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



Governor's Office of Planning & Research

May 7, 2021

**May 07 2021**

## **STATE CLEARINGHOUSE**

Mrs. Julia Aranda  
Casitas Municipal Water District  
1055 North Ventura Avenue  
Oak View, CA 93022  
[JAranda@casitaswater.com](mailto:JAranda@casitaswater.com)

**Subject: Ventura-Santa Barbara Counties Intertie Project, Draft Mitigated Negative Declaration, SCH #2021040036, Santa Barbara County and Ventura County**

Dear Mrs. Aranda:

The California Department of Fish and Wildlife (CDFW) has reviewed the Casitas Municipal Water District's (District; Lead Agency) Draft Mitigated Negative Declaration (MND) for the Ventura-Santa Barbara Counties Intertie 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 purpose of the proposed Project is to facilitate the transfer of water between Casitas Municipal Water District (Casitas) and the Carpinteria Valley Water District (CVWD), improving regional water supply reliability. Ventura and Santa Barbara counties are susceptible to natural disasters such as wildfires, landslides, and earthquakes. The Project would allow Casitas and Santa Barbara County water purveyors to transfer local potable water supplies in either direction (as necessary) and improve the resiliency of the local water distribution network.

The Project is comprised of the following components:

**Pipeline Alignment:** The District proposes to install between 7,600 to 8,160 linear-feet (LF) of 16-inch-diameter, underground potable water pipeline. Approximately 4,500 LF of the proposed pipeline would be constructed in unincorporated Ventura County; the remainder of the pipeline would be constructed in unincorporated Santa Barbara County. The western terminus of the pipeline will connect to the existing CVWD 15-inch pipeline at the southeastern corner of Lake Jocelyn. From Lake Jocelyn, the pipeline would be constructed under and along State Route – 192 (SR-192). From SR-192, the pipeline will cross Rincon Creek and traverse along private roads and/or orchards (exact pathway has yet to be determined). Construction of the pipeline would commence as early as Spring 2022 and will take 12 to 15 months to complete.

**Site Preparation:** The existing pavement along the pipeline alignment will be cut with a concrete saw or otherwise broken and removed using jackhammers, pavement breakers, and loaders. A trench will be excavated along the alignment using backhoes, excavators, or other types of excavation equipment. Approximately 3,000 cubic yards of soil and pavement would be hauled away and disposed of at an appropriate facility. The remainder of the excavated soil would be temporarily stored adjacent to the trenches or at staging areas to be used as trench backfill. Trenches would generally be no more than five feet deep, unless there is a need to cross another utility or a trenchless-construction crossing requires a deeper, rectangular boring pit. If crossing another utility is required, the proposed trench depth depends on the depth of the existing utility and required clearance between the proposed pipeline and the existing utility line. Maximum trench depth would be approximately ten feet in these areas.

**Pipe Installation and Backfill:** Once the trench is excavated and shored (if necessary), the pipe and backfill material are placed in the trench. Backfill material around pipeline includes sand bedding, imported aggregate material, or a sand-cement slurry. Such material is placed at least four inches under the pipe, six inches on each side, and one foot above the pipe. Generally, every linear foot of pipeline requires 0.11 cubic foot of sand (i.e., 1,000 feet of pipeline requires 110 cubic feet of sand). The remaining trench backfill is comprised of paving materials. At the end of each workday, the trench will be covered with steel plates for public safety and so traffic can resume use of the roadway in both directions.

**Street Restoration:** Street paving will be performed once the entire pipeline segment is installed. Paving is expected to progress at the rate of 1,000 square feet per day. Paving requires a wheeled loader, paving machine, and roller. Once the pavement is restored, traffic delineation (striping) will also be restored.

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**Creek Crossing:** The crossing of Rincon Creek could occur using one of three methods: (1) open-cut trenching, (2) trenchless, Horizontal Directional Drilling (HDD), or (3) utilizing a utility cell in an existing bridge. The open-cut trenching alternative may require a temporary water diversion in the creek. The water diversion would be composed of a bypass channel or use of a temporary pipeline before undertaking construction activities within the creek. Use of a bypass channel may require riprap or other suitable material to minimize erosion and siltation. Once the bypass is completed and stable, the creek would be diverted to allow construction in the creek bed. Upon completion of the creek crossing, the bypass channel or temporary pipeline would be removed and the area would be restored to existing conditions or better.

Trenchless HDD construction involves excavating an entrance pit on one side of the creek and a receiving pit on the opposite side of the creek. A pilot hole is drilled along the pipeline alignment, followed by the enlarging of the hole by passing a larger cutting tool (back reamer) through the hole. The pipe is then placed in the hole beneath the creek using a drill stem; the back reamer pulls the pipe into place behind it. This method requires the use of drilling fluid (typically a mixture of water and bentonite or polymer) to remove cuttings, stabilize the bore hole, cool the cutting head, and lubricate the passage of the pipe. Used drilling fluid would be collected in a reclaimer machine to remove drill cuttings and maintain the proper viscosity during reuse of the fluid. Upon completion of pipe installation, the entrance pit and receiving pit are backfilled and the disturbed land or habitat is restored.

If the proposed pipeline crosses Rincon Creek using the existing Caltrans bridge, Casitas would coordinate with Caltrans to insert the proposed pipeline within the existing utility cell within the SR-192 bridge. If this method results in disturbance to habitat on either side of Rincon Creek, habitat would be restored following completion of the creek crossing.

**Booster Pump Stations:** The proposed project also involves the construction and operation of two booster pump stations: BPS-A and BPS-B. The pumps at each booster pump station would be covered with an awning and the electrical equipment would be housed in a weatherproof structure, approximately 420 square feet in area and 10 feet in height. Construction of the booster pump stations would include site grading; underground and aboveground piping; concrete pads for pumps, piping, and electrical equipment; electrical service from Southern California Edison; installation of pumps, motors, and electrical equipment, including emergency generators; minor site improvements such as fencing and awnings over equipment; and start-up and testing. Typical construction equipment would include an excavator, grader, crane, and standard work trucks. Construction supplies and equipment would be staged at each pump station site. Construction of the booster pump stations would commence as early as Spring 2022 and take eight months to complete.

**Improvements to Existing Casitas Infrastructure:** The proposed project would require infrastructure improvements at two existing Casitas facilities: the Rincon Pumping Plant and the Rincon Vent Station. Proposed improvements include new valve vault and bypass systems and electrical/surge protector improvements.

**Location:** The Project site is located in the unincorporated northwestern portion of Ventura County and the unincorporated southeastern portion of Santa Barbara County and is

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approximately 0.3 mile east of the City of Carpinteria. The project site traverses SR-192, SR-150, and Rincon Creek.

### **Comments and Recommendations**

CDFW offers the comments and recommendations below to assist the District in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. CDFW recommends the measures below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097) (see Attachment A).

#### **COMMENT #1: Monarch Butterfly**

**Issue:** Project-related activities have the potential to impact overwintering monarch butterflies (*Danaus plexippus*), which is a Federal Endangered Species Act (FESA) candidate listed species and has been documented to occur in the immediate vicinity of the Project area (CDFW 2021).

**Specific impact:** Without appropriate avoidance and minimization measures for monarch butterflies, potential significant impacts associated with tree trimming, vegetation removal, and ground disturbance activities could occur. Potential impacts include roost destruction, inadvertent entrapment, reduced reproductive success, reduction in health and vigor of eggs and/or larvae, and direct mortality of individual monarchs.

**Evidence impact would be significant:** During the last decade overwintering monarch populations have decline by nearly 90-percent (Jepsen et al, 2015). Habitat loss and fragmentation is among the primary threats to the population (USFWS 2020). Project activities have the potential to significantly impact the species by reducing possible roosting habitat.

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

To evaluate potential impacts of the Project to special-status species, CDFW recommends including the following mitigation measures and requiring them as conditions of approval in the Project's MND.

#### **Mitigation Measure #1: Monarch Butterfly Habitat Assessment**

CDFW recommends that a qualified biologist conduct a habitat assessment, well in advance of Project implementation, to determine if the Project area or its immediate vicinity contain habitat suitable to support monarchs.

#### **Recommendation #1: Monarch Butterfly Surveys**

If suitable habitat is present, CDFW recommends assessing presence of monarchs by conducting surveys following recommended protocols or protocol-equivalent surveys.

#### **Recommendation #2: Monarch Butterfly Take Avoidance**

Detection of special-status species within or in the vicinity of the Project area, warrants consultation with CDFW and U.S. Fish and Wildlife Service (USFWS) to discuss how to implement ground-disturbing activities and avoid take.

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## **Comment #2: 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:* Northern California legless lizard (*Anniella pulchra*) and western pond turtle (*Emys marmorata*).
- *Mammals:* San Diego desert woodrat (*Neotoma lepida intermedia*).

**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, potential 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-listed, 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; and,
- 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 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 District, (CEQA Guidelines, § 15065).

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

**Mitigation Measure #1:** Pursuant to the California Code of Regulations, title 14, section 650, the District/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 (<https://wildlife.ca.gov/Licensing/Scientific-Collecting>) for information (CDFW 2020d). A Lake

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and Streambed Alteration (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 District should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. 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 District 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 District prior to implementing any Project-related ground-disturbing activities and vegetation removal.

**Mitigation Measure #4:** The District, 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.

**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 District 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.

### **Comment #3: Impacts to Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement**

**Issue:** Depending on the alternative selected, Rincon Creek, which is subject to Fish and Game Code, section 1600 *et seq.*, may be impacted by the proposed Project.

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**Specific Impact:** Construction activities, including the potential need for water diversion activities, may result in the loss of streams and associated watershed function and biological diversity. Frequent work on or near streams is likely to diminish on site and downstream water quality. Altering these drainage features will also alter the hydrologic and geomorphic processes and emergent fish and wildlife downstream. Project activities may also impact tributaries that occur upstream, outside of the Project boundary, where hydrologic connectivity occurs.

**Why Impact Would Occur:** The Project may directly impact Rincon Creek, which would result in the potential loss of natural drainage patterns, soils, and associated vegetation. These actions may also result in changes to the stream, altering hydrologic and geomorphic processes that may impact plant and wildlife species.

**Evidence Impact Would Be Significant:** The Project may substantially adversely affect the existing stream patterns of the Project site through the alteration or diversion of streams, which absent specific mitigation, could result in substantial erosion or siltation on site or off site of the Project. Debris, soil, silt, sawdust, rubbish, raw cement/concrete, or washings thereof, asphalt, paint or other coating material, oil or other petroleum products, or any other substances which could be hazardous or deleterious to aquatic life, wildlife, or riparian habitat resulting from Project related activities may enter the stream.

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

**Mitigation Measure #1:** 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 shall determine whether an LSA Agreement is required prior to conducting the proposed activities. A notification package for a LSA may be obtained by accessing CDFW’s web site at <https://www.wildlife.ca.gov/conservation/lsa>.

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.

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

**Mitigation Measure #3:** CDFW recommends fully avoiding impacts to waters and riparian/wetland vegetation communities. If feasible, CDFW recommends redesigning the Project to avoid impacts to Rincon Creek, which support sensitive vegetation communities. Design alternatives should attempt to retain as much surface flow and natural hydrologic processes as possible. CDFW recommends taking an inter-disciplinary approach to involve landscape architects, engineers, and wildlife biologists, and hydrologists to develop design

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alternatives that could fully avoid or lessen impacts to waters and riparian/wetland vegetation communities.

**Mitigation Measure #4:** If impacts to streams is unavoidable, CDFW recommends that mitigation occur at a CDFW-approved bank. Mitigation bank credits should be purchased, approved, or otherwise fully executed prior to implementing Project-related ground-disturbing activities and prior to the County's issuance of grading permits.

**Mitigation Measure #5:** If credits at a CDFW-approved mitigation bank are not available, CDFW recommends setting aside replacement habitat to be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. Mitigation lands should be in the same watershed as the Project site and support in-kind vegetation. An appropriate non-wasting endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities prior to the County's issuance of grading permits.

#### **Comment #4: Impacts to Non-Game Mammals and Wildlife**

**Issue:** Wildlife may still move through the Project site during the daytime or nighttime. CDFW is concerned that any wildlife potentially moving through or seeking temporary refuge on the Project site may be directly impacted during Project activities and construction.

**Specific impacts:** Project activities and construction equipment may directly impact wildlife and birds moving through or seeking temporary refuge on site. This could result in wildlife and bird mortality. Furthermore, depending on the final fencing design, the Project may cumulatively restrict wildlife movement opportunity.

**Why impacts would occur:** Direct impacts to wildlife may occur from: ground disturbing activities (e.g., staging, access, excavation, grading); wildlife being trapped or entangled in construction materials and erection of restrictive fencing; and wildlife could be trampled by heavy equipment operating in the Project site.

**Evidence impact would be significant:** Mammals occurring naturally in California are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & Game Code, § 4150; Cal. Code of Regs, § 251.1).

**Recommended Potentially Feasible Mitigation Measure(s):** CDFW recommends the following four mitigation measures to avoid and minimize direct impacts to wildlife during Project construction and activities.

**Mitigation Measure #1:** If fencing is proposed for use during construction or during the life of the Project, fences shall be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing shall also be minimized so as not to restrict free wildlife movement through habitat areas.

**Mitigation Measure #2:** To avoid direct mortality, a qualified biological monitor shall be on site prior to and during ground and habitat disturbing activities to move out of harm's way special

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status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility shall be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way.

It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.

**Mitigation Measure #3:** Grubbing and grading shall be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading shall be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.

### **Additional Recommendations**

Alternatives. CDFW recommends the District consider an alternative that would fully avoid or minimize impacts to streams, sensitive plants and wildlife. CDFW recommends the District recirculate the environmental document after including alternative locations in order to foster meaningful public participation and informed decision making [CEQA Guidelines, §§ 15088.5, 15126.6(f)]. If the District concludes that no feasible alternative locations exist, or the use of alternative locations as a mitigation measures is infeasible, the District must disclose the reasons in the final environmental document and recirculate [CEQA Guidelines, §§ 15088.5(a)(3), 15126.6(f)(2)].

Mitigation and Monitoring Reporting Plan. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the District with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A). A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

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

### **Conclusion**

We appreciate the opportunity to comment on the Project to assist the District in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the District has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Baron Barrera, Environmental Scientist, at [Baron.Barrera@wildlife.ca.gov](mailto:Baron.Barrera@wildlife.ca.gov)

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Sincerely,

DocuSigned by:

*Erinn Wilson-Olgin*

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Environmental Program Manager I  
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ec: CDFW

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

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP shall reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

<b>Biological Resources (BIO)</b>			
<b>Mitigation Measure (MM) or Recommendation (REC)</b>		<b>Timing</b>	<b>Responsible Party</b>
<b>MM-BIO-1- Impacts to Monarch Butterflies</b>	CDFW recommends that a qualified biologist conduct a habitat assessment, well in advance of Project implementation, to determine if the Project area or its immediate vicinity contain habitat suitable to support monarchs.	Prior to/After Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-2- Impacts to Monarch Butterflies</b>	If suitable habitat is present, CDFW recommends assessing presence of monarchs by conducting surveys following recommended protocols or protocol-equivalent surveys. Recommended protocols vary by species.	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-3- Impacts to Monarch Butterflies</b>	Detection of special-status species within or in the vicinity of the Project area, warrants consultation with CDFW and U.S. Fish and Wildlife Service (USFWS) to discuss how to implement ground-disturbing activities and avoid take	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-4- Impacts to California Species of Special Concern</b>	Pursuant to the California Code of Regulations, title 14, section 650, the District/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 ( <a href="https://wildlife.ca.gov/Licensing/Scientific-Collecting">https://wildlife.ca.gov/Licensing/Scientific-Collecting</a> ) for	Prior to Project construction and activities	Lead Agency/ Applicant

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	<p>information (CDFW 2020d). A Lake and Streambed Alteration (LSA) Agreement may provide similar take or possession of species as described in the conditions of the agreement.</p> <p>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 &amp; 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).</p>		
<b>MM-BIO-5- Impacts to California Species of Special Concern</b>	<p>The District should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. 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 District 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.</p>	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-6- Impacts to California</b>	<p>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</p>	Prior to Project construction and activities	Lead Agency/ Applicant

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<b>Species of Special Concern</b>	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 District prior to implementing any Project-related ground-disturbing activities and vegetation removal.		
<b>MM-BIO-7- Impacts to California Species of Special Concern</b>	The District, 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.	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-8- Impacts to California Species of Special Concern</b>	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 District 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 Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-9- Impacts to Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement</b>	<p>The 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 shall determine whether an LSA Agreement is required prior to conducting the proposed activities. A notification package for an LSA may be obtained by accessing CDFW's web site at <a href="https://www.wildlife.ca.gov/conservation/lisa">https://www.wildlife.ca.gov/conservation/lisa</a>.</p> <p>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</p>	Prior to Project construction and activities	Lead Agency/ Applicant

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	1600 <i>et seq.</i> 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.		
<b>MM-BIO-10- Impacts to Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement</b>	Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement 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 Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-11- Impacts to Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement</b>	CDFW recommends fully avoiding impacts to waters and riparian/wetland vegetation communities. If feasible, CDFW recommends redesigning the Project to avoid impacts to NFAC, which support sensitive vegetation communities. Design alternatives should attempt to retain as much surface flow and natural hydrologic processes as possible. CDFW recommends taking an inter-disciplinary approach to involve landscape architects, engineers, and wildlife biologists, and hydrologists to develop design alternatives that could fully avoid or lessen impacts to waters and riparian/wetland vegetation communities.	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-12- Impacts to Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement</b>	If impacts to streams is unavoidable, CDFW recommends that mitigation occur at a CDFW-approved bank. Mitigation bank credits should be purchased, approved, or otherwise fully executed prior to implementing Project-related ground-disturbing activities and prior to the County's issuance of grading permits.	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-13- Impacts to</b>	If credits at a CDFW-approved mitigation bank are not available, CDFW recommends setting aside replacement habitat to be	Prior to Project	Lead Agency/ Applicant

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<b>Aquatic and Riparian Resources; Lake and Streambed Alteration Agreement</b>	protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. Mitigation lands should be in the same watershed as the Project site and support in-kind vegetation. An appropriate non-wasting endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities prior to the County's issuance of grading permits.	construction and activities	
<b>MM-BIO-14- Impacts to Non-Game Mammals and Wildlife</b>	If fencing is proposed for use during construction or during the life of the Project, fences shall be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing shall also be minimized so as not to restrict free wildlife movement through habitat areas.	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-15- Impacts to Non-Game Mammals and Wildlife</b>	<p>To avoid direct mortality, a qualified biological monitor shall be on site prior to and during ground and habitat disturbing activities to move out of harm's way special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project-related construction activities. Salvaged wildlife of low mobility shall be removed and placed onto adjacent and suitable (i.e., species appropriate) habitat out of harm's way.</p> <p>It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.</p>	Prior to Project construction and activities	Lead Agency/ Applicant
<b>MM-BIO-16- Impacts to Non-Game Mammals and Wildlife</b>	Grubbing and grading shall be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading shall be done from the center of the Project site, working outward towards adjacent habitat off site where wildlife may safely escape.	Prior to Project construction and activities	Lead Agency/ Applicant