



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
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GAVIN NEWSOM, Governor
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January 20, 2021

Governor's Office of Planning & Research

Jan 20 2021

Ms. Erika Iverson
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STATE CLEARINGHOUSE

Subject: Draft Sustainable Communities Environmental Assessment for the Metrowalk Specific Plan Project, City of Santa Clarita, Los Angeles County

Dear Ms. Iverson:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Sustainable Communities Environmental Assessment (DSCEA) from the City of Santa Clarita (City; Lead Agency) for the Metrowalk Specific Plan 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 CESA-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 proposed Project consists of the development of up to 498 residential units in four planning areas on an approximately 20.4-acre site in the City of Santa Clarita. The proposed Project would include a multi-use path that would link the Project site with the future Metrolink Vista Canyon Station to the east and the Vista Canyon Specific Plan Project to the north. Among the residential units and paths found throughout the Project site will be open space, a central clubhouse, and a playground. The multi-use path would terminate at a plaza at the far eastern area of the Project site, providing access to the future Metrolink station and a connection to the neighboring Vista Canyon Specific Plan area. Other Project-related activities involve the removal of existing vegetation, grading of the Project site, installation of utility infrastructure, and road construction.

Location: The Project site is situated a little under 1,000 feet south of the Santa Clara River in the Canyon Country community of the City of Santa Clarita in Northern Los Angeles County. The site is generally bound on the west by Lost Canyon Road and on the south and east by the Metrolink train tracks. The Assessor's Parcel Number associated with the Project is 2840-004-009.

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.

Project Description and Related Impact Shortcoming

Comment #1: Impacts to Sensitive Vegetation Communities

Issue: Section 4.2 of Appendix D: Biological Resources Assessment (BRA) describes "Sensitive Plant Communities and Critical Habitats" found on and adjacent to the Project site. Page 17 states that "approximately 3.5 acres comprises fragmented stands of big sagebrush scrub.... *Artemisia tridentata* ssp. *parishii* is not itself a rare plant, but a stand of this subspecies is considered a sensitive natural community by CDFW (CDFW 2020a) due to its relative rarity across the state." According to California Native Plant Society (CNPS), big sagebrush scrub (*Artemisia tridentata* ssp. *parishii*) has a rarity ranking of S2.

Specific impacts: Project-related ground disturbing activities, such as grading and grubbing, may result in the loss of a sensitive natural community and habitat destruction.

Why impacts would occur: Project implementation includes grading, vegetation clearing, construction, 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

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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 having 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).

Page 4-68 of the DSCEA states that “[a] portion of the Project site is within the Santa Clara River SEA designated by the County and included in the City’s Overlay Zone.” According to Table 5: Recommended Preservation Ratios for SEA CUP of the [Los Angeles County Regional Planning Significant Ecological Areas \(SEA\) Ordinance](#) Implementation Guide (Los Angeles County 2020), natural communities ranked S2 should be mitigated at a ratio of at least 4:1. Additionally, Table 5 also indicates that Species of Special Concern (SSC) and their habitats should also be mitigated by at least a ratio of 4:1.

The DSCEA describes the Project site as having formerly been used for agriculture and currently disturbed. CDFW avoids applying value judgement on whether a disturbed natural community should be mitigated and to what extent so long as the vegetation community meets alliance criteria, regardless of presence or level of disturbance.

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 6:1 for S2 communities. Utilizing a replacement of at least 6:1 for acres impacted by Project-related activities will attempt to remedy an assortment of impacts:

- loss of habitat located in the Santa Clara River SEA (which requires at least 4:1 ratio)
- the loss of the sensitive vegetation itself (which only has 6 to 20 occurrences in existence)
- the loss of function of that vegetation as habitat for SSC
- loss of riparian habitat in the Santa Clara River floodplain
- temporal loss of functioning sensitive habitat

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

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classification system. This would allow CDFW to appropriately comment on potential impacts to sensitive plants and vegetation communities.

Comment #2: Impacts to Nesting Birds

Issue: Portions of the Project site were historically used for agriculture. Page 15 of the BRA indicates that California horned lark (*Eremophila alpestris actia*), a California Species of Special Concern (SSC), has a moderate potential to be found on the Project site. It states that “[t]he species is known to utilize recovering agricultural habitats and was detected during surveys for the adjacent Vista Canyon project.”

In addition, a review of [California Natural Diversity Database \(CNDDB\)](#) indicates that there are historic observations of coastal California gnatcatcher (*Polioptila californica californica*), an Endangered Species Act (ESA-) -listed threatened species and an SSC, in the immediate vicinity of the Project site (CDFW 2020b).

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: Coastal California gnatcatcher (gnatcatcher) is a non-migratory songbird that occurs in or near coastal scrub vegetation communities throughout portions of Ventura, Los Angeles, San Bernardino, Riverside, Orange, and San Diego Counties and extends south into northwestern Baja California. At the time of listing gnatcatcher by USFWS in 1993, they estimated about 2,562 pairs of gnatcatchers remaining in the United States (USFWS 1993). In a more recent study using more rigorous sampling techniques, it was estimated that there were 1,324 gnatcatcher pairs in Orange and San Diego Counties (Winchell and Doherty 2008). With a limited range and the steady urbanization of Southern California, the loss of coastal sage habitat is likely to inhibit the recovery of the population.

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.

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Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: CDFW recommends the City retain a qualified biologist with a gnatcatcher survey permit. The qualified biologist should survey the Project site to determine presence/absence of gnatcatcher. The qualified biologist should conduct surveys according to USFWS [Coastal California Gnatcatcher \(*Polioptila californica californica*\) Presence/Absence Survey Guidelines](#) (USFWS 1997). The survey protocol requires a minimum of six surveys conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol should be followed for all surveys unless otherwise authorized by the USFWS in writing (USFWS 1997). CDFW recommends gnatcatcher surveys be conducted and USFWS notified (per protocol guidance) prior to the City's issuance of a grading permit.

Mitigation Measure #2: CDFW recommends that no construction occur from February 15 (January 1 for raptors) through August 31.

Mitigation Measure #3: CDFW recommends that a qualified avian biologist with survey experience conduct a thorough survey of all suitable nesting. Surveys should be completed no more than 7 days prior to the beginning of any Project-related ground-disturbing activities or vegetation removal. Surveys should be conducted in the immediate work/disturbance area plus a 500-foot buffer. Positive detections should be reported to CDFW prior to the any Project-related ground disturbing activities or vegetation removal.

Mitigation Measure #4: 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 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.

Mitigation Measure #5: It should be noted that the temporary exclusion of Project activities within nesting buffers during nesting season may not constitute effective mitigation for the purposes of offsetting Project impacts associated with loss of breeding and nesting habitat. Effective mitigation for impacts to nesting habitat for birds requires structurally (e.g., ground cover, subshrubs, shrubs, and trees) and species diverse vegetation as a part of habitat restoration.

Additional mitigation, separate from impacts to vegetation communities, would be necessary to compensate for the temporal or permanent loss of occupied nesting habitat within the Project site. CDFW recommends the qualified biologist/City consult with CDFW to determine proper mitigation for impacts to occupied habitat. Mitigation would be based on acreage of impact and vegetation composition. Depending on the status of the bird species impacted, replacement of

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habitat acres should increase with the occurrence of an SSC. Replacement acres would further increase with the occurrence of a CESA-listed species.

Recommendation #1: Take under the ESA is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, in order to comply with ESA, is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact gnatcatcher.

Comment #3: Impacts to California Species of Special Concern

Issue: CDFW is concerned that Project-related activities may result in significant impacts to the following Species of Special Concern (SSC):

- *Reptiles:* coastal whiptail (*Aspidoscelis tigris stejnegeri*) and coast horned lizard (*Phrynosoma blainvillii*)
- *Mammals:* San Diego black-tailed jackrabbit (*Lepus californicus bennettii*)

As indicated on Page 15 of the BRA, the above SSC have a moderate potential for occurrence on the Project site. The BRA states that coast horned lizard and San Diego jackrabbit were detected during surveys for the adjacent Vista Canyon Project in 2008. A review of CNDDDB shows historic records of coastal whiptail as recently as 2015 on the Project site.

Specific impact: Project construction and related activities, directly or through habitat modification, may result in direct injury or mortality of SSC.

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 SSC reptile and mammal species.

Evidence impact would be significant: An [SSC](#) is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role.
- is listed as ESA-, but not CESA-, threatened or endangered; meets the State definition of threatened or endangered but has not formally been listed.
- is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status.
- has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA status (CDFW 2020c).

Project construction and activities, directly or through habitat modification, may result in direct mortality, reduced reproductive capacity, population declines, or local extirpation of SSC. CEQA provides protection not only for State and federally listed species, but for any species including

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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 City, (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Pursuant to the [California Code of Regulations, title 14, section 650](#), the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's [Scientific Collection Permits](#) webpage for information (CDFW 2020d). An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.

CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).

Mitigation Measure #2: The City should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the following species: coastal whiptail, coast horned lizard, and San Diego black-tailed jackrabbit. The qualified biologist should conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed. The qualified biologist should provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.

Mitigation Measure #3: Wildlife should be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal.

Mitigation Measure #4: The City, in consultation with a qualified biologist, should prepare a worker environmental awareness training. The qualified biologist should communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.

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Mitigation Measure #5: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

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 Santa Clarita 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 or (562) 342-2142.

Sincerely,

DocuSigned by:
Erinn Wilson-Olgin
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Erinn Wilson-Olgin
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South Coast Region

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References

- California Department of Fish and Wildlife [CDFW]. March 20,2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <https://www.wildlife.ca.gov/Conservation/Plants>).
- [CDFWb] California Department of Fish and Wildlife. 2020. California Natural Diversity Database. Available from: <https://wildlife.ca.gov/Data/CNDDDB>
- [CDFWa] California Department of Fish and Wildlife. 2020. Natural Communities. Accessed at: <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities>.
- [CDFWd] California Department of Fish and Wildlife. 2020. Scientific Collecting Permit. Available from: <https://wildlife.ca.gov/Licensing/Scientific-Collecting>.
- [CDFWc] California Department of Fish and Wildlife. 2020. Species of Special Concern. Accessed at: <https://wildlife.ca.gov/Conservation/SSC>.
- California Native Plant Society. 2020. Rare Plant ranks. Available from: <https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>.
- Figueira L. et al. 2020. Effects of breeding and molt activity on songbird site fidelity, *The Auk*, <https://doi.org/10.1093/auk/ukaa053>.
- Haas, C. 1998. Effects of Prior Nesting Success on Site Fidelity and Breeding Dispersal: An Experimental Approach, *The Auk*, Volume 115, Issue 4, 1 October 1998, Pages 929–936.
- Los Angeles County Department of Regional Planning. 2020. Significant Ecological Areas Program. Available from: <https://planning.lacounty.gov/site/sea/ordinance-and-guide/>.
- Sawyer, J.O., Keeler Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978 0 943460 49 9.
- [USFWS] United States Fish and Wildlife Service. 1997. Coastal California Gnatcatcher (*Polioptila californica californica*) Presence/Absence Survey Guidelines February 28, 1997. Available from: https://www.fws.gov/ventura/docs/species/protocols/cagn/coastal-gnatcatcher_surveyguidelines.pdf.
- [USFWS] U.S. Fish and Wildlife Service. 1993. Endangered and threatened wildlife and plants; determination of threatened status for the coastal California gnatcatcher. March 30, 1993. Final rule. Federal Register 58: 16742–16757.
- Winchell, C.S., and P.F. Doherty. 2008. Using California gnatcatcher to test underlying models of habitat conservation plans. *Journal of Wildlife Management* 72: 1322–1327.



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

Biological Resources			
	Mitigation Measure	Timing	Responsible Party
MM-BIO-1 – Sensitive Vegetation Surveys	Vegetation surveys shall be conducted by a qualified botanist with appropriate experience and knowledge of southern California flora. Surveys shall follow CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Surveys shall be completed prior to implementing Project-related ground disturbing activities.	Prior to construction	City of Santa Clarita
MM-BIO-2 – Sensitive Vegetation Replacement	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 6:1 for impacts to S2 communities.	Prior to construction	City of Santa Clarita
MM-BIO-3 – Coastal California Gnatcatcher Surveys	The City shall retain a qualified biologist with a gnatcatcher survey permit. The qualified biologist shall survey the Project site to determine presence/absence of gnatcatcher. The qualified biologist shall conduct surveys according to USFWS Coastal California Gnatcatcher (<i>Polioptila californica californica</i>) Presence/Absence Survey Guidelines (USFWS 1997). The survey protocol requires a minimum of six surveys conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol shall be followed for all surveys unless otherwise authorized by the USFWS in writing (USFWS 1997). Gnatcatcher surveys shall be conducted and USFWS notified (per protocol guidance) prior to the City's issuance of a grading permit.	Prior to construction	City of Santa Clarita

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MM-BIO-4 – Nesting Bird Surveys	No construction shall occur from February 15 (January 1 for raptors) through August 31.	Prior to construction	City of Santa Clarita
MM-BIO-5 – Nesting Bird Surveys	A qualified avian biologist with survey experience shall conduct a thorough survey of all suitable nesting. Surveys shall be completed no more than 7 days prior to the beginning of any Project-related ground-disturbing activities or vegetation removal. Surveys shall be conducted in the immediate work/disturbance area plus a 500-foot buffer. Positive detections shall be reported to CDFW prior to the any Project-related ground disturbing activities or vegetation removal.	Prior to construction	City of Santa Clarita
MM-BIO-6 – Nesting Bird Avoidance Buffers	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 Santa Clarita

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<p>MM-BIO-7 – Nesting Bird Buffers</p>	<p>Temporary exclusion of Project activities within nesting buffers during nesting season may not constitute effective mitigation for the purposes of offsetting Project impacts associated with loss of breeding and nesting habitat. Effective mitigation for impacts to nesting habitat for birds requires structurally (e.g., ground cover, subshrubs, shrubs, and trees) and species diverse vegetation as a part of habitat restoration.</p> <p>Additional mitigation, separate from impacts to vegetation communities, would be necessary to compensate for the temporal or permanent loss of occupied nesting habitat within the Project site. CDFW recommends the qualified biologist/City consult with CDFW to determine proper mitigation for impacts to occupied habitat. Mitigation would be based on acreage of impact and vegetation composition. Depending on the status of the bird species impacted, replacement of habitat acres should increase with the occurrence of an SSC. Replacement acres would further increase with the occurrence of a CESA-listed species.</p>	<p>Prior to construction</p>	<p>City of Santa Clarita</p>
<p>MM-BIO-8 – SSC Reptile and Mammal Surveys</p>	<p>Pursuant to the California Code of Regulations, title 14, section 650, the City/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2020d). An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.</p>	<p>Prior to construction</p>	<p>City of Santa Clarita</p>

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MM-BIO-9 – SSC Species Surveys	<p>The City shall retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the following species: coastal whiptail, coast horned lizard, and San Diego black-tailed jackrabbit. The qualified biologist shall conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist shall conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location shall be mapped and photographed. The qualified biologist shall provide a summary report of SSC surveys to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist shall develop species-specific mitigation measures for implementation during the Project.</p>	Prior to construction	City of Santa Clarita
MM-BIO-10 – SSC Protection / Relocation Plan	<p>Wildlife shall be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC shall be captured only by a qualified biologist with proper handling permits. The qualified biologist shall prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan shall be submitted to the City prior to implementing any Project-related ground-disturbing activities and vegetation removal.</p>	Prior to construction	City of Santa Clarita
MM-BIO-11 – SSC Worker Training	<p>The City, in consultation with a qualified biologist, shall prepare a worker environmental awareness training. The qualified biologist shall communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.</p>	Prior to construction	City of Santa Clarita

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MM-BIO-12 – SSC Injured or Dead Wildlife	If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented. A formal report shall be sent to CDFW and the City within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.	Prior to construction	City of Santa Clarita
Recommendations			
REC-BIO-1 – National Vegetation Classification System	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 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.	Prior to construction	City of Santa Clarita
REC-BIO-2 – Coastal California Gnatcatcher – USFWS Consultation	Take under the ESA is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, in order to comply with ESA, is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact gnatcatcher.	Prior to construction	City of Santa Clarita