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



November 13, 2020

Governor's Office of Planning & Research

November 13, 2020

STATE CLEARINGHOUSE

Mr. Ryan Wright  
City of Diamond Bar  
21810 Copley Drive  
Diamond Bar, CA 91765  
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**Subject: Mitigated Negative Declaration for the Canyon Loop Trail Improvement Project, City of Diamond Bar, Los Angeles County**

Dear Mr. Wright:

The California Department of Fish and Wildlife (CDFW) has reviewed the above-referenced Mitigated Negative Declaration (MND) for the Canyon Loop Trail Improvement 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 & Game Code, §§ 711.7, subdivision (a) & 1802; Public 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 (Public 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 & Game 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 & Game Code, § 2050 *et seq.*), or state-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

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## Project Description and Summary

**Objective:** The City of Diamond Bar's Parks and Recreational Department (City) proposes several trail improvement features along the approximately 1.29-mile Canyon Loop Trail within the Summitridge Park Trail system in Diamond Bar. Over the course of four months, the following Project components are planned:

- The existing trail along most of the South Canyon Loop would be widened to approximately five feet and remain a natural, unpaved surface. The southern portion of the Canyon Loop trail is roughly 1,942 feet. This Project proposes widening that segment by 1-2 feet from its current width;
- Gabion retaining walls would be provided in five areas along the South Canyon Loop to stabilize soils and reduce erosion;
- Stairs with handrails and cobblestone swales would be provided in six areas along the South Canyon Loop to facilitate ease of access and safety and improve drainage;
- Six drainage crossings are proposed along the South Canyon Loop;
- Two shade structures with benches and trash receptacles would be provided along the South Canyon Loop and one shade structure with benches and trash receptacles would be provided along the North Canyon Loop at identified view points;
- Lodge pole fences with "Trail Closed" signs mounted on the fences would be installed in five areas along the South Canyon Loop to restrict trail users from entering informal trail areas off the existing Canyon Loop trail;
- A perforated bench is proposed on the west end of the South Canyon Loop;
- A wayfinding sign would be installed on the eastern and western end of the Canyon Loop Trail;
- Interpretive signage in various locations that promote awareness of the presence of sensitive biological habitat and species (including the coastal California gnatcatcher and cactus wren), and indicate that the trail was implemented in a manner to minimize impacts to biological resources; and
- Long-term, routine maintenance of the project components above.

**Location:** The Project site is the existing Canyon Loop Trail, which is part of the Summitridge Park Trail System. Summitridge Park is bounded by residential developments to the east and west, Grand Ave. to the south, and open space to the north. It is situated within the central portion of the City of Diamond Bar, Los Angeles County. Assessor's Parcel Numbers (APNs) associated with the Project are: 8701-059-904.

## 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 (biological) resources.

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## **Project Description and Related Impact Shortcoming**

### **Comment #1: Impacts from increased trail usage**

**Issue:** The Project is being proposed as a result of increased hiking traffic on the Summitridge Trail System. With improved facilities and a widened trail, capacity is expected to increase.

**Specific Impacts:** Project activities, such as trail widening and the installation of benches or shade structures, are likely to accommodate (and subsequently lead to) increased hiker frequency and duration on the Canyon Loop Trail.

**Why impacts would occur:** Elevated hiker usage is likely to create direct and indirect impacts to local wildlife species through the loss of potential habitat. An increase in the number of hikers has potential to impact sensitive wildlife species and their habitat through a variety of ways:

- increased numbers of people and dogs using the trail system
- loss of habitat due to erosion from footpaths
- increased noise levels
- increased trash or pet waste
- introduction of unnatural food sources via trash and trash receptacles
- introduction of invasive species from other sites

The area of influence that the trail has upon the surrounding habitat is being increased.

**Evidence impacts would be significant:** Outdoor recreation has the potential to disturb wildlife, resulting in energetic costs, impacts to animals' behavior and fitness, and avoidance of otherwise suitable habitat. Studies have shown that outdoor recreation is the second leading cause of the decline of federally threatened and endangered species on public lands (Losos et al. 1995), and fourth leading cause on all lands (Czech et al. 2000). As a result, natural resource managers are becoming increasingly concerned about impacts of recreation on wildlife (Knight and Gutzwiller 1995).

Recreational trails can fragment the habitat that they pass through. Clearing additional vegetation to widen a thin (0.5-2 m) trail may have further negative impacts on wildlife (Holmes 2005). These negative impacts generally result from the expansion of the area of influence that a trail has on its surrounding open space. Trails can create artificial boundaries or areas of avoidance for wildlife as they bring outsiders into areas that would otherwise be unvisited. Along with these perceived outsiders, in this case hikers, comes a new set of perceived threats to local wildlife in the form of visual, auditory, and olfactory cues that remain along the trail well after recreational usage.

If habitat is available, wildlife may move to areas farther from trails, beyond the areas of influence, to avoid recreation-related disturbance (Reed et al. 2019). However, the greater the proportion of a protected area occupied by trails, the fewer options there are for wildlife to move outside of those areas of influence. There are simply fewer opportunities for wildlife to retreat from nearby recreational users in an already shrinking habitat.

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The higher the level of recreation in protected areas, the greater the potential there is for the effects of trails and their use to extend beyond habitat loss and individual-level effects (behavioral and physiological) on wildlife. This may transition into population- and community-level effects, including depletion of floral and faunal populations, alteration of the trophic community structures, and reduction of biodiversity (CDFW 2015).

With increased recreational usage of trails through open spaces, comes increased exposure of wildlife to humans. Habituated urban wildlife is less likely to avoid contact with humans, which may increase the probability of human-wildlife conflicts and of attraction to anthropogenic food sources; both are considered problematic in many urban areas (Whittaker and Knight 1998; George and Crooks 2006). Wildlife habituation to humans may also increase wildlife aggression toward humans, or render wildlife more vulnerable to predators, poaching, or roadkill (Whittaker and Knight 1998; George and Crooks 2006; Marzano and Dandy 2012). Furthermore, habituation of wildlife may impact their reproductive success. Habituation of adult individuals may also be associated with negative consequences for their offspring as habituation of adults does not necessarily lead to immediate habituation of juveniles (Reilly et al. 2017).

### **Recommended Potentially Feasible Mitigation Measure(s):**

**Mitigation Measure #1:** CDFW recommends setting aside conserved acreage of sensitive vegetation communities in a manner that is isolated and free from influence by recreational usage. These conserved areas should be oriented to provide refugia for species that may be flushed or relocated by the presence of trails.

For proposed preservation and/or restoration, the environmental document should include measures to protect the targeted habitat values in perpetuity from direct and indirect negative impacts. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include, but are not limited to, restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be provided for the long-term monitoring and management of mitigation lands. CDFW recommends that mitigation occur at a state-approved bank or via an entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill 1094 (2012), which amended Government Code sections 65965-65968. Under Government Code section 65967(c), the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

**Mitigation Measure #2:** Educational materials and signage should be made available to trail users to keep aware of the impacts that human disturbance brings to open spaces. Hikers should be made aware of the impacts that they have on surrounding habitat (such as noise or smells), particularly during breeding seasons.

**Mitigation Measure #3:** CDFW recommends the City install appropriate public information signage at trailheads to: 1) educate and inform the public about wildlife present in the area; 2) advise on proper avoidance measures to reduce human-wildlife conflicts; 3) advise on proper use of open space trails in a manner respectful to wildlife; and, 4) provide local contact information to report injured or dead wildlife. Signage should be written in the language(s) understandable to all those likely to recreate and use the trails. Signage should not be made of

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materials harmful to wildlife such as spikes or glass. The City should provide a long-term maintenance plan to repair and replace the signs.

**Mitigation Measure #4:** Restrictions on types of activities allowed in some areas, such as prohibiting dogs or restricting use to trails near active breeding habitat, will aid in minimizing disturbance. Pets should be kept on leash and on trails at all times. Hikers should be encouraged to clean up after their dogs and discourage animal waste as it tends to lead to wildlife avoidance.

**Mitigation Measure #5:** Trash receptacles should be placed only at trailheads to avoid creating an unnatural food source that may attract nuisance wildlife and to minimize waste in core habitat areas.

**Recommendation #1:** Understanding wildlife responses to recreation and the area of influence of human activities may help managers judge whether wildlife populations are experiencing stress due to interactions with humans, and may aid in tailoring recreation plans to minimize long-term effects to wildlife from disturbance. In an environmental document, CDFW recommends including an analysis of recreational usage of the Summitridge trail system in which current levels of traffic (hiker, biker, and dog) is compared to the expected increase in traffic as a result of trail improvements.

**Recommendation #2:** People are often not aware of how their activities affect wildlife, even if they see animals respond to their actions (Stalmaster and Kaiser 1998). By emphasizing how human activities affect wildlife, people can associate their actions with either benefitting or harming animal populations and begin to develop a conservation ethic (Miller et al. 2001). With improved educational materials and outreach efforts, recreational users are more likely to support restrictions if they understand how wildlife will benefit.

## **Comment #2: Impacts to Sensitive Vegetation Communities**

**Issue:** Figure 5: Vegetation Communities and Other Land Uses from the MND is a map of the vegetation communities found on the Project site. It shows that the Canyon Loop Trail runs through the following Sensitive Natural Communities, including their respective rarity rankings according to California Native Plant Society (CNPS):

- Coast Live Oak Woodland and Forest (*Quercus agrifolia*) – S4
- California sagebrush – black sagebrush scrub (*Artemisia californica* – *Salvia mellifera*) – S3
- Coast prickly pear scrub (*Opuntia littoralis*) – S3
- Black sage scrub (*Salvia mellifera*) – S4
- Scrub oak chaparral (*Quercus berberidifolia*) – S4

**Specific impacts:** The Project proposes work along the Canyon Loop Trail through Sensitive Natural Communities but does not include the potential acreage of impacts resulting from Project activities. The expansion of the southern portion of the Canyon Loop Trail by 1-2 feet in width from currently condition is estimated to be about 0.4 miles long. With a lack of specificity regarding acres impacted, potential loss of a sensitive vegetation community not previously known or identified in the Project site may occur.

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**Why impacts would occur:** Project implementation includes grading, vegetation clearing, trail construction, trail maintenance, and other activities. This may result in permanent loss and potentially decline or local extirpation of a sensitive plant community.

**Evidence impacts would be significant:** CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3 and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21 to 80 occurrences of this community in existence in California, S2 has 6 to 20 occurrences, and S1 has less than 6 occurrences. Impacts to sensitive vegetation communities 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 sensitive plant 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 U.S. Fish and Wildlife Service (USFWS).

### **Recommended Potentially Feasible Mitigation Measure(s):**

**Mitigation Measure #1:** CDFW recommends mapping vegetation communities. Surveys should be conducted by a qualified botanist with appropriate experience and knowledge of southern California flora. Surveys should follow CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#) (CDFW 2018). Surveys should be completed prior to implementing Project related ground disturbing activities.

**Mitigation Measure #2:** If the Project cannot feasibly avoid impacts to sensitive vegetation communities, either during Project activities or over the life of the Project, the City should mitigate for impacts at no less than 5:1 for impacts to S3 ranked communities and 7:1 for S2 communities.

**Recommendation #1:** In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & G. Code, § 1940). This standard complies with the National Vegetation Classification System, which utilizes alliance and association-based classification of unique vegetation stands. CDFW utilizes vegetation descriptions found in the [Manual of California Vegetation](#) (MCV) (CNPS 2020; Sawyer et al. 2008). To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system. This would allow CDFW to appropriately comment on potential impacts to sensitive plants and vegetation communities.

### **Comment #3: Impacts to Nesting Birds**

**Issue:** Page 4.4-5 of the MND summarizes the results of the focused bird surveys conducted for the Project. The results indicate that this particular open space is actively used, high quality habitat for multiple listed bird species. Within the study area are observations of coastal California gnatcatcher (*Polioptila californica californica*, CAGN) and coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*), both California Species of Special Concern (SSC). Page 4.4-5 states, “[b]ased on the results of the Focused Bird Survey Report, at least five CAGN and five cactus wren territories were found to be present within the 500-foot survey

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area. Four CAGN pairs and all five cactus wren pairs successfully fledged young in 2020 as evidenced by firsthand observations during the surveys.”

**Specific impact:** Project construction and related activities may result in increased nesting mortality due to nest abandonment or decreased feeding frequency. The Project may result in temporal or permanent loss of bird nesting habitat.

**Why impacts would occur:** Construction activities, continued usage of trails, and routine maintenance during the breeding season for nesting birds could result in the loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Impacts could result from noise disturbances, increased human activity, dust, ground disturbing activities (e.g., staging, access, excavation, and grading), and vibrations caused by heavy equipment. The Project as proposed would clear vegetation that could provide bird nesting habitat (e.g., ground cover and shrubs). The temporal or permanent loss of vegetation may substantially impact birds that could return to the Project site year after year (Figueira et al. 2020; Haas 1998). Site fidelity exhibited across the avian taxa reflects the benefits associated with previous knowledge of a particular location, likely improving territory acquisition, foraging efficiency, potential breeding partners, and predator avoidance (Figueira et al. 2020).

**Evidence impacts would be significant:** Nests of all birds and raptors are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5. Take or possession of migratory nongame birds designated in the Federal Migratory Bird Treaty Act of 1918 (Code of Federal Regulations, Title 50, § 10.13) is prohibited under Fish and Game Code section 3513. The loss of occupied habitat or reductions in the number of sensitive and 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 Mitigation Measure BIO-3 in the MND to fully avoid impacts to nesting birds by conditioning the environmental document to provide the following language: “Project construction, equipment staging, mobilization, grading, ground disturbance activities, and vegetation removal should be completed outside the avian breeding season. The City should not perform any Project construction or activities or remove or otherwise disturb vegetation on the project site, or adjacent to the site, from February 15 to August 31, and as early as January 1, to avoid impacts to breeding/nesting birds and raptors.”

**Mitigation Measure #2:** If avoidance is not feasible, a qualified biologist should complete a survey for nesting bird activity within a 500-foot radius of the Project footprint. Surveys should begin no more than 14 days prior to the start of Project ground disturbing activities and should be repeated for the duration of Project activities that occur during the bird nesting season. Nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If Project activities are delayed or suspended for more than 7 days during the breeding season, surveys should be repeated before work can resume.

**Mitigation Measure #3:** If nesting birds or raptors are identified, a qualified biologist should determine the nesting status and set up species-appropriate no-work buffers for construction activities. CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active

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non-listed raptor nests and 0.5 mile around active CESA-listed bird nests. No Project activities should be allowed inside these buffers until the 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. Buffers should be clearly delineated and marked around the active nest site as directed by the qualified biologist. Temporary fencing and signage should be maintained for the duration of the Project as determined by the qualified biologist. A qualified biologist should advise workers of the sensitivity of the buffered areas. Workers should be advised not to work, trespass, or engage in activities that would disturb nesting birds near or inside the buffer.

#### **Comment #4: Impacts to Reptiles**

**Issue:** According to page 4.4-3 of the MND, coastal whiptail (*Aspidoscelis tigris stejnegeri*) and red-diamond rattlesnake (*Crotalus ruber*), both SSC, were found on the Project site during habitat assessments and focused surveys. These observations are supported by a review of California Natural Diversity Database (CNDDDB), which shows a cluster of historic records of these species throughout the southern half of the Project site.

**Specific impact:** Project ground disturbing activities such as grading and grubbing may result in habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. In addition, the Project may remove habitat by eliminating vegetation that may support foraging and breeding habitat.

**Why impact would occur:** Project implementation includes grading, vegetation clearing, and other activities that may result in direct mortality, population declines, or local extirpation of Special Status reptile species.

**Evidence impact would be significant:** CEQA provides protection not only for state and federally listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC 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):**

**Mitigation Measure #1:** Due to potentially suitable habitat within the Project site, prior to vegetation removal and/or grading, qualified biologists familiar with the reptile species behavior and life history should conduct specialized surveys to determine the presence/absence of SSC. Surveys should be conducted during active season when the reptiles are most likely to be detected. Survey results, including negative findings, should be submitted to CDFW prior to initiation of Project activities.

**Mitigation Measure #2:** To further avoid direct mortality, CDFW recommends that a qualified biological monitor approved by CDFW be on-site during ground and habitat disturbing activities to move out of harm's way special status species that would be injured or killed by grubbing or Project-related grading activities. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. If the Project requires species to be removed, disturbed, or

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otherwise handled, we recommend that the Project clearly identify that the designated entity should obtain all appropriate state and federal permits.

#### **Comment #5: Impacts to Streams**

**Issue:** Page 4.4-7 of the MND acknowledges the ephemeral nature of the on-site drainage, likely carrying flows during rain events, and recognizes that the streambed is “jurisdictional streambed under CDFW”. The trail system crosses this drainage a number of times and six drainage crossings are proposed along the South Canyon Loop to improve drainage and reduce erosion. Project related activities have the potential to impact riparian resources and are likely subject to notification for a Lake and Streambed Alteration Agreement (LSA).

**Specific impacts:** The Project may result in the loss of streams and associated watershed function and biological diversity. Grading and construction activities will likely alter the topography, and thus the hydrology, of the Project site.

**Why impacts would occur:** Ground disturbing activities from grading and filling, water diversions and dewatering would physically remove or otherwise alter existing streams or their function and associated riparian habitat on the Project site. Downstream streams and associated biological resources beyond the Project development footprint may also be impacted by Project related releases of sediment and altered watershed effects resulting from Project activities.

**Evidence impacts would be significant:** The Project may substantially adversely affect the existing stream pattern of the Project site through the alteration or diversion of a stream, which absent specific mitigation, could result in substantial erosion or siltation on site or off site of the Project.

#### **Recommended Potentially Feasible Mitigation Measure(s):**

**Mitigation Measure #1:** The Project may result in the alteration of streams. For any such activities, the Project applicant (or “entity”) must provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW’s web site at [www.wildlife.ca.gov/habcon/1600](http://www.wildlife.ca.gov/habcon/1600).

CDFW’s issuance of an LSA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. However, the DEIR does not meet CDFW’s standard at this time. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.

**Mitigation Measure #2:** Any LSA permit issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project. The LSA may include further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA may include the

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following: avoidance of resources, on-site or off-site creation, enhancement or restoration, and/or protection and management of mitigation lands in perpetuity.

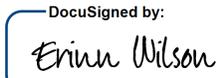
### Filing Fees

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 Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & Game Code, § 711.4; Pub. Resources Code, § 21089).

### Conclusion

We appreciate the opportunity to comment on the Project to assist the City of Diamond Bar 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 Andrew Valand, Environmental Scientist, at [Andrew.Valand@wildlife.ca.gov](mailto:Andrew.Valand@wildlife.ca.gov) or (562) 342-2142.

Sincerely,

DocuSigned by:  
  
B6E58CFE24724F5...

Erinn Wilson-Olgin  
Environmental Program Manager I

Ec: CDFW

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



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

<b>Biological Resources</b>			
	<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>
<b>MM-BIO-1 – Sensitive Vegetation Avoidance</b>	<p>The City shall set aside conserved acreage of sensitive vegetation communities in a manner that is isolated and free from influence by recreational usage. These conserved areas shall be oriented to provide refugia for species that may be flushed or relocated by the presence of trails.</p> <p>For proposed preservation and/or restoration, the final environmental document shall include measures to protect the targeted habitat values in perpetuity from direct and indirect negative impacts. The objective shall be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that shall be addressed include, but are not limited to, restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment shall be provided for the long-term monitoring and management of mitigation lands. Off-site mitigation shall occur at a state-approved bank or via an entity that has been approved to hold and manage mitigation lands pursuant to Assembly Bill 1094 (2012), which amended Government Code sections 65965-65968. Under Government Code section 65967(c), the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.</p>	Prior to construction	City of Diamond Bar

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<b>MM-BIO-2 – Educational Materials</b>	Educational materials and signage shall be made available to trail users to keep aware of the impacts that human disturbance brings to open spaces. Hikers shall be made aware of their impacts to surrounding habitat (such as noise or smells), particularly during breeding seasons.	Prior to construction	City of Diamond Bar
<b>MM-BIO-3 – Informational Signage</b>	The City shall install appropriate public information signage at trailheads to: 1) educate and inform the public about wildlife present in the area; 2) advise on proper avoidance measures to reduce human-wildlife conflicts; 3) advise on proper use of open space trails in a manner respectful to wildlife; and, 4) provide local contact information to report injured or dead wildlife. Signage shall be written in the language(s) understandable to all those likely to recreate and use the trails. Signage shall not be made of materials harmful to wildlife such as spikes or glass. The City shall provide a long-term maintenance plan to repair and replace the signs.	Prior to construction	City of Diamond Bar
<b>MM-BIO-4 – Pet Policy</b>	Pets shall be kept on leash and on trails at all times. Hikers shall be encouraged to clean up after their dogs and discourage animal waste as it tends to lead to wildlife avoidance.	Prior to construction	City of Diamond Bar
<b>MM-BIO-5 – Placement of Trash Receptacles</b>	Trash receptacles shall be placed only at trailheads to avoid creating an unnatural food source that may attract nuisance wildlife and to minimize waste in core habitat areas.	Prior to construction	City of Diamond Bar
<b>MM-BIO-6 – Sensitive Vegetation Surveys</b>	Vegetation surveys shall be conducted by a qualified botanist with appropriate experience and knowledge of southern California flora. Surveys shall follow CDFW's <a href="#">Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</a> (CDFW 2018). Surveys shall be completed prior to implementing Project related ground disturbing activities.	Prior to construction	City of Diamond Bar

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<b>MM-BIO-7 – Sensitive Vegetation Replacement</b>	If the Project cannot feasibly avoid impacts to sensitive vegetation communities, either during Project activities or over the life of the Project, the City shall mitigate for impacts at no less than 5:1 for impacts to S3 ranked communities and 7:1 for S2 communities.	Prior to construction	City of Diamond Bar
<b>MM-BIO-8 – Nesting Bird Season</b>	The City shall modify Mitigation Measure BIO-3 in the MND to fully avoid impacts to nesting birds by conditioning the environmental document to provide the following language: “Project construction, equipment staging, mobilization, grading, ground disturbance activities, and vegetation removal shall be completed outside the avian breeding season. The City shall not perform any Project construction or activities or remove or otherwise disturb vegetation on the project site, or adjacent to the site, from February 15 to August 31, and as early as January 1, to avoid impacts to breeding/nesting birds and raptors.”	Prior to construction	City of Diamond Bar
<b>MM-BIO-9 – Nesting Bird Surveys</b>	If avoidance is not feasible, a qualified biologist shall complete a survey for nesting bird activity within a 500-foot radius of the Project footprint. Surveys shall begin no more than 14 days prior to the start of Project ground disturbing activities and shall be repeated for the duration of Project activities that occur during the bird nesting season. Nesting bird surveys shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. If Project activities are delayed or suspended for more than 7 days during the breeding season, surveys shall be repeated before work can resume.	Prior to construction	City of Diamond Bar

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<b>MM-BIO-10 – Nesting Bird Avoidance Buffers</b>	If nesting birds or raptors are identified, a qualified biologist shall determine the nesting status and set up species-appropriate no-work buffers. 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 CESA-listed bird nests. No Project activities shall be allowed inside these buffers until the 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. Buffers shall be clearly delineated and marked around the active nest site as directed by the qualified biologist. Temporary fencing and signage shall be maintained for the duration of the Project as determined by the qualified biologist. A qualified biologist shall advise workers of the sensitivity of the buffered areas. Workers shall be advised not to work, trespass, or engage in activities that would disturb nesting birds near or inside the buffer.	Prior to construction	City of Diamond Bar
<b>MM-BIO-11 – Reptile Surveys</b>	Prior to vegetation removal and/or grading, qualified biologists familiar with the reptile species behavior and life history shall conduct specialized surveys to determine the presence/absence of Species of Special Concern (SSC). Surveys shall be conducted during active season when the reptiles are most likely to be detected. Survey results, including negative findings, shall be submitted to CDFW prior to initiation of Project activities.	Prior to construction	City of Diamond Bar

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<p><b>MM-BIO-12 – Moving Out of Harm’s Way</b></p>	<p>A qualified biological monitor, approved by CDFW, shall be on-site during ground and habitat disturbing activities to move out of harm’s way special status species that would be injured or killed by grubbing or Project-related grading activities. It shall be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. If the Project requires species to be removed, disturbed, or otherwise handled, the Project shall clearly identify that the designated entity shall obtain all appropriate state and federal permits.</p>	<p>Prior to construction</p>	<p>City of Diamond Bar</p>
<p><b>MM-BIO-13 – Notification for Lake and Streambed Alteration Agreement</b></p>	<p>Project applicant (or “entity”) must provide written notification to CDFW pursuant to section 1600 <i>et seq.</i> of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW’s web site at <a href="http://www.wildlife.ca.gov/habcon/1600">www.wildlife.ca.gov/habcon/1600</a>.</p> <p>CDFW’s issuance of an LSA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document of the Lead Agency for the Project. However, the DEIR does not meet CDFW’s standard at this time. To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, the CEQA document shall fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.</p>	<p>Prior to construction</p>	<p>City of Diamond Bar</p>

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<b>MM-BIO-14 – Lake and Streambed Alteration Agreement Components</b>	Any LSA permit issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project. The LSA may include further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA may include the following: avoidance of resources, on-site or off-site creation, enhancement or restoration, and/or protection and management of mitigation lands in perpetuity.	Prior to construction	City of Diamond Bar
<b>Recommendations</b>			
<b>REC-BIO-1 – Analysis of Recreational Usage</b>	Understanding wildlife responses to recreation and the area of influence of human activities may help managers judge whether wildlife populations are experiencing stress due to interactions with humans, and may aid in tailoring recreation plans to minimize long-term effects to wildlife from disturbance. In a subsequent environmental document, CDFW recommends including an analysis of recreational usage of the Summitridge trail system in which current levels of traffic (hiker, biker, and dog) is compared to the expected increase in traffic as a result of trail improvements.		
<b>REC-BIO-2 – Education &amp; Outreach</b>	People are often not aware of how their activities affect wildlife, even if they see animals respond to their actions (Stalmaster and Kaiser 1998). By emphasizing how human activities affect wildlife, people can associate their actions with either benefitting or harming animal populations and begin to develop a conservation ethic (Miller et al. 2001). With improved educational materials and outreach efforts, recreational users are more likely to support restrictions if they understand how wildlife will benefit.		
<b>REC-BIO-3 – National Vegetation Classification System</b>	In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & G. Code, § 1940). This standard complies with the National Vegetation Classification System, which utilizes alliance and association-based classification of unique vegetation stands.		

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	<p>CDFW utilizes vegetation descriptions found in the <a href="#">Manual of California Vegetation</a> (MCV) (CNPS 2020; Sawyer et al. 2008). To determine the rarity ranking of vegetation communities on the Project site, the MCV alliance/association community names shall be provided as CDFW only tracks rare natural communities using this classification system. This would allow CDFW to appropriately comment on potential impacts to sensitive plants and vegetation communities.</p>		
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