



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

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 30, 2021

Governor's Office of Planning & Research

Apr 30 2021

Nandini Moran
 Los Angeles County Flood Control District
 900 South Fremont Avenue, 2nd Floor
 Alhambra, CA 91803
ntmoran@dpw.lacounty.gov

STATE CLEARINGHOUSE

Subject: Comments on the Mitigated Negative Declaration for the Long-term Streambed Alteration Agreement for the Soft-Bottom Channel Maintenance Plan for Select Reaches, SCH #2021040017, Los Angeles County

Dear Ms. Moran:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) from the Los Angeles County Flood Control District (County) for the Long-term Streambed Alteration Agreement for the Soft-Bottom Channel Maintenance Plan for Select Reaches (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.

The County submitted a Lake or Streambed Alteration (LSA) Notification to CDFW pursuant to section 1600 *et seq.* of the Fish and Game Code regarding activities included within this Project (Notification #1600-2019-0224-R5). CDFW is in the process of issuing an LSA Agreement to the County for Project activities. CDFW's issuance of an LSA Agreement 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. 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 streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. This MND is a direct result of the County's LSA Notification and several years of coordination with CDFW.

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; 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 California Environmental Quality Act (CEQA), CDFW is directed to provide biological expertise to lead agencies as part of environmental

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 2 of 13

review, focusing on project 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 LSA regulatory authority (Fish & Game Code, § 1600 *et seq.*) and the California Endangered Species Act (CESA; Fish & Game Code, § 2050 *et seq.*). To the extent implementation of the Project as proposed may result in “take”, as defined by State law, 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.

Project Description and Summary

Objective: The County is proposing the implementation of the Project, which would provide specific parameters and requirements for routine maintenance activities carried out at 18 soft-bottom flood control channel reaches throughout the County of Los Angeles (Reaches 101 to 105, 108 to 110, and 112 to 121). In the course of one maintenance season (September 1 through March 14), each of the reaches would receive one round of routine maintenance, which may include: (1) annual brush clearing, tree trimming, and vegetation mowing; (2) sediment removal; (3) access road maintenance and other appurtenances; (4) storm damage repair and restoration; and/or (5) exotic species eradication or control. The Project does not involve new construction, expansion, or alteration of any of the reaches. In addition to implementing a Master Maintenance Plan (Maintenance Plan) for 18 soft-bottom channel reaches, the Project is also proposing the implementation of a Conceptual Habitat Mitigation and Monitoring Plan (CHMMP) to enhance and restore degraded habitat at the Stickleback River Ranch (SRR). The CHMMP has been prepared to mitigate potential impacts from the implementation of the Maintenance Plan.

Location: The Project addresses annual routine maintenance activities at 18 soft-bottom flood control channel reaches throughout the County of Los Angeles. Reaches 101 to 105, 108 to 110, and 120 to 121 are located within the Santa Clara River watershed. Reaches 112, 113, and 117 to 119 are located within the Santa Monica Bay watershed. Reaches 115 and 116 are located within the San Gabriel River watershed. Reach 114 is located within the Los Angeles River watershed. The Project also addresses mitigation activities at SRR located within the Santa Clara River watershed. The SRR site spans segment of the Santa Clara River and the 100-year flood plain in Soledad Canyon, Los Angeles County.

Comments and Recommendations

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

Comment #1: Impacts to Eelgrass Habitat

Issue: Project activities may impact eelgrass (*Zostera marina*) habitat. The Project’s *Soft Bottom Channel Vegetation Clearing Project Preconstruction Eelgrass Survey Report* (Eelgrass Report) shows that eelgrass is present within the majority of the Los Cerritos Channel (Reach

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 3 of 13

116). The MND states that eelgrass may also be present in Dominguez Channel (Reach 113) and San Gabriel River (Reach 115). However, no avoidance, minimization, or mitigation measures are discussed specifically for eelgrass in the MND. Additionally, discussion of eelgrass and eelgrass mitigation measures specifically within the *Essential Fish Habitat Assessment for Maintenance of Eight Soft-bottom Channels Los Angeles County, California* is markedly absent.

Specific impacts: Direct and/or indirect impacts to eelgrass habitat could result from project activities in reaches with eelgrass. The California Eelgrass Mitigation Policy (CEMP) defines eelgrass habitat as “areas of vegetated eelgrass cover bounded by a 5 m wide perimeter of unvegetated area” (NOAA Fisheries 2014). Project activities that could impact eelgrass include sediment removal (especially dredging), dewatering of reach sections, and any other in-water work. Specific potential impacts include direct removal, burial, or desiccation of eelgrass habitat. Eelgrass mortality may also result from increased turbidity levels.

Why impacts would occur: Eelgrass impacts could occur without proper eelgrass avoidance and minimization measures. Sediment removal could result in direct removal of eelgrass habitat. Sediment removal and other in-water work could also suspend sediments in the water column and lead to eelgrass burial or generate turbidity levels that are not conducive to eelgrass survival and growth. Eelgrass is sensitive to increased turbidity and requires a certain amount of light to maintain its populations (Thom *et al.* 2008). Additionally, dewatering sections of a reach may result in desiccation of eelgrass if it is present. Desiccation stress has been shown to result in leaf necrosis and is a limiting factor of eelgrass growth in the intertidal (Boese *et al.* 2003).

Evidence impacts would be significant: Eelgrass habitat can be considered rare under CEQA (CEQA Guidelines, § 15380). Eelgrass beds are recognized by other state and federal statutes as both highly valuable and sensitive habitats. Eelgrass provides primary production and nutrients to the ecosystem along with spawning, foraging, and nursery habitat for fish and other species. Pursuant to the federal Magnuson-Stevens Fishery Conservation and Management Act (MSA), eelgrass is designated as Essential Fish Habitat (EFH) for various federally managed fish species within the Pacific Coast Groundfish and Pacific Coast Salmon Fisheries Management Plans (FMP). Eelgrass is also considered a habitat area of particular concern (HAPC) for various species within the Pacific Coast Groundfish FMP. Eelgrass habitats are further protected under state and federal “no-net-loss” policies for wetland habitats. Additionally, the importance of eelgrass protection and restoration, as well as the ecological benefits of eelgrass is identified in the California Public Resources Code (Pub. Resources Code, § 35630).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: CDFW recommends that the Project adhere to the CEMP, including conducting pre- and post-construction eelgrass surveys when eelgrass may be impacted by Project activities and eelgrass mitigation if impacts occur. CDFW recommends that the final MND include a detailed discussion of potential eelgrass impacts and a commitment to CEMP adherence.

Mitigation Measure #2: The eelgrass survey associated with the Eelgrass Report is over five years old and does not provide a clear picture of current eelgrass coverage in the Los Cerritos Channel or other reaches. Since eelgrass coverage can change substantially from year to year,

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 4 of 13

CDFW recommends that an additional preliminary eelgrass survey be completed for the entire Project area before Project activities begin.

Mitigation Measure #3: CDFW recommends avoiding sediment removal/dredging and dewatering in eelgrass habitat to the greatest extent feasible. These activities are likely to result in eelgrass impacts and will probably require eelgrass mitigation. If sediment removal, dewatering, or other in-water activities that may disturb sediment are planned for areas near eelgrass habitat, CDFW recommends using a turbidity curtain to minimize impacts to eelgrass from these activities.

Additional Comments and Recommendations

Comment #2: Lake and Streambed Alteration Agreement

CDFW appreciates the County for coordinating a notification pursuant to section 1600 *et seq.* of the Fish and Game Code (Notification #1600-2019-0224-R5). CDFW proposes the following recommendations and amendments to the Project mitigation measures to better protect natural resources:

- a. **UTS Mitigation Measure #1:** Methods and protocols for unarmored threespine stickleback (*Gasterosteus aculeatus williamsoni*; UTS) surveys should be approved by CDFW. The County should consult CDFW for reach-specific survey methods and protocols at least one month prior to the anticipated survey date.
- b. **UTS Mitigation Measure #2:** If any Project surveys result in positive UTS findings, the County should notify CDFW in writing within one business day. The County should also report the finding to the [California Natural Diversity Database \(CNDDDB\)](#) within 14 days.
- c. **UTS Mitigation Measure #3:** As described in mitigation measure BIO-4, if surveys determine that UTS is present or potentially present, the County will not conduct Project activities at the reach until the following year. However, if delaying Project activities for one year is not feasible, the County should submit a detailed justification to CDFW for coordination. The County should also submit a detailed reach-specific plan for implementing buffer zones where no work can occur and where only hand clearing can occur in relation to the wetted channel. All Project activities occurring within a reach occupied or potentially occupied by UTS should be actively monitored by an on-site qualified or Designated Biologist approved by CDFW. Project equipment and personnel should not contact surface waters. No dewatering or water diversion should be conducted in any manner.
- d. **UTS Mitigation Measure #4:** CDFW recommends the County amend mitigation measure BIO-4 to include the following underlined language to offer increased protections to UTS:

“For ~~these~~ all reaches identified as potentially occupied by the unarmored threespine stickleback (Reaches 103, 104, 105, 109, 120, and 121, as well as any reach where UTS is later documented to occur or where habitat is suitable to support UTS), no Project activities and/or heavy equipment shall be allowed in drainages between November 2 and August 31 in any year if surface water is present. Pre-disturbance activity unarmored threespine stickleback surveys shall be conducted by a qualified biologist previously approved by CDFW annually prior

Ms. Nandini Moran
 Los Angeles County Flood Control District
 April 30, 2021
 Page 5 of 13

to activities (occurring between September 1 and November 1) at each of these reaches. Survey methods and protocols shall be approved by CDFW. If surveys determine unarmored threespine stickleback is present or potentially present, the County shall not conduct Project activities at that location until the following year. If delaying channel-maintenance activities for one year is not feasible, a detailed justification shall be submitted to CDFW for coordination, and a minimum 10-foot no-work buffer and a 50-foot hand clearing only buffer from the wetted area shall be employed. No project equipment or personnel shall contact surface waters. No dewatering or water diversion shall be conducted in any manner. All Project activities occurring within a reach occupied or potentially occupied by stickleback shall be monitored by a qualified Biologist. Buffer zones shall be flagged by the Biologist prior to work being conducted.”

- e. **Rare Plant Mitigation Measure #1:** CDFW recommends that the County expand mitigation measure BIO-2 and perform focused rare plant surveys in all Project reaches with potential occurrences of rare plant species. Rare plant surveys should be conducted during the appropriate growing season one year prior to the commencement of any vegetation- or ground-disturbing Project activities (see also CDFW 2018). To determine presence/absence or accurately identifying rare plants, a qualified botanist should conduct multiple rare plant surveys throughout the growing season for any given year. Surveys should occur during the time of year when rare plants are more likely to be visually detectable. Rare plant surveys proceeding after a low water year should be supplemented with one or two additional rare plant surveys over a number of years depending on the rare plant species, annual weather patterns, and whether the project area was recently disturbed (e.g., fire).
- f. **Rare Plant Mitigation Measure #2:** The County should notify CDFW of all rare plant survey findings prior to the commencement of Project activities. If any Project surveys result in positive findings for rare plant species, the County must notify CDFW in writing within one business day. The County must also report each observation to the [California Natural Diversity Database \(CNDDB\)](#) within 14 days. All occurrences of rare plants should be clearly marked for avoidance using flagging and/or fencing with appropriate no-work buffer zones around them.
- g. **Rare Plant Mitigation Measure #3:** If any Project surveys result in positive findings for rare plant species, the County should halt all Project activities in the affected reach and consult with CDFW for further actions. Please note that additional permitting may be required prior to commencement of Project activities. Actions to avoid impacts to rare plants should include flagging of any sensitive species populations and establishment of appropriate no-work buffers. Additional provisions to protect special status species may be required if deemed necessary by CDFW.

If the County detects any plant species listed under the federal Endangered Species Act (ESA) or California Endangered Species Act (CESA), CDFW recommends the County fully avoid impacts and notify CDFW and the US Fish and Wildlife Service (USFWS). CDFW recommends a qualified biologist develop a robust avoidance plan. The plan should include effective, specific, enforceable, and feasible measures. If [California Rare Plant Rank](#) (CRPR; CNPS 2021) 1, 2, 3, and 4 species are detected, CDFW recommends the County fully avoid impacts and notify CDFW of CRPR 1 and 2 species.

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 6 of 13

Take under the federal 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. In order to comply with ESA, CDFW recommends consultation with the USFWS well in advance of any Project-related ground-disturbing activities.

- h. SSC Mitigation Measure #1:** CDFW recommends the County amend mitigation measure BIO-1 to include the following underlined language to offer increased protections to [California Species of Special Concern](#) (SSC; CDFW 2021b):

“Pre- and post-maintenance surveys shall be conducted by a CDFW-approved qualified biologist annually at each reach where maintenance is scheduled for the current year to identify and document maintenance activities and their consistency with the Maintenance Plan and regulatory permit conditions and other required biological mitigation measures. Qualified biologists shall have prior training and professional work experience in detecting, identifying, and handling the specific sensitive species being targeted for each reach. Pre-maintenance general and focused surveys shall be conducted no more than two weeks prior to the start of work to confirm the presence/absence of sensitive species including all Species of Special Concern with potential to occur in each specific reach. Focused surveys shall follow established protocols and field methods to detect sensitive species, their habitat, structures (nests, burrows, or other refugia), and sign. Sensitive plant and wildlife species observed shall be recorded during these surveys. The County shall notify CDFW of the locations of all positive detections of sensitive species prior to the commencement of Project activities.”

- i. SSC Mitigation Measure #2:** Pursuant to the California Code of Regulations, title 14, section 650, the County or its 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 2021a). A Lake and Streambed Alteration 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).

- j. SSC Mitigation Measure #3:** If impacts are unavoidable, wildlife should be protected, allowed to move away on its own (noninvasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. 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 prepared prior to implementing any Project-related ground-disturbing activities and vegetation removal.

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 7 of 13

While relocation is an option for mitigating impacts, it may not fully account for impacts to an SSC, such as loss of individuals, loss of habitat, or loss of natal dens, middens, or burrows. Capturing, handling, or relocation are acts that may have multiple unintended negative consequences, including increased stress and mortality of relocated animals, negative impacts on resident animals at release sites, increased conflicts with human interests, and the spread of diseases. Attempts to avoid impacts to SSC should be the first option.

Comment #3: Arroyo Toad at Reach 103

Appendix B-48 reports a high potential for arroyo toad to occur in Reach 103 (ESA 2014). However, this reach is omitted from mention in mitigation measure BIO-5. CDFW recommends the implementation of BIO-5 (or similar focused surveys and protective measures) for all Project reaches with potentially suitable habitat for arroyo toad.

Comment #4: Least Bell's Vireo at Stickleback River Ranch

The MND states that the SRR site is potentially suitable habitat for least Bell's vireo (*Vireo bellii pusillus*) although no formal focused surveys have been conducted to date. A least Bell's vireo observation at the SRR site in July 2020 was reported by a County consultant biological monitor. As detailed in the Project CHMMP, the most disruptive Project activities would occur outside of the April 1 to September 15 nesting season for least Bell's vireo, southwestern willow flycatcher, and yellow-billed cuckoo. These noise-producing activities include the use of pumps, generators, compressors, and heavy equipment. However, nesting bird surveys should still be conducted no more than 72 hours prior to the commencement of any Project activities during the general nesting bird season from March 15 to September 15. If a nest for any sensitive bird species is present, a minimum 500-foot disturbance free buffer should be established, demarcated by fencing or flagging, and enforced by a CDFW-approved biologist and compliance monitor. If any Project surveys result in positive findings for sensitive or special status species, the County must notify CDFW in writing within one business day. The County must also report each observation to the [California Natural Diversity Database \(CNDDDB\)](#) within 14 days.

Comment #5: Mitigation and Monitoring Reporting Plan

CDFW recommends the County 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 County 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 County 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 County with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

Filing Fees

The Project, as proposed, could 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

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 8 of 13

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

CDFW appreciates the opportunity to comment on the Project to assist the County in identifying and mitigating potential impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the County 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 David T. Lin, Senior Environmental Scientist (Specialist) at David.Lin@wildlife.ca.gov or (562) 619-0509.

Sincerely,

DocuSigned by:



5991E19EF8094C3...

Victoria Tang

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

ec: CDFW

Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov

David T. Lin, Los Alamitos – David.Lin@wildlife.ca.gov

Eric Wilkins, San Luis Obispo – Eric.Wilkins@wildlife.ca.gov

Amanda Canepa, Monterey – Amanda.Canepa@wildlife.ca.gov

Susan Howell, San Diego – Susan.Howell@wildlife.ca.gov

CEQA Program Coordinator, Sacramento – CEQAcommentletters@wildlife.ca.gov

State Clearinghouse, Sacramento – State.Clearinghouse@opr.ca.gov

References

Boese, B.L., K.E. Alayan, E.F. Gooch, and B.D. Robbins. 2003. Desiccation index: a measure of damage caused by adverse aerial exposure on intertidal eelgrass (*Zostera marina*) in an Oregon (USA) estuary. *Aquatic Botany* 76:329–337.

[CDFW] California Department of Fish and Wildlife. 2018. *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. Available from:

<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

[CDFW] California Department of Fish and Wildlife. 2021a. Scientific Collecting Permits. Available from: <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

[CDFW] California Department of Fish and Wildlife. 2021b. Species of Special Concern. Available from: <https://wildlife.ca.gov/Conservation/SSC>

[CNPS] California Native Plant Society. 2021. CNPS Rare Plant Ranks. Available from: <https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>

Ms. Nandini Moran
Los Angeles County Flood Control District
April 30, 2021
Page 9 of 13

- [ESA] ESA Biological Resources. 2014. *Biological Assessment and Tree Inventory for Reach 103 (Bouquet Canyon Channel) and Reach 108 (Pico Canyon Channel), Los Angeles County, California*. Los Angeles, CA: ESA.
- NOAA Fisheries. 2014. *California Eelgrass Mitigation Policy and Implementation Guidelines*. Available from: <https://www.fisheries.noaa.gov/resource/document/california-eelgrass-mitigation-policy-and-implementing-guidelines>
- Thom, R.M., S.L. Southard, A.B. Borde, and P. Stoltz. 2008. Light requirements for growth and survival of eelgrass (*Zostera marina* L.) in Pacific Northwest (USA) estuaries. *Estuaries and Coasts* 31(5):969-980.



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

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.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1- Impacts to Eelgrass Habitat	Pre- and post-maintenance eelgrass surveys shall be conducted in all reaches with potential occurrences of eelgrass or where eelgrass may be impacted by Project activities.	Prior to Project activities	County
MM-BIO-2- Impacts to Eelgrass Habitat	A pre-Project baseline eelgrass survey shall be conducted for all soft-bottom channel reaches with potential occurrences of eelgrass.	Prior to Project activities	County
MM-BIO-3- Impacts to Eelgrass Habitat	Sediment removal, dredging, and dewatering shall be avoided to the greatest extent possible in all eelgrass habitat and soft-bottom channel reaches with potential occurrences of eelgrass. Turbidity curtains or similar best management practices (BMPs) shall be employed to minimize impacts from eelgrass habitat from Project activities.	Prior to/During project ground-disturbing activities	County
MM-BIO-4- Impacts to Unarmored Threespine Stickleback	Methods and protocols for unarmored threespine stickleback surveys shall be approved by CDFW. The County shall consult CDFW for reach-specific survey methods and protocols at least one month prior to the anticipated survey date.	Prior to Project activities	Los Angeles County Flood Control District (County)

Ms. Nandini Moran
 Los Angeles County Flood Control District
 April 30, 2021
 Page 11 of 13

MM-BIO-5- Impacts to Unarmored Threespine Stickleback	If any Project surveys result in positive detections of unarmored threespine stickleback, CDFW shall be notified in writing within one business day. A report of the detection shall be filed to the California Natural Diversity Database (CNDDDB) within 14 days.	Prior to Project activities	County
MM-BIO-6- Impacts to Unarmored Threespine Stickleback	If any Project surveys determine that unarmored threespine stickleback is present or potentially present, no Project activities shall occur within that soft-bottom channel reach until the following year. However, if delay Project activities for one year is not feasible, a detailed justification shall be submitted to CDFW for coordination. Detailed reach-specific plans for implementing buffer zones shall be developed and submitted to CDFW. Plans shall employ a minimum 10-foot no-work buffer and a 50-foot hand clearing only buffer from the wetted area. No project equipment or personnel shall contact surface waters. No dewatering or water diversion shall be conducted in any manner. All Project activities occurring within a reach occupied or potentially occupied by stickleback shall be monitored by a qualified Biologist. Buffer zones shall be flagged by the Biologist prior to work being conducted.	Prior to Project activities	County
MM-BIO-7- Impacts to Rare Plans	Focused rare plant surveys shall be conducted in all Project soft-bottom reaches with potential occurrences of rare plant species. Rare plant surveys shall be conducted during the appropriate growing season one year prior to the commencement of vegetation- or ground-disturbing Project activities. To determine presence/absence or accurately identifying rare plants, a qualified botanist shall conduct multiple rare plant surveys through the growing season for any given year. Survey shall occur during the time of year when rare plants are more likely to be visually detectable. Rare plant surveys proceeding after a low water year should be supplemented with one or two additional rare plant surveys over a number of years depending on the rare plant species, annual weather patterns, and whether the project area was recently disturbed (e.g., fire)	Prior to ground-disturbing or vegetation-disturbing Project activities	County

Ms. Nandini Moran
 Los Angeles County Flood Control District
 April 30, 2021
 Page 12 of 13

MM-BIO-8- Impacts to Rare Plans	If any Project surveys result in positive detections of rare plant species, CDFW shall be notified in writing within one business day. A report of the detection shall be filed to the California Natural Diversity Database (CNDDDB) within 14 days.	Prior to ground-disturbing or vegetation-disturbing Project activities	County
MM-BIO-9- Impacts to Rare Plans	If any Project surveys result in positive findings for rare plant species, all Project activities in the affected soft-bottom channel reach shall be halted and CDFW shall be consulted for further actions. Additional permitting may be required prior to the commencement of Project activities. Actions to avoid impacts to rare plants shall include flagging of any sensitive species populations and establishment of appropriate no-work buffers.	Prior to ground-disturbing or vegetation-disturbing Project activities	County
MM-BIO-10- California Species of Special Concern	Pre-maintenance general and focused surveys for sensitive species shall be conducted by a CDFW-approved qualified biologist annually at each reach where maintenance is scheduled for the current year. Qualified biologists shall have prior training and professional work experience with detecting, identifying, and handling the specific sensitive species being targeted for each reach. Pre-maintenance surveys shall be conducted no more than two weeks prior to the start of work to confirm the presence/absence of all sensitive species (including California Species of Special Concern) with potential to occur in each reach. CDFW shall be notified of all positive detections and consulted for additional provisions to protect sensitive species.	Prior to Project activities	County
MM-BIO-11- California Species of Special Concern	The County or its qualified biologist shall obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project activities.	Prior to Project activities	County

Ms. Nandini Moran
 Los Angeles County Flood Control District
 April 30, 2021
 Page 13 of 13

<p>MM-BIO-12- California Species of Special Concern</p>	<p>Wildlife shall be protected, allowed to move away on its own (noninvasive, 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 County or 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 prepared prior to implementing any Project-related ground-disturbing activities and vegetation removal and submitted to CDFW for approval.</p>	<p>Prior to Project activities</p>	<p>County</p>
--	---	--	---------------