



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

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



November 8, 2021

Governor's Office of Planning &amp; Research

**Nov 08 2021**

Ms. Ashley Hefner Hoang  
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Culver City, CA 90232  
[advance.planning@culvercity.org](mailto:advance.planning@culvercity.org)

**STATE CLEARINGHOUSE**

**Subject: Negative Declaration for the Culver City 2021-2029 Housing Element Update Project, SCH #2021100099, Culver City, Los Angeles County**

Dear Ms. Hoang:

The California Department of Fish and Wildlife (CDFW) has reviewed the Negative Declaration (ND) from Culver City (City; Lead Agency) for the Culver City 2021-2029 Housing Element Update (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 & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. 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 (Pub. 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 & G. 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 & G. Code, § 2050 *et seq.*), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 *et seq.*), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 2 of 17

## Project Description and Summary

**Objective:** The 2021-2029 Housing Element provides a framework for meeting the housing needs of existing and future resident populations within the city based on the Regional Housing Needs Allocation of 3,341 units. The Housing Element is required to identify and analyze existing and projected housing needs within the city. It also includes statements of the City of Culver City's goals, policies, quantified objectives, and scheduled programs to preserve, improve, and develop housing. In adopting its Housing Element, each local agency must consider economic, environmental, and fiscal factors, as well as community goals as set forth in the General Plan, in compliance with California Government Code section 65580 et. seq.

**Location:** The Project would apply to the entirety of Culver City. The city is surrounded by the City of Los Angeles to the north, east, and west. An unincorporated area of Los Angeles County (County) is located to the south and southeast.

## Comments and Recommendations

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

## Specific Comments

### Comment #1: Impacts on Coastal California Gnatcatcher

**Issue:** The Project could impact coastal California gnatcatcher (*Poliophtila californica californica*), an Endangered Species Act (ESA)-listed threatened species and a California Species of Special Concern (SSC).

**Specific impacts:** Project housing development activities during the coastal California gnatcatcher (gnatcatcher) breeding and nesting season could result in the incidental loss of fertile eggs or nestlings.

**Why impacts would occur:** After review of CNDDDB, there is a record of coastal California gnatcatcher within the Project boundary in an area currently designated as Open Space according to the [Culver City General Plan Land Use Element Map](#) (2007). According to Figure 5 Preferred Land Use Map – General Plan 2045, is proposed for Single Unit Residential. Also, according to the ND, there was no biological survey conducted within the Project area. Without a recent gnatcatcher survey, housing development could result in injury or mortality of unidentified gnatcatchers, including eggs or nestlings.

**Evidence impact would be significant:** CEQA provides protection for special status species, including Species of Special Concern (SSC). These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of SSC could require a mandatory finding of significance by the City (CEQA Guidelines, § 15065). The reductions in the number of special status bird species, either directly or indirectly through nest

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 3 of 17

abandonment or reproductive suppression, would constitute a significant impact absent appropriate mitigation. Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct 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 and/or U.S. Fish and Wildlife Service (USFWS).

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

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

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

### **Comment #2: Impacts on Bats**

**Issue:** The Project could impact bat species including western mastiff bat (*Eumops perotis californicus*), pallid bat (*Antrozous pallidus*), and hoary bat (*Lasiurus cinereus*) all designated SSC.

**Specific impacts:** According to CNDDDB, there are records of the western mastiff bat, pallid bat, and hoary bat within the Project boundary. Activities associated with housing development can cause direct and indirect impacts to bats. Direct impacts include removal of trees and that may provide roosting habitat. Indirect impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground-disturbing activities (e.g., staging, mobilizing, excavating, and grading), and vibrations caused by heavy equipment.

**Why impacts would occur:** There have been no biological surveys associated with the proposed Project. Without focused surveys to detect bats, future housing development facilitated by this Project may impact unidentified bat species within the Project area.

**Evidence impact would be significant:** Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Additionally, several bat species are considered Species of Special Concern and meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take of SSC could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 4 of 17

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

**Mitigation Measure #1:** CDFW recommends the ND require any future proposed housing development that may occur near potential bat roosting habitat, require a qualified bat specialist to conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys should identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends using acoustic recognition technology to maximize detection of bats. A discussion of survey results, including negative findings should be provided to the City. Depending on the survey results, a qualified bat specialist should discuss potentially significant effects of the Project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist should be completed and submitted to the City prior to any Project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.

**Mitigation Measure #2:** If bats are not detected, but the bat specialist determines that roosting bats may be present, trees should be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts should not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, should elapse prior to such operations to allow bats to escape.

**Mitigation Measure #3:** If maternity roosts are found, work should be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30).

### **Comment #3 Crotch's Bumble Bee**

**Issue:** The Project may have the potential to impact Crotch's bumble bee (*Bombus crotchii*), a species that is considered rare within the State.

**Specific impacts:** The Project may result in temporal or permanent loss of suitable nesting and foraging habitat. Project ground-disturbing activities in areas in or adjacent to open space, may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

**Why impacts would occur:** Ground disturbance and vegetation removal associated with future housing development during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas in and adjacent to the Project area. Development projects that are adjacent to open space, such as the Holy Cross Cemetery, Fox Hills Park, and Kenneth Hahn State Recreation Area, may impact species such Crotch's bumble bee. Future housing development facilitated by the Project may result in temporal or permanent loss of colonies and suitable nesting and foraging habitat.

**Evidence impact would be significant:** Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Also, Crotch's bumble bee has a very restricted

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 5 of 17

range and steep population declines make the species vulnerable to extirpation from the State. Crotch's bumble bee is also listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFW 2017). Accordingly, Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by the City or a project proponent (CEQA Guidelines, § 15065). Project activities may have potential to substantially reduce or adversely modify habitat, impair the viability of populations, and reduce the number and range of the Crotch's bumble bee.

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

**Mitigation Measure #1:** Due to potentially suitable habitat within the Project boundary, CDFW recommends the ND include a mitigation measure whereby individual subsequent projects analyze potential impacts on Crotch's bumble bee. If suitable habitats are on or adjacent to subsequent project sites, within one year prior to vegetation removal and/or grading for any subsequent projects, a qualified entomologist familiar with the species behavior and life history should conduct surveys to determine the presence/absence of Crotch's bumble bee. Surveys should be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Survey results, including negative findings, should be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report should provide the following:

- a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track lines to document that the entire site was covered during field surveys.
- b) Field survey conditions that should include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
- c) Map(s) showing the location of nests/colonies.
- d) A description of physical (e.g., soil, moisture and slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

**Mitigation Measure #2:** If Crotch's bumble bee is detected, the subsequent CEQA document should require project proponents, in consultation with a qualified entomologist, to develop a plan to fully avoid impacts to Crotch's bumble bee. The plan should include effective, specific, enforceable, and feasible measures. An avoidance plan should be submitted to the City prior to implementing Project-related ground-disturbing activities and/or vegetation removal where there may be impacts to Crotch's bumble bee.

**Mitigation Measure #3:** If Crotch's bumble bee is detected and if impacts to Crotch's bumble bee cannot be feasibly avoided during Project construction and activities, project proponents/qualified entomologist should coordinate with CDFW to obtain appropriate handling permits for incidental take of Crotch's bumble bee and provide appropriate mitigation for impacts to Crotch's bumble bee habitat. CDFW recommends the project proponent mitigate for impacts to Crotch's bumble bee habitat at a ratio comparable to the Project's level of impacts.

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 6 of 17

### **Additional Recommendations**

Nesting Birds. CDFW recommends avoiding any construction activity during nesting season. If not feasible, CDFW recommends if future housing development occurs between January 1 through September 15, a nesting bird and raptor survey should be conducted within a 500-foot radius of the construction site, prior to any ground-disturbing activities (e.g., staging, mobilization, grading) as well as prior to any vegetation removal within the project site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. CDFW recommends the ND require subsequent project proponents require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any project-related activity likely to impact raptors and migratory songbirds, for the entire project site. If project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. These buffers should be maintained until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

It should be noted that the temporary halt of project activities within nesting buffers during nesting season does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. Additional mitigation would be necessary to compensate for the removal of nesting habitat within the project site based on acreage of impact and vegetation composition. Mitigation ratios should increase with the occurrence of a SSC and should further increase with the occurrence of a CESA-listed species.

Biological Baseline Assessment and Impact Analysis. CDFW recommends the ND require future proposed projects provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the project area, with emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the project. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures. The ND should include the following information:

- a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The ND should require subsequent projects to include measures to fully avoid and otherwise protect Sensitive Natural Communities from Project-related impacts. Project implementation may result in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a [State-wide ranking](#) of S1, S2, S3 and S4 should be considered sensitive and declining at the local and regional level (CDFW 2020);

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 7 of 17

- b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities](#) (CDFW 2018);
- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the neighboring vicinity. [The Manual of California Vegetation](#), second edition, should also be used to inform this mapping and assessment (Sawyer, 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the Project;
- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & Game Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the USFWS; and,
- f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases.

Rodenticides. CDFW recommends the ND require subsequent project proponents prevent the use of second-generation anticoagulant rodenticides on all future housing development associated with the Project.

Data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., California Natural Diversity Database (CNDDDB)] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, CDFW recommends that the subsequent CEQA documents include measures where lead agencies of individual projects report any special status species detected during preparation of project-level environmental impact analyses/environmental documents. Special status species information should be submitted to the CNDDDB by completing the [Online Field Survey Form](#) (CDFW 2021). The lead agency should ensure all pertinent data has been properly submitted, with all applicable data fields filled out, prior to finalizing/adopting an environmental document.

Mitigation and Monitoring Reporting Plan. CDFW recommends the City update the Project's

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 8 of 17

environmental document to include mitigation measures recommended in this letter. CDFW provides comments to assist project proponents 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 City 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 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).


### **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 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 Culver 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 Felicia Silva, Environmental Scientist, at (562) 292-8105 or by email at [Felicia.Silva@wildlife.ca.gov](mailto:Felicia.Silva@wildlife.ca.gov).

Sincerely,

DocuSigned by:  
  
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Erinn Wilson-Olgin  
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ec: CDFW

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Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 9 of 17

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DEPARTMENT OF FISH AND WILDLIFE

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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.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
<b>MM-BIO-1-Coastal CA Gnatcatcher</b>	The City shall retain a qualified biologist with an appropriate USFWS permit to survey the areas currently designated as and adjacent to Open Space to determine presence/absence of gnatcatcher. The qualified biologist should conduct surveys according to USFWS <a href="#">Coastal California Gnatcatcher (<i>Poliioptila californica californica</i>) Presence/Absence Survey Guidelines</a> (USFWS 1997). The survey protocol requires a minimum of six surveys conducted at least one week apart from March 15 through June 30 and a minimum of nine surveys at least two weeks apart from July 1 through March 14. The protocol should be followed for all surveys unless otherwise authorized by the USFWS in writing (USFWS 1997). Gnatcatcher surveys shall be conducted and USFWS notified (per protocol guidance) prior to the City's issuance of a grading permit.	Prior to project ground-disturbing activities	Project-level lead agency
<b>REC-1-Coastal CA Gnatcatcher</b>	Take under the ESA is more broadly defined than CESA; take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS, in order to comply with ESA, is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact gnatcatcher.	Prior to project ground-disturbing activities	Project-level lead agency
<b>MM-BIO-2-Bats</b>	The ND shall require future proposed housing development that may occur near potential bat roosting habitat, a qualified bat	Prior to project	Project-level lead agency

Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 11 of 17

	<p>specialist conduct bat surveys within these areas (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. Acoustic recognition technology shall be utilized to maximize detection of bats. A discussion of survey results, including negative findings shall be provided to the City. Depending on the survey results, a qualified bat specialist shall discuss potentially significant effects of the Project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist shall be completed and submitted to the City prior to any Project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.</p>	ground-disturbing activities	
<b>MM-BIO-3-Bats</b>	<p>If bats are not detected, but the bat specialist determines that roosting bats may be present, trees shall be pushed down using heavy machinery rather than felling with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree shall then be pushed to the ground slowly and remain in place until it is inspected by a bat specialist. Trees that are known to be bat roosts shall not be bucked or mulched immediately. A period of at least 24 hours, and preferable 48 hours, shall elapse prior to such operations to allow bats to escape.</p>	Prior to project ground-disturbing activities	Project-level lead agency
<b>MM-BIO-4-Bats</b>	<p>If maternity roosts are found, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30).</p>	Prior to project ground-disturbing activities	Project-level lead agency
<b>MM-BIO-5-Crotch's bumble bee</b>	<p>Due to suitable habitat within the Project boundary, individual subsequent projects shall analyze potential impacts on Crotch's bumble bee. If suitable habitat is on subsequent project sites,</p>	Prior to project ground-	Project-level lead agency

Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 12 of 17

	<p>within one year prior to vegetation removal and/or grading for any individual subsequent projects, a qualified entomologist familiar with the species behavior and life history shall conduct surveys to determine the presence/absence of Crotch's bumble bee. Surveys shall be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report shall provide the following:</p> <ul style="list-style-type: none"> <li>a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track lines to document that the entire site was covered during field surveys.</li> <li>b) Field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.</li> <li>c) Map(s) showing the location of nests/colonies.</li> <li>d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).</li> </ul>	<p>disturbing activities</p>	
<p><b>MM-BIO-6-Crotch's bumble bee</b></p>	<p>If Crotch's bumble bee is detected, the subsequent CEQA document shall require project proponents, in consultation with a qualified entomologist, to develop a plan to fully avoid impacts to Crotch's bumble bee. The plan shall include effective, specific, enforceable, and feasible measures. An avoidance plan shall be</p>	<p>Prior to project ground-disturbing activities</p>	<p>Project-level lead agency</p>

Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 13 of 17

	submitted to the project proponent prior to implementing Project-related ground-disturbing activities and/or vegetation removal where there may be impacts to Crotch's bumble bee.		
<b>MM-BIO-7-Crotch's bumble bee</b>	If Crotch's bumble bee is detected and if impacts to Crotch's bumble bee cannot be feasibly avoided during Project construction and activities, project proponents /qualified entomologist shall coordinate with CDFW to obtain appropriate handling permits for incidental take of Crotch's bumble bee and provide appropriate mitigation for impacts to Crotch's bumble bee habitat. The project proponents shall mitigate for impacts to Crotch's bumble bee habitat at a ratio comparable to the Project's level of impacts.	Prior to project ground-disturbing activities	Project-level lead agency
<b>REC-2-Nesting Birds</b>	CDFW recommends avoiding any construction activity during nesting season. If not feasible, CDFW recommends if future housing development occurs between January 1 through September 15, a nesting bird and raptor survey should be conducted within a 500-foot radius of the construction site, prior to any ground-disturbing activities (e.g., staging, mobilization, grading) as well as prior to any vegetation removal within the Project site. The nesting bird surveys should be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. CDFW recommends the ND require subsequent project proponents require surveys be conducted by a qualified biologist no more than 7 days prior to the beginning of any Project-related activity likely to impact raptors and migratory songbirds, for the entire Project site. If Project activities are delayed or suspended for more than 7 days during the breeding season, repeat the surveys. If nesting raptors and migratory songbirds are identified, CDFW recommends the following minimum no-disturbance buffers be implemented: 300 feet around active passerine (perching birds and songbirds) nests, 500 feet around active non-listed raptor nests and 0.5 mile around active listed bird nests. These buffers should be maintained until the breeding season has ended or until a qualified biologist has determined that	Prior to finalizing ND /During/After project	City of Calabasas/project-level lead agency

Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 14 of 17

	<p>the birds have fledged and are no longer reliant upon the nest or parental care for survival.</p> <p>It should be noted that the temporary halt of Project activities within nesting buffers during nesting season does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss. Additional mitigation would be necessary to compensate for the removal of nesting habitat within the Project site based on acreage of impact and vegetation composition. Mitigation ratios should increase with the occurrence a SSC and should further increase with the occurrence of a CESA-listed species.</p>		
<p><b>REC-3-                  Biological                  Assessment</b></p>	<p>CDFW recommends the ND require future proposed projects provide a complete assessment and impact analysis of the flora and fauna within and adjacent to the project area, with emphasis upon identifying endangered, threatened, sensitive, regionally and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the project. CDFW also considers impacts to Species of Special Concern a significant direct and cumulative adverse effect without implementing appropriate avoid and/or mitigation measures. The CEQA document should include the following information:</p> <p style="padding-left: 40px;">a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The ND should require subsequent projects to include measures to fully avoid and otherwise protect Sensitive Natural Communities from Project-related impacts. Project implementation may result</p>		

Ashley Hefner Hoang  
Culver City  
November 8, 2021  
Page 15 of 17

	<p>in impacts to rare or endangered plants or plant communities that have been recorded adjacent to the Project vicinity. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a <a href="#">State-wide ranking</a> of S1, S2, S3 and S4 should be considered sensitive and declining at the local and regional level (CDFW 2020).</p> <p>b) A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's <a href="#">Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</a> (CDFW 2018);</p> <p>c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the project site and within the neighboring vicinity. <a href="#">The Manual of California Vegetation</a>, second edition, should also be used to inform this mapping and assessment (Sawyer, 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions;</p> <p>d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by the Project.</p>		
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Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 16 of 17

	<p>e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish &amp; Game Code, §§ 3511, 4700, 5050 and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the USFWS; and,</p> <p>f) A recent, wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame, or in phases.</p>		
<p><b>REC-4-Rodenticides</b></p>	<p>CDFW recommends the ND require subsequent project proponents prevent the use of second-generation anticoagulant rodenticides on all future housing development associated with the Project.</p>	<p>Prior to finalizing ND /During/After project</p>	<p>Culver City/project-level lead agency</p>
<p><b>REC-5-Data</b></p>	<p>Project-level lead agencies shall ensure sensitive and special status species data has been properly submitted to the <a href="#">California</a></p>	<p>Prior to finalizing/</p>	<p>Project-level lead agency</p>



Ashley Hefner Hoang  
 Culver City  
 November 8, 2021  
 Page 17 of 17

	<p><a href="#">Natural Diversity Database</a> with all data fields applicable filled out. Confirmation of data submittal shall be provided to CDFW.</p>	<p>adopting project-level CEQA document</p>	
<p><b>REC-6-Mitigation and Monitoring Reporting Plan</b></p>	<p>The City shall update the Project's proposed Biological Resources Mitigation Measures and condition the environmental document to include mitigation measures recommended in this letter. The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures.</p>	<p>Prior to finalizing CEQA Document</p>	<p>Culver City</p>