



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



Governor's Office of Planning & Research

**Apr 15 2021**

## STATE CLEARINGHOUSE

April 15, 2021

Mr. Jon Turner  
City of Monterey Park  
353 E. Main Street  
Santa Paula, CA 93060  
[JTurner@phoenixcivil.com](mailto:JTurner@phoenixcivil.com)

**Subject: 1688 West Garvey Avenue Residential Project, Draft Environmental Impact Report, SCH #2020070419, City of Monterey Park, Los Angeles County**

Dear Mr. Turner:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Monterey Park (City; Lead Agency) for the 1688 West Garvey Avenue Residential Project (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.

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 2 of 12

## Project Description and Summary

**Background:** Development of the 6.22-acre Project site started in 1978-1979 and consisted of grading, installing water and sewer lines, and laying foundations for 31 residential lots. Numerous retaining walls were constructed to stabilize the lower slopes along Abajo Drive and West Garvey Drive. In or around 1980, development of the site ceased after a series of storms caused site-wide surficial and slope failure. Currently, the upper portion of the site remains graded with a degrading paved street, the upper slopes are covered in vegetation, and the lower slopes are stabilized with numerous erosion control measures.

**Objective:** The Project proposes to subdivide 6.22 acres for development of 16 single-family residences (176,660 square feet), one lot for the private access road (39,260 square feet), and one open space lot (55,096 square feet). The Project would completely remove the existing slopes and retaining walls on the lower portion of the site; remove the existing paved street and utilities on the upper portion of the site; stabilize slopes; regrade the Project site; install new retaining walls on the lower and upper portions of the Project site; and install new utilities and a new street (the private access road).

Two new retaining walls would be installed to help stabilize regraded slopes. The Lower Site Retaining Wall would be situated below the houses along West Garvey Avenue. The Upper Site Retaining Wall would be situated above the houses and proposed provide access road. Approximately 55,000 square feet of private open space would be provided for conservation. This includes the area above the Upper Site Retaining Wall. The existing native vegetation above the Upper Site Retaining Wall, including fescue grasses and California wildflowers will remain. This area will be preserved as a passive open space area with no pedestrian access.

The Project includes landscaping throughout the Project site. Trees, shrubs, and groundcover are proposed along West Garvey Avenue to further stabilize the regraded slope. The slope would also be hydroseeded with a grass and a native wildflower mix.

**Location:** The Project is located at 1688 West Garvey Avenue, south of West Garvey Avenue between Casuda Canyon Drive and Abajo Drive. The Project site is on a hill, approximately 150 feet above the intersection of West Garvey Avenue and Abajo Drive.

## Comments and Recommendations

CDFW contacted the City on March 12, 2021 requesting clarification on whether the Project would remove any trees. Based on the documents for review and correspondence with the City, 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 (biological) resources. Editorial comments or other suggestions are also be included to improve the environmental document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 3 of 12

## Specific Comments

### Comment: Impacts on Nesting Bird Habitat

**Issue:** The City previously stated in an email to CDFW (March 22, 2021) that “there are no trees being removed as part of this project.” The Project may still impact trees and therefore habitat for nesting birds.

**Specific impacts:** Construction of the Upper Slope Retaining Wall and introduction of non-native, invasive plants may result in loss of both native and non-native trees. The Project may reduce nesting bird habitat in the proposed open space.

**Why impacts would occur:** The Project site includes an ‘upper slope’, which is also the area proposed for conservation as open space. According to Appendix H, “most of the upper slope is dominated by native trees and shrubs including toyon (*Heteromeles arbutifolia*), the most common large shrub or tree, coast live oak (*Quercus agrifolia*), and laurel sumac (*Malosma laurina*).” The Project would construct an Upper Site Retaining Wall and install landscaping, both of which could affect trees. Trees could become stressed and injured causing mortality. Accordingly, the Project may result in loss of nesting bird habitat.

*Upper Slope Retaining Wall* - The Upper Site Retaining Wall runs adjacent to the upper slope/proposed open space. Construction of the Upper Site Retaining Wall, and the wall itself, could encroach on the Critical Root Zone (CRZ) of trees. Trees may be impacted by heavy vehicles and equipment during construction of the Upper Site Retaining Wall. Additionally, ground-disturbing activities such as trenching, excavating, or drilling may also impact the CRZ. The placement of fill, dirt, construction materials, staging areas, and heavy construction equipment adjacent or under trees could continually compact the CRZ. Roots may not be able to acquire nutrients, water, and oxygen, thus causing the tree to die (Hostetler and Drake 2009). Debris, chemical, and other refuse disposal areas located adjacent to trees could impact the CRZ. 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). Construction of the Upper Site Retaining Wall, and the wall itself, could impact native trees in the upper slope.

*Landscaping* - The Project’s landscaping plan consists exclusively of non-native tree, shrub, and grass species. Some species are potentially invasive. The Project’s landscaping plan includes creeping fig (*Ficus pumila*), creeping myoporum (*Myoporum parvifolium*), and new gold lantana (*Lantana* sp.). A relative of creeping fig and creeping myoporum, both the common fig (*Ficus carica*) and ngaio tree (*Myoporum laetum*) have a listing of ‘Moderate’ by the [California Invasive Plant Council](#) (Cal-IPC). A listing of ‘Moderate’ is defined as a species that has substantial and apparent but generally not severe-ecological impacts on physical processes, plant and animal communities, and vegetation structure (Cal-IPC 2021a). Also, Lantana (*Lantana camara*) is on Cal-IPC’s ‘Watch’ list. In natural and semi-natural vegetation, Lantana may smother vegetation and increase fire intensity (due to an increase in dry biomass), thus displacing native plant communities. Invasive plant species spread quickly and can displace native plants, prevent native plant growth, prevent native plant recruitment, and create monocultures. Accordingly, the Project’s use of non-native, invasive plant varieties could impact native trees in the upper slope.

**Evidence impact would be significant:** According to Appendix H, “the most abundant class of wildlife on the site was the birds. [...] There are undoubtedly many other avian species that

Mr. Jon Turner  
 City of Monterey Park  
 April 15, 2021  
 Page 4 of 12

utilize the site as residents or transients [...]” Impacts on the CRZ of native and non-native trees could cause tree stress, injury, and mortality. The result may a reduction in the number of trees and canopy cover in the proposed open space. The introduction of non-native, invasive plants may cause additional impacts on nesting bird habitat. The Project may reduce available nesting habitat and structure for birds in the short-term and potentially long-term if the Project is inadequate in mitigating for impacts on trees. Additionally, the loss of occupied habitat supporting sensitive and special-status bird species causing reproductive suppression would constitute a significant impact. Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct 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.

**Recommended potentially feasible mitigation measure(s):**

**Mitigation Measure #1 – Critical Root Zone:** CDFW recommends the City retain a certified arborist. Prior to any Project ground-disturbing activities that may impact trees, an arborist should conduct a site visit to identify the following: 1) trees where impacts on the CRZ would occur, 2) trees that need to be cut or limbed, and 3) trees where roots (i.e., tap root, main roots, and any surface-feeding roots) would need to be exposed/unearthed. The certified arborist should prepare a plan to protect the CRZ. CDFW recommends that Project construction and activities including (but not limited to) staging areas, debris piles, trenching, excavation, and soil compaction not occur within the CRZ. The CRZ should be demarcated with clear flagging, fencing, and signage. The certified arborist should also prepare a plan consisting of Best Management Practices to minimize impacts on trees as a result of cutting and limbing, as well as exposure of tree roots. If roots or canopy of coast live oak trees must be cut or disturbed, CDFW recommends that these actions be performed by a certified arborist or under the supervision of a certified arborist.

**Mitigation Measure #2 – Replacement Trees (Oak Trees):** If substantial impacts on roots and canopy of coast live oak trees occur and an arborist determines injuries would cause decreased health or mortality of a coast live oak tree, coast live oak trees should be replaced at no less than 3:1 [i.e., three (3) replacement oak trees surviving for one (1) tree impacted]. CDFW recommends 3:1 to assist the City in adequately mitigating for the following:

- Net loss of individual coast live oak trees and overstory canopy cover;
- Temporal loss of nesting bird habitat while replacement trees mature [at least 5 years for 2 feet of growth with extensive maintenance (Mahall et al. 2005; Parikh and Gale 1998)];
- Impacts to an ecologically valuable habitat (Block et al. 1990; CDFG 2005; Griffin and Muick 1990); and
- Impacts to naturally occurring habitat that is relatively difficult to reproduce in the natural environment (Dagitt and Downer 1997; Mahall et al. 2005).

CDFW recommends the City provide additional replacement trees for impacts on coast live oak trees greater than 24 inches diameter-breast-height (dbh). Also, CDFW recommends additional replacement trees be provided if sensitive or special-status birds not previously known to occur on the Project site are observed during nesting bird surveys. Lastly, in addition to replacing individual trees, CDFW recommends the City provide the appropriate understory species.

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 5 of 12

**Mitigation Measure #3 – Replacement Trees (Non-Native Trees):** CDFW recommends non-native, ornamental trees be replaced with native species at no less than 2:1. Additional replacement trees should be provided if the non-native, ornamental tree was greater than 24 inches dbh and/or the open space supports sensitive or special-status bird species.

**Mitigation Measure #4 – Native Tree Planting Plan:** CDFW recommends the City retain a qualified restoration specialist and/or arborist to develop a Native Tree Planting Plan. The plan should include effective and detailed measures associated with planted tree protection, maintenance, monitoring, reporting, and adaptive management. CDFW recommends that all replacement trees regardless of species be monitored for at least seven years after planting, with three additional years of no irrigation, weeding, or further replacement planting. The planting plan should also include Best Management Practices to acquire replacement native trees, especially coast live oak trees. The qualified restoration specialist should acquire appropriately sized, locally sourced trees from a local native plant nursery that implements Phytophthora/Clean Nursery Stock protocols. This may reduce the probability of introducing trees contaminated with pests, diseases, and pathogens that could spread and infect native oak trees or habitats. Seeds should originate from trees of the same species (i.e., Genus, species, subspecies, and variety) as the species impacted. A Native Tree Planting Plan should be provided to the City prior to any ground-disturbing activities impacting trees and/or tree removal.

**Mitigation Measure #5 – Landscaping:** CDFW recommends the City restrict use of any species listed as 'Moderate' or 'High' by the [California Invasive Plant Council](#) (Cal-IPC 2021a). To the maximum extent feasible, the City should use native species found in naturally occurring vegetation communities within and adjacent to the Project site. CDFW recommends the landscaping plan include more native tree species preferred by birds (Wood and Esaian 2020).

**Recommendation #1:** 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 #4.

- [Best Management Practices for Producing Clean Nursery Stock](#) (Phytosphere Research 2016).
- [Understanding and Managing Sudden Oak Death in California](#) (Phytosphere Research 2012).
- [A Reference Manual for Managing Sudden Oak Death](#) (Swiecki and Bernhardt 2013).

**Recommendation #2:** The City should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. 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 for southern California (Cal-IPC 2021b). The [Audubon Society's Native Plants Database](#) is a resource to identify native plants and trees that will attract and benefit birds (Audubon Society 2021). The [California Native Plant Society's Gardening and Horticulture](#) and [Xerces Society's Pollinator-Friendly Native Plant Lists](#) webpages have information on native plant species that invite insects and pollinators (CNPS 2021; Xerces Society 2021).

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 6 of 12

### **Additional Recommendations**

Move out of Harm's Way. The proposed Project is anticipated to result in ground-disturbing activities and vegetation removal. Project construction and activities may impact both resident and transient wildlife species. To avoid direct injury and mortality, CDFW recommends a qualified biological monitor be on site prior to and during initial ground and habitat disturbing activities to move out of harm's way wildlife of low mobility that would be injured or killed.

Construction Fencing. CDFW recommends that any fencing used during and after the Project be constructed with materials that are not harmful to wildlife. Prohibited materials should include, but are not limited to, spikes, glass, razor, or barbed wire. Use of chain link and steel stake fence should be avoided or minimized as this type of fencing can injure wildlife or create barriers to wildlife dispersal. All hollow posts and pipes should be capped to prevent wildlife entrapment and mortality. 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. Fences should not have any slack that may cause wildlife entanglement.

Rodenticides. CDFW recommends that rodenticides and second-generation anticoagulant rodenticides be prohibited during and after the Project. The City should provide property owners and residents with pertinent context, research, and data to inform property owners why rodenticides and second-generation anticoagulant rodenticides are prohibited due to their harmful effects on the ecosystem and wildlife. Additional information on rodenticides can be found on CDFW's [Rodenticides](#) webpage (CDFW 2021).

Data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., California Natural Diversity Database (CNDDDB)] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting [CNDDDB Field Survey Forms](#) (CDFW 2020c). The City should ensure the data has been properly submitted, with all data fields applicable filled out, prior to finalizing/adopting the environmental document. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred. The City should provide CDFW with confirmation of data submittal.

Mitigation and Monitoring Reporting Plan. CDFW recommends the City update the Project's proposed Biological Resources Mitigation Measures and condition the environmental document to include mitigation measures recommended in this letter. CDFW provides comments to assist the City in developing mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City 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).

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 7 of 12

## 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 City of Monterey Park 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 Monterey Park in adequately analyzing and minimizing/mitigating impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City of Monterey Park 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 (Specialist), at [Ruby.Kwan-Davis@wildlife.ca.gov](mailto:Ruby.Kwan-Davis@wildlife.ca.gov).

Sincerely,

DocuSigned by:



5991E19EF8094C3...

Victoria Tang

signing for Erinn Wilson-Olgin  
Environmental Program Manager I  
South Coast Region

cc: CDFW

Erin Wilson-Olgin, Los Alamitos – [Erinn.Wilson-Olgin@wildlife.ca.gov](mailto:Erinn.Wilson-Olgin@wildlife.ca.gov)

Victoria Tang, Los Alamitos – [Victoria.Tang@wildlife.ca.gov](mailto:Victoria.Tang@wildlife.ca.gov)

Ruby Kwan-Davis, Los Alamitos – [Ruby.Kwan-Davis@wildlife.ca.gov](mailto:Ruby.Kwan-Davis@wildlife.ca.gov)

Andrew Valand, Los Alamitos – [Andrew.Valand@wildlife.ca.gov](mailto:Andrew.Valand@wildlife.ca.gov)

Felicia Silva, Los Alamitos – [Felicia.Silva@wildlife.ca.gov](mailto:Felicia.Silva@wildlife.ca.gov)

Susan Howell, San Diego – [Susan.Howell@wildlife.ca.gov](mailto:Susan.Howell@wildlife.ca.gov)

CEQA Program Coordinator, Sacramento – [CEQACommentLetters@wildlife.ca.gov](mailto:CEQACommentLetters@wildlife.ca.gov)

State Clearinghouse, Sacramento – [State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

## References:

Audubon Society. 2021. Plants for Birds. Available from:

<https://www.audubon.org/PLANTSFORBIRDS>

Block, W.M., Morrison, M.M., Verner, J. 1990. Wildlife and oak-woodland interdependency. *Fremontia* 18(3):72-76.

[CDFG] California Department of Fish and Game. 2005. Coastal Oak Woodland. California Wildlife Habitat Relationships System. Available from:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=67344&inline>

Mr. Jon Turner  
City of Monterey Park  
April 15, 2021  
Page 8 of 12

- [CDFW] California Department of Fish and Wildlife. 2021. Rodenticides. Available from: <https://wildlife.ca.gov/Living-with-Wildlife/Rodenticides>
- [Cal-IPCa] California Invasive Plant Council. 2021. The Cal-IPC Inventory. Available from: <https://www.cal-ipc.org/plants/inventory/>
- [Cal-IPCb] California Invasive Plant Council. 2021. Don't Plant a Pest! Southern California. Available from: <https://www.cal-ipc.org/solutions/prevention/landscaping/dpp/?region=socal>
- [CNPS] California Native Plant Society. 2021. Gardening and Horticulture. Available from: <https://www.cnps.org/gardening>
- Dagit, R. and A.J. Downer. 1997. Status of transplanted Coast Live Oaks (*Quercus agrifolia*) in Southern California. USFS Forest Service Gen. Tech. Rep. PSW-GTR-160.
- Griffin and Muick. 1990. California Native Oaks: Past and Present. *Fremontia* 18(3): 4-12.
- Hostetler, M and D. Drake. 2009. Conservation subdivisions: A wildlife perspective. *Landscape and Urban Planning* 90:95-101
- Mahall, B.E., Davis, F.W., and C.M. Tyler. 2005. Final Report Santa Barbara County Oak Restoration Program August 1994 - August 2005. Available from: <http://www.biogeog.ucsb.edu/research/santa-barbara-county-oak-restoration>
- Parikh, A. and N. Gale. 1998. Coast Live Oak Revegetation on the Central Coast of California. *Madroño* 45(4): 301-309.
- Phytosphere Research. 2016. Best Management Practices for Producing Clean Nursery Stock. Available from: <http://phytosphere.com/BMPsnursery/BMPsimpmo.htm>
- Phytosphere Research. 2012. Understanding and Managing Sudden Oak Death in California. Available from: [http://phytosphere.com/SODmgtPUB/pg20\\_1\\_4\\_1\\_1\\_SODmgtpub.htm](http://phytosphere.com/SODmgtPUB/pg20_1_4_1_1_SODmgtpub.htm)
- Swiecki, Tedmund J.; Bernhardt, Elizabeth A. 2013. A reference manual for managing sudden oak death in California. Gen. Tech. Rep. PSW-GTR-242. Albany, CA: U.S. Department of Agriculture, Forest Service, Pacific Southwest Research Station. 129 p.
- Wood, E.M. and S. Esaian. 2020. The importance of street trees to urban avifauna. *Ecological Applications* 30(7): e02149.
- [Xerces Society] Xerces Society for Invertebrate Conservation. 2021. Pollinator-Friendly Native Plant Lists. Available from: <https://xerces.org/pollinator-conservation/pollinator-friendly-plant-lists>





State of California – Natural Resources Agency  
 DEPARTMENT OF FISH AND WILDLIFE  
 South Coast Region  
 3883 Ruffin Road  
 San Diego, CA 92123  
 (858) 467-4201  
[www.wildlife.ca.gov](http://www.wildlife.ca.gov)

*GAVIN NEWSOM, Governor*  
*CHARLTON H. BONHAM, Director*



### Attachment A: Draft Mitigation and Monitoring Reporting Plan

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

<b>Biological Resources (BIO)</b>			
<b>Mitigation Measure (MM) or Recommendation (REC)</b>		<b>Timing</b>	<b>Responsible Party</b>
<b>MM-BIO-1- Impacts on Trees- Protecting Critical Root Zone</b>	Prior to any Project ground-disturbing activities that may impact trees, a certified arborist shall conduct a site visit to identify the following: 1) trees where impacts on the CRZ would occur, 2) trees that need to be cut or limbed, and 3) trees where roots (i.e., tap root, main roots, and any surface-feeding roots) would need to be exposed/unearthed. The certified arborist shall prepare a plan to protect the CRZ. Project construction and activities including (but not limited to) staging areas, debris piles, trenching, excavation, and soil compaction shall not occur within the CRZ. The CRZ shall be demarcated with clear flagging, fencing, and signage. The certified arborist shall also prepare a plan consisting of Best Management Practices to minimize impacts on trees as a result of cutting and limbing, as well as exposure of tree roots. If roots or canopy of coast live oak trees must be cut or disturbed, these actions shall be performed by a certified arborist or under the supervision of a certified arborist.	Prior to ground-disturbing activities	City of Monterey Park (City)/Project Applicant
<b>MM-BIO-2- Impacts on Trees- Replacement Trees (Oak Trees)</b>	If substantial impacts on roots and canopy of coast live oak trees occur and an arborist determines injuries would cause decreased health or mortality of a coast live oak tree, coast live oak trees shall be replaced at no less than 3:1. The appropriate understory species shall also be provided. Additional replacement trees shall be provided for impacts on coast live oak trees greater than 24 inches diameter-breast-height (dbh). Additional replacement trees shall be provided if sensitive or special-status birds not previously	During/After Project construction and activities	City/Project Applicant

Mr. Jon Turner  
 City of Monterey Park  
 April 15, 2021  
 Page 10 of 12

	known to occur on the Project site are observed during nesting bird surveys.		
<b>MM-BIO-3- Impacts on Trees- Replacement Trees (Non-Native Species)</b>	Non-native, ornamental trees shall be replaced with native species at no less than 2:1. Additional replacement trees shall be provided if the non-native, ornamental tree was greater than 24 inches dbh and/or the open space supports sensitive or special-status bird species.	During/After Project construction and activities	City/Project Applicant
<b>MM-BIO-4- Impacts on Trees-Native Tree Planting Plan</b>	A qualified restoration specialist and/or arborist shall develop a Native Tree Planting Plan. The plan shall include effective and detailed measures associated with planted tree protection, maintenance, monitoring, reporting, and adaptive management. All replacement trees regardless of species shall be monitored for at least seven years after planting, with three additional years of no irrigation, weeding, or further replacement planting. The planting plan shall also include Best Management Practices to acquire replacement native trees, especially coast live oak trees. The qualified restoration specialist shall acquire appropriately sized, locally sourced trees from a local native plant nursery that implements Phytophthora/Clean Nursery Stock protocols. Seeds shall originate from trees of the same species (i.e., Genus, species, subspecies, and variety) as the species impacted. A Native Tree Planting Plan shall be provided to the City prior to any ground-disturbing activities impacting trees and/or tree removal.	Prior to ground-disturbing activities	City/Project Applicant
<b>MM-BIO-5- Impacts on Trees- Landscaping</b>	The Project shall restrict use of any species listed as 'Moderate' or 'High' by the <a href="#">California Invasive Plant Council</a> . To the maximum extent feasible, the Project shall use native species found in naturally occurring vegetation communities within and adjacent to the Project site. The landscaping plan shall include more native tree species preferred by birds.	During/After Project construction and activities	City/Project Applicant
<b>REC-1-Clean Nursery Stock and soilborne pathogens</b>	CDFW recommends the following sources for additional information about Clean Nursery Stock protocols and soilborne pathogens in the genus <i>Phytophthora</i> : <ul style="list-style-type: none"> <li>• <a href="#">Best Management Practices for Producing Clean Nursery</a></li> </ul>	During implementation of MM-BIO-4	City/Project Applicant

Mr. Jon Turner  
 City of Monterey Park  
 April 15, 2021  
 Page 11 of 12

	<ul style="list-style-type: none"> <li>• <a href="#">Stock</a></li> <li>• <a href="#">Understanding and Managing Sudden Oak Death in California</a></li> <li>• <a href="#">A Reference Manual for Managing Sudden Oak Death</a></li> </ul>		
<b>REC-2-Landscaping with Native Plants</b>	<p>The City should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Information on alternatives for invasive, non-native, or landscaping plants may be found on the <a href="#">California Invasive Plant Council's, Don't Plant a Pest</a> webpage for southern California. The <a href="#">Audubon Society's Native Plants Database</a> is a resource to identify native plants and trees that will attract and benefit birds. The <a href="#">California Native Plant Society's Gardening and Horticulture</a> and <a href="#">Xerces Society's Pollinator-Friendly Native Plant Lists</a> webpages have information on native plant species that invite insects and pollinators.</p>	During/After Project construction and activities	City/Project Applicant
<b>REC-3-Move out of Harm's Way</b>	<p>The proposed Project is anticipated to result in ground-disturbing activities and vegetation removal. Project construction and activities may impact both resident and transient wildlife species. To avoid direct injury and mortality, CDFW recommends a qualified biological monitor be on site prior to and during initial ground and habitat disturbing activities to move out of harm's way wildlife of low mobility that would be injured or killed.</p>	Prior to/During Project construction and activities	City/Project Applicant
<b>REC-4-Construction Fencing</b>	<p>CDFW recommends that any fencing used during and after the Project be constructed with materials that are not harmful to wildlife. Prohibited materials should include, but are not limited to, spikes, glass, razor, or barbed wire. Use of chain link and steel stake fence should be avoided or minimized as this type of fencing can injure wildlife or create barriers to wildlife dispersal. All hollow posts and pipes should be capped to prevent wildlife entrapment and mortality. 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</p>	Prior to/During Project construction and activities	City/Project Applicant

Mr. Jon Turner  
 City of Monterey Park  
 April 15, 2021  
 Page 12 of 12

	other plugging materials to avoid this hazard. Fences should not have any slack that may cause wildlife entanglement.		
<b>REC-5-Rodenticides</b>	Rodenticides and second-generation anticoagulant rodenticides should be prohibited during and after the Project. The City should provide property owners and residents with pertinent context, research, and data to inform property owners why rodenticides and second-generation anticoagulant rodenticides are prohibited due to their harmful effects on the ecosystem and wildlife.	During/After Project construction and activities	City/Project Applicant
<b>REC-6-Data</b>	The City should ensure sensitive and special status species data has been properly submitted to the <a href="#">California Natural Diversity Database</a> with all data fields applicable filled out. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred. The City should provide CDFW with confirmation of data submittal.	Prior to finalizing CEQA document	City/Project Applicant
<b>REC-7-Mitigation and Monitoring Reporting Plan</b>	The City should update the Project's proposed Biological Resources Mitigation Measures and condition the environmental document to include mitigation measures recommended in this letter. The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. A final MMRP should reflect the Project's final on and/or off-site mitigation plans.	Prior to finalizing CEQA document	City/Project Applicant