



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

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GAVIN NEWSOM, Governor
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September 23, 2021

Governor's Office of Planning & Research

Mrs. Monica Dionne
City of Simi Valley
2929 Tapo Road
Simi Valley, CA 93063
MDionne@simivalley.org

September 24 2021**STATE CLEARINGHOUSE**

**Subject: Mitigated Negative Declaration for the City of Simi Valley General Plan
Amendment to Update the Housing Element for the 2021-2029 Planning Period
(GPA-2021-0001), SCH No. 2021080508, Ventura County**

Dear Mrs. Dionne:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) for the City of Simi Valley's (City) General Plan Amendment to Update the Housing Element for the 2021-2029 Planning Period (GPA-2021-0001) Project (Project). Thank you for the opportunity to provide comments and recommendations regarding those activities detailed 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 & Game Code. CDFW understands that future development projects may be tiered off this environmental document. Future development projects, as detailed in the General Plan, will be collectively referred to as "Projects" or "Project(s)." This is not to say that each comment below is relevant to each of the Projects discussed in the General Plan, but that the comments listed below should be considered when a specified project may impact any of the biological resources discussed below.

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 & 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

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species protected under the California Endangered Species Act (CESA) (Fish & Game Code, § 2050 *et seq.*), or State-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish & Game Code, as necessary.

Project Description and Summary

Objective: The Project involves a comprehensive update to the 2013-2021 Housing Element (Chapter four) of the City's General Plan. The Housing Element of the General Plan addresses the City's approach to community development, safety, environmental justice, and map amendments/zone changes. To comply with State law, the City's Housing Element must be updated every eight years to ensure the City's policies and programs can accommodate estimated housing growth allocation identified by the State-determined Regional Housing Needs Assessment. The Housing Element will address how the City will meet its housing needs, including provision of adequate housing for residents of all income levels.

Location: City of Simi Valley (Citywide), Ventura County.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating Projects (as detailed in the General Plan) significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Additional comments or other suggestions may also be included to improve the document.

Comment #1: Impacts to Streams

Issue: CDFW is concerned that Projects may support streams subject to notification under Fish & Game code section 1600 *et seq.*

Specific impacts: Projects may result in the loss of streams and associated watershed function and biological diversity. Grading and construction activities will likely alter the topography and hydrology of streams.

Why impacts would occur: Ground disturbance activities (e.g., grading, filling, water diversions, and dewatering) would physically remove or otherwise alter existing streams or their function and associated riparian habitat. Downstream waters and associated biological resources beyond a Project(s) development footprint may also be impacted by Project(s) related releases of sediment and altered watershed effects.

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

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Projects may result in the alteration of streams. For any such activities, the Project(s) applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 *et seq.* of the Fish & Game Code. Based on this notification and other information,

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CDFW determines whether a Lake and Streambed Alteration (LSA) Agreement with the applicant is required prior to conducting the proposed activities. An LSA notification package may be obtained by accessing CDFW's web site at <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>.

CDFW's issuance of an LSA Agreement for Project(s) that are 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 a Project(s). To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, project specific CEQA documents should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA Agreement.

Recommendation #1: Any LSA Agreement issued for Projects by CDFW may include additional measures protective of streambeds on and downstream of the Project(s). The LSA Agreement may include further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in an LSA Agreement may include the following: avoidance of resources; on-site or off-site habitat creation, enhancement, or restoration; and/or protection and management of mitigation lands in perpetuity.

Comment #2: Impacts to Special-Status Plant Species

Issue #1: Collectively, the Projects may result in a significant cumulative impact to special-status plants and habitat communities.

Issue #2: The Projects may contribute to increased habitat fragmentation and loss of native habitats.

Specific impact: 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 21-80 occurrences of this community in existence in California, S2 has 6-20 occurrences, and S1 has less than 6 occurrences. The Projects may have direct or indirect effects to these sensitive species.

Why impact would occur: The implementation of Projects may include grading, vegetation clearing for construction, road maintenance, and other activities that may result in direct mortality, population declines, or local extirpation of sensitive plant species and habitat fragmentation.

Evidence impact would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in a Project(s) continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish & Wildlife Service (USFWS). Additionally, plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or

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moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). Please see CNPS Rare Plant Ranks website (<https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>) for additional rank definitions.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends including avoidance, minimization, and/or mitigation measure language articulating the need to perform focused surveys for sensitive/rare plants on-site and disclosing the results prior to the implementation of Projects. Based on the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (CDFW, 2018) (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>), a qualified biologist should “conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting.” Final CEQA documentation, for a specified Project(s), should provide a thorough discussion on the presence/absence of sensitive plants on-site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.

Mitigation Measure #2: In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & Game 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), found online at <http://vegetation.cnps.org/>. To determine the rarity ranking of vegetation communities on a specific Project site(s), the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.

Mitigation Measure #3: CDFW recommends the General Plan be conditioned to provide mitigation ratios ranging from 5:1 – 10:1 (depending on the sensitivity of the species). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat.

Mitigation Measure #4: The General Plan should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.

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Recommendation #1: CDFW recommends the City perform a Regional Landscape Interconnectivity Assessment and incorporate the findings into the General Plan to avoid habitat fragmentation.

Comment #3: Survey Protocols for Special-Status Wildlife

Issue: Projects proposed to occur within the geographical limits of the Project(s) may impact special-status species.

Specific impacts: Several special-status-species may occur on or within the vicinity of Projects. Without recent protocol surveys, these species may be directly or indirectly impacted. Projects may remove suitable and indirect effects such as noise, dust, and artificial lighting may also adversely impact special status species.

Why impacts would occur: Project(s)-activities have the potential to impact special status wildlife species, which have been documented to occur in the region (CDFW 2021). Protocol surveys are necessary to identify listed species and supporting habitat necessary for their survival.

Evidence impact would be significant: Ground-clearing and construction-activities could lead to the direct mortality of a listed species or Species of Special Concern (SSC). The loss of occupied habitat could yield a loss of foraging potential, nesting sites, basking sites, or refugia and would constitute a significant impact absent appropriate mitigation. CDFW considers impacts to CESA-listed and SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that Projects follow appropriate survey protocol for a given species. The survey(s) should be performed based on the species found, or likely to occur, on a respective Project site(s).

The following mitigation measures are suggested for impacts to special-status reptiles:

Mitigation Measure #1: To mitigate impacts to special-status reptiles, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.

Mitigation Measure #2: In consultation with a qualified biologist familiar with the life history of the respective reptile, a relocation plan (Plan) should be developed. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the

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documentation/recording of the number of animals relocated. CDFW recommends the City coordinate with CDFW and/or U.S. Fish and Wildlife Service (USFWS) prior to any ground disturbing activities within potentially occupied habitat.

The following mitigation measures are suggested for impacts to bats:

Mitigation Measure #1: The MND and/or subsequent CEQA documents should provide a discussion of potential impacts to bats, which may occur as a result from the construction and/or operation of Projects. The language should adequately disclose potential impacts and identify appropriate avoidance and mitigation measures.

Mitigation Measure #2: Measures to mitigate impacts to bats should include pre-construction surveys to detect species, use of bat roost installations, and preparation of a bat protection and relocation plan to be submitted to CDFW for approval prior to commencement of Project(s) activities, as necessary.

Comment #4: Monarch Butterfly

Issue: Project(s) activities have the potential to impact overwintering monarch butterflies (*Danaus plexippus*), which is an Endangered Species Act (ESA) candidate listed species and has been documented to occur in throughout the region (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.

Why impacts would occur: Project(s) activities have the potential to impact monarch butterflies, which have been documented to occur in the region. Protocol surveys are necessary to identify the presence of monarch butterflies and supporting habitat necessary for their survival. A lack of protocol surveys will likely result in avoidable, direct and/or indirect impacts to monarch butterflies.

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). Ground clearing and construction activities could exacerbate this issue and lead to the direct mortality of monarch butterflies. Habitat loss could lead to a loss of foraging potential, nesting sites, or refugia and would constitute a significant impact absent appropriate mitigation. CDFW considers impacts to rare species a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. Project(s) 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(s) to special-status species, CDFW recommends including the following mitigation measures and requiring them as conditions for Project(s)

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approval.

Mitigation Measure #1: Monarch Butterfly Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment, within 30 days of Project(s) implementation, to determine if the Project(s) area or its immediate vicinity contain habitat suitable to support monarchs.

Mitigation Measure #2: Monarch Butterfly Surveys

If suitable habitat is present, CDFW recommends assessing presence of monarchs by conducting protocol surveys consistent with USFWS recommendations (see www.fs.fed.us/wildflowers/pollinators/monarch_butterfly/documents/monarch-monitoring_en.pdf).

Mitigation Measure #3: Monarch Butterfly Take Avoidance

If monarch butterflies are detected within or in the vicinity of Project(s) areas, The City will consult CDFW and USFWS, prior to Project(s) implementation to discuss how to implement ground-disturbing activities and avoid take.

Comment #5: Impacts to Non-Game Mammals and Wildlife

Issue: Wildlife may move through Project(s) sites during the daytime or nighttime. CDFW is concerned that any wildlife potentially moving through or seeking temporary refuge on the Projects sites may be directly impacted during Project(s) activities and construction.

Specific impacts: Project(s) 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, Projects 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 on Projects site(s).

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(s) construction and activities.

Mitigation Measure #1: If fencing is proposed for use during construction or during the life of the Project(s), fences should 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 should 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 should be on site prior to and during ground and habitat disturbing activities to move out of harm's way

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special status species or other wildlife of low mobility that would be injured or killed by grubbing or Project(s)-related construction activities. Salvaged wildlife of low mobility should 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 should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project(s) site, working outward towards adjacent habitat off site where wildlife may safely escape.

Additional Recommendations

Alternatives. CDFW recommends the City consider an alternative that would fully avoid or minimize impacts to streams, sensitive plants and wildlife.

Mitigation and Monitoring Reporting Plan. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A). 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

Projects, as proposed in the General Plan, 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 and to assist the City 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 Baron Barrera, Environmental Scientist, at Baron.Barrera@wildlife.ca.gov or (858) 354-4114.

Sincerely,

DocuSigned by:

Erinn Wilson-Olgin

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Environmental Program Manager I
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. Scientific Collecting Permit. Available from: <https://wildlife.ca.gov/Licensing/Scientific-Collecting#53949678>

[CDFWc] California Department of Fish and Wildlife. 2021. Submitting Data to the CNDDDB. Available from: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>

[CNPS] California Native Plant Society. 2020. Rare Plant ranks. Available from: <https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>.

[CNPS] California Native Plant Society. 1998. Statement Opposing Transplantation as Mitigation for Impacts to Rare Plants. Available from: <https://www.cnps.org/wpcontent/uploads/2018/04/transplanting2.pdf>

Coop et al. 2020. Wildfire Driven Forest Conversion in Western North American Landscapes. *Bioscience* 70(8):659-673. Available from: <https://doi.org/10.1093/biosci/biaa061>

Godefroid, S., et al. 2011. How successful are plant species reintroductions? *Biological Conservation* 144: 672-682.

Issac Brown Ecology Studio and Los Angeles Sanitation and Environment (LASAN). 2018. 2018 Biodiversity Report. County of Los Angeles. Measurement of the Singapore Index of Cities' Biodiversity and Recommendations for a Customized Los Angeles Index. Available from: <https://www.laCountysan.org/cs/groups/public/documents/document/y250/mdi0/~edisp/cont024743.pdf>

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- Jepsen, S., D. F. Schweitzer, B. Young, N. Sears, M. Ormes, and S. H. Black. 2015. Conservation Status and Ecology of Monarchs in the United States. 36pp. NatureServe, Arlington, Virginia, and the Xerces Society for Invertebrate Conservation, Portland, Oregon.
- Lucas, E. 2020. Recreation-related disturbance to wildlife in California – better planning for and management of recreation are vital to conserve wildlife in protected areas where recreation occurs. California Fish and Wildlife, Recreation Special Issue 2020: 29-51.
- National Research Council. 1995. *Science and the Endangered Species Act*. Washington, DC: The National Academies Press. <https://doi.org/10.17226/4978>.
- Pelton, E., Jepsen, C. Schultz, C. Fallon, and S.H. Black. 2016. State of the Monarch Butterfly Overwintering Sites in California. 40+vi pp. Portland, Oregon: The Xerces Society for Invertebrate Conservation. www.xerces.org
- Sawyer, J.O., Keeler Wolf, T., and Evens J.M. 2008. A manual of California Vegetation, 2nd ed. ISBN 978 0 943460 49 9.
- Thorne, J.H., Boyton, R.M., Holguin, A.J., Stewart, J.A.E., and Bjorkman, J. 2016. A climate change vulnerability assessment of California's terrestrial vegetation. Final Report to: California Department of Fish and Wildlife. Information Center for the Environment University of California, Davis. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=116208&inline>



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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.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
Mitigation Measure #1 - Impacts to Streams	<p>Projects may result in the alteration of streams. For any such activities, the Project(s) applicant (or "entity") must provide written notification to CDFW pursuant to section 1600 <i>et seq.</i> of the Fish & Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration (LSA) Agreement with the applicant is required prior to conducting the proposed activities. An LSA notification package may be obtained by accessing CDFW's web site at https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS.</p> <p>CDFW's issuance of an LSA Agreement for Project(s) that are 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 a Project(s). To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, project specific CEQA documents should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation,</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>

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	monitoring and reporting commitments for issuance of the LSA Agreement.		
Mitigation Measure #2 - Impacts to Streams	Any LSA Agreement issued for Projects by CDFW may include additional measures protective of streambeds on and downstream of the Project(s). The LSA Agreement may include further erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in an LSA Agreement may include the following: avoidance of resources; on-site or off-site habitat creation, enhancement, or restoration; and/or protection and management of mitigation lands in perpetuity.	Prior to Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #3 - Impacts to Sensitive or Special Status Plant Species	CDFW recommends including avoidance, minimization, and/or mitigation measure language articulating the need to perform focused surveys for sensitive/rare plants on-site and disclosing the results prior to the implementation of Projects. Based on the <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</i> (CDFW, 2018) (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959), a qualified biologist should “conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting.” Final CEQA documentation, for a specified Project, should provide a thorough discussion on the presence/absence of sensitive plants on-site and identify measures to protect sensitive plant communities from Project(s)-related direct and indirect impacts.	Prior to Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #4 - Impacts to Sensitive or Special Status Plant Species	In 2007, the State Legislature required CDFW to develop and maintain a vegetation mapping standard for the state (Fish & Game 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 (MVC), found online at	Prior to Project construction and activities	Lead Agency/ Applicant

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	<p>http://vegetation.cnps.org/. To determine the rarity ranking of vegetation communities on a specific Project site(s), the MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system.</p>		
<p>Mitigation Measure #5 - Impacts to Sensitive or Special Status Plant Species</p>	<p>CDFW recommends the General Plan be conditioned to provide mitigation ratios ranging from 5:1 – 10:1 (depending on the sensitivity of the species). This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted. Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. Accordingly, mitigation for impacts to rare plants should also include habitat.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>
<p>Mitigation Measure #6 - Impacts to Special Status Plant Species</p>	<p>The General Plan should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>
<p>Mitigation Measure #7 - Impacts to Special Status Plant Species</p>	<p>CDFW recommends the City perform a Regional Landscape Interconnectivity Assessment and incorporate the findings into the General Plan for the purpose of avoiding habitat fragmentation.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>

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<p>Mitigation Measure #8 - Impacts to Special Status Reptiles</p>	<p>To mitigate impacts to special-status reptiles, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>
<p>Mitigation Measure #9 - Impacts to Special Status Plant Species</p>	<p>In consultation with a qualified biologist familiar with the life history of the respective reptile, a relocation plan (Plan) should be developed. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the documentation/recordation of the number of animals relocated. CDFW recommends the City coordinate with CDFW and/or U.S. Fish and Wildlife Service (USFWS) prior to any ground disturbing activities within potentially occupied habitat.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>
<p>Mitigation Measure #10 - Impacts to Bats</p>	<p>The MND and/or subsequent CEQA documents should provide a discussion of potential impacts to bats, which may occur as a result from the construction and/or operation of Projects. The language should adequately disclose potential impacts and identify appropriate avoidance and mitigation measures.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>
<p>Mitigation Measure #11 - Impacts to Bats</p>	<p>Measures to mitigate impacts to bats should include pre-construction surveys to detect species, use of bat roost installations, and preparation of a bat protection and relocation plan to be submitted to CDFW for approval prior to commencement of Project(s) activities, as necessary.</p>	<p>Prior to Project construction and activities</p>	<p>Lead Agency/ Applicant</p>

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Mitigation Measure #12 - Impacts to Monarch Butterflies	CDFW recommends that a qualified biologist conduct a habitat assessment, well in advance of Project(s) implementation, to determine if the Project(s) area or its immediate vicinity contain habitat suitable to support monarchs.	Prior to Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #13 - Impacts to Monarch Butterflies	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
Mitigation Measure #14 - Impacts to Monarch Butterflies	Detection of special-status species within or in the vicinity of the Project(s) 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
Mitigation Measure #15 - Impacts to Non-Game Mammals	If fencing is proposed for use during construction or during the life of the Project, fences should 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 should also be minimized so as not to restrict free wildlife movement through habitat areas.	Prior to/After Project construction and activities	Lead Agency/ Applicant
Mitigation Measure #16 - Impacts to Non-Game Mammals	To avoid direct mortality, a qualified biological monitor should 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(s)-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.	Prior to/After Project construction and activities	Lead Agency/ Applicant

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Mitigation Measure #17 - Impacts to Non-Game Mammals	Grubbing and grading should be done to avoid islands of habitat where wildlife may take refuge and later be killed by heavy equipment. Grubbing and grading should be done from the center of the Project(s) site, working outward towards adjacent habitat off site where wildlife may safely escape.	Prior to/After Project construction and activities	Lead Agency/ Applicant
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