacts that may eventually lead to decreased health or mortality of any oak tree, those activities and potential impacts shall be documented immediately. All documentation shall be summarized in a report provided to the La Cañada Unified School District at the end of Phase 1. Preserved oak trees that may succumb to impacts shall</p>		
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	be replaced with oak trees that are of the same species and variety.		
MM-BIO-9- Impacts to Coast Live Oak Trees	Placement of fill dirt, staging areas, chemicals, or debris shall be away from any oak trees designated to be preserved	During Project construction and activities	District/ Construction Personnel
MM-BIO-10- Impacts to Coast Live Oak Trees	<p>To offset the loss of native trees scheduled for removal during construction and project operations, three coast live oak trees (<i>Quercus agrifolia</i>) shall be planted in the courtyard area of the new two-story building that will be erected in the northwest region of the project site. The District and landscape architect shall work with a certified arborist and/or qualified restoration professional to select the most appropriate location for replacement coast live oak trees. Coast live oak trees shall not be planted in the courtyard area if the specific location(s) selected will be subject to future modernization projects or ground disturbance work that may impact replacement trees. Locations shall have appropriate biological or physical factors required by coast live oak trees to grow and persist where possible.</p> <p>The District and landscape architect shall work with a certified arborist and/or qualified restoration professional to acquire appropriately sized, locally sourced coast live oak trees from a local native plant nursery that implements <i>Phytophthora</i>/Clean Nursery Stock protocols. This may reduce the probability of introducing coast live oak trees contaminated with pests, diseases, and pathogens that could spread and infect native oak trees or habitats. A certified arborist and/or qualified restoration professional shall inspect and potentially quarantine nursery stock before bringing them into the Project site and supervise the installation/transplanting of the coast live oak trees.</p> <p>The District shall protect and monitor the survivorship of planted coast live oak trees until the trees begin to produce seeds. The</p>	During/After Project construction and activities	District

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	District shall consult with the certified arborist and/or qualified restoration professional on a long-term maintenance plan to provide protective caging, shading, and irrigation. Oak trees shall be protected from trampling, damage, or climbing. The District shall also consult with the certified arborist and/or qualified restoration professional if coast live oak trees show symptoms of stress and determine the appropriate response to prevent mortality.		
MM-BIO-11- Prevent Spread of Pests and Diseases	The District shall work with a qualified arborist to prepare an Infectious Tree Disease Management Plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases including but not limited to: sudden oak death (<i>Phytophthora ramorum</i>), thousand canker fungus (<i>Geosmithia morbida</i>), Polyphagous shot hole borer (<i>Euwallacea</i> spp.), and goldspotted oak borer (<i>Agrilus auroguttatus</i>), diseased trees shall not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan shall be included as an appendix in the final environmental document.	Prior to Project construction and activities	District
MM-BIO-12- Impacts to Non- Game Mammals and Wildlife	Fences used during construction or life of the Project shall be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire.	Prior to/During Project construction and activities	District/ Construction Personnel
MM-BIO-13- Impacts to Non- Game Mammals and Wildlife	Before starting or moving construction vehicles, especially after a few days of nonoperation, operators shall inspect under all vehicles to avoid impacts to any wildlife that may have sought refuge under equipment	During Project construction and activities	District/ Construction Personnel
MM-BIO-14- Impacts to Non- Game Mammals and Wildlife	All hollow posts and pipes shall be capped, and metal fence stakes shall be plugged with bolts or other plugging materials to prevent wildlife entrapment and mortality.	Prior to Project construction and activities	District/ Construction Personnel

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MM-BIO-15- Impacts to Non- Game Mammals and Wildlife	The Project shall use low level lighting as described. The Project shall eliminate all non-essential lighting and avoid or limit the use of artificial light during the hours of dawn and dusk.	During Project construction and activities	District/ Construction Personnel
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