



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201

www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



SENT BY EMAIL ONLY

January 18, 2022

Mrs. Lisa Flores
City of Arcadia
240 West Huntington Drive
Arcadia, CA 91007
LFlores@arcadia.ca.gov

Subject: City of Arcadia 6th Cycle Housing Element Update (2021-2029), Negative Declaration, SCH #2021120424, City of Arcadia, Los Angeles County

Dear Mrs. Flores:

The California Department of Fish and Wildlife (CDFW) has reviewed the Negative Declaration (ND) from the City of Arcadia (City) for the City of Arcadia 6th Cycle Housing Element Update (2021- 2029) (Project). The Project is proposed by the City of Arcadia (Project Applicant). 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.

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Project Description and Summary

Objective: The Project proposes a 6th cycle housing element update (HEU) as a comprehensive update to the City's 5th cycle housing element. The HEU sets reasonable goals, objectives, policies, and programs to achieve future housing needs for the City. The southern California Association of Governments (SCAG) Regional Housing Needs Assessment (RHNA) allocation for the City identified a housing need of 3,214 units. The 3,214 units allocated to the City will be divided into the following categories: 1,102 very low-income units, 570 low-income units, 605 moderate-income units, and 937 above moderate-income units. The City intends to utilize pipeline projects, residentially zoned areas, accessory dwelling units (ADUs), and focus areas to accommodate the RHNA allocation. The City has identified 751 parcels that could provide land towards 1,087 units for pipeline projects, 1,091 residentially zoned units, 296 ADUs, and 4,748 non-residentially zoned units. The HEU has identified 6 focus areas that could provide 4,748 units for future housing development. Lastly, there is no physical development, construction, or other ground disturbance activity proposed in the HEU. Adoption of the HEU does not approve any future housing developments.

Location: The Project will encompass the entire City of Arcadia, located in the northwest portion of the San Gabriel Valley, within Los Angeles County. The City spans approximately 11.1 square miles. The City of Arcadia is bounded by the City of Sierra Madre to the north, City of Monrovia to the east, City of Pasadena to the west, and City of Temple City to the south.

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 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 Least Bell's Vireo

Issue: CDFW is concerned the Project could impact least Bell's vireo (*Vireo bellii pusillus*), an Endangered Species Act (ESA)-listed and CESA-listed species. The ND does not provide a measure to address least Bell's vireo within the Project site.

Specific Impacts: Future housing development during least Bell's vireo breeding and nesting season could result in nest abandonment, reproductive suppression, or incidental loss of fertile eggs or nestlings. Additionally, the Project could result in loss of occupied habitat supporting least Bell's vireo.

Why impacts would occur: Least Bell's vireo habitat requirements include dense shrubs, small trees, and a water source such as a river or stream. The Arcadia Golf Course and the Peck Road Water Conservation Park both have suitable vegetation that can be utilized by least Bell's vireo. Furthermore, the Flood Control Basin can serve as a water source for least Bell's vireo. According to the [California Natural Diversity Database \(CNDDB\)](#), observations of least Bell's

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vireo have been recorded adjacent to the Arcadia Golf Course (CDFW 2022e). The Arcadia Golf Course has been identified as a focus area for future housing development facilitated by the HEU. Development of the Arcadia Golf Course for future housing projects can result in impacts to least Bell's vireo. In addition to this focus area, removal of trees and shrubs in additional housing sites can result in direct loss of breeding and foraging habitat for least Bell's vireo. Lastly, the HEU states on page 65, "Future housing facilitated by the HEU may have the potential to impact nesting birds which have acclimated to urban life and nest and forage in the local trees and shrubs."

Evidence impact would be significant: There are only a few populations and breeding pairs of least Bell's vireo remaining in Los Angeles County. Project construction and activities resulting in loss of breeding pairs or nestlings or habitat supporting least Bell's vireo may result in the Project potentially causing a wildlife population to drop below self-sustaining levels; threaten to eliminate an animal community; or substantially reduce the number of restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, § 15065). Accordingly, impacts on least Bell's vireo may require a mandatory finding of significance (CEQA Guidelines, § 15065).

CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. Inadequate avoidance, minimization, and mitigation measures for impacts on the least Bell's vireo will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a wildlife species identified as special status by CDFW and USFWS.

As to CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). 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.

Recommended Potentially Feasible Mitigation Measure(s)

Recommendation #1: If future housing projects will impact least Bell's vireo, early consultation with CDFW is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)].

Recommendation #2: 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. CDFW recommends 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 least Bell's vireo.

Mitigation Measure #1: CDFW recommends the ND include a measure whereby future housing development projects should conduct least Bell's vireo surveys to determine presence/absence on future housing sites. Future project proponents should retain a qualified biologist to conduct protocol surveys for least Bell's vireo. The qualified biologist should conduct surveys according to [USFWS Least Bell's Vireo Survey Guidelines](#) (USFWS 2001). All potential

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least Bell's vireo habitat should be surveyed at least eight times during the period from April 10 through July 31. CDFW recommends CDFW and USFWS should be notified of survey findings, including negative findings, within 45 calendar days following the completion of protocol-level surveys.

Mitigation Measure #2: CDFW recommends all future housing developments should avoid any construction activity during nesting season. If not feasible, CDFW recommends that 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 future housing project proponents to 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.

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*), which all are designated as Species of Special Concern (SSC). The ND does not provide a mitigation measure to address bat species within the Project site.

Specific Impacts: Future housing developments may have direct impacts that involves removal of trees, vegetation, and/or structures. These trees, vegetation, and/or structures may provide roosting habitat and therefore has the potential for the direct loss of bats. Indirect impacts from future housing developments may result from increased noise disturbances, human activity, dust, ground disturbing activities (e.g., staging, access, grading, excavating, drilling), and vibrations caused by heavy equipment.

Why impacts would occur: According to CNDDDB, the pallid bat, western mastiff bat, and hoary bat have been observed within and adjacent to the Project site (CDFW 2022e). The ND does not provide biological surveys associated with the presence/absence of bat species within the Project area. Without focused surveys for bat detection, future housing development facilitated by the HEU may impact unidentified bat species within the Project area.

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In urbanized areas, bats use trees and man-made structures for daytime and nighttime roosts (Avila-Flores and Fenton 2005; Oprea et al. 2009; Remington and Cooper 2014). Trees and crevices in buildings in and adjacent to the Project site could provide roosting habitat for bats. Bats can fit into very small seams, as small as a ¼ inch. Modifications to roost sites can have significant impacts on the bats' usability of the roost and can impact the bats' fitness and survivability (Johnston et al. 2004). Extra noise, vibration, or the reconfiguration of large objects can lead to the disturbance of roosting bats which may have a negative impact on the animals. Human disturbance can also lead to a change in humidity, temperatures, or the approach to a roost that could force the animals to change their mode of egress and/or ingress to a roost. Although temporary, such disturbance can lead to the abandonment of a maternity roost (Johnston et al. 2004).

Evidence impacts 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). Several bat species are considered California Species of Special Concern and 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 Lead Agency (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the ND require any future 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: CDFW recommends the City include the following tree removal process as a mitigation measure for future housing developments. "If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year and could roost in trees, trees shall be pushed down using heavy machinery rather than felling it with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two to 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 preferably 48 hours, shall elapse prior to such operations to allow bats to escape."

Mitigation Measure #3: CDFW also recommends the City includes the following measure in the event that maternity roosts are found during surveys for future housing development projects. "If maternity roosts are found, to the extent feasible, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are

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present but are not yet ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by the bat specialist. Inspection of each tree should be no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to be maternity roosts shall be left in place until the end of the maternity season. Work shall not occur within 100 feet of or directly under or adjacent to an active roost and work shall not occur between 30 minutes before sunset and 30 minutes after sunrise.”

Comment #3: Impacts on Aquatic Resources

Issue: The ND does not provide discussion or mitigation measures that address impacts the Project may have on streams within the City.

Specific impacts: Future housing developments facilitated by the HEU may result in impacts to the Arcadia Wash and Santa Anita Wash.

Why impact would occur: The Arcadia Wash flows through the center of the City, and the Santa Anita Wash flows along the eastern portion of the City. The Santa Anita Wash feeds into the Food Control Basin, and the Arcadia Wash feeds into the Rio Hondo River. Both washes serve as a water source for various wildlife species such as least Bell’s vireo. According to the HEU, both washes also support a variety of vegetation throughout the City and several patches of native habitat in open space areas.

The two focus areas Downtown Mixed-Use and Arcadia Golf Course both have housing opportunity sites adjacent to the Santa Anita Wash. Location of housing sites is demonstrated in Exhibit 4: Map of Downtown Mixed-Use Expansion and Exhibit 13: Map of Site Inventory-Arcadia Golf Course. The focus area, Live Oak Residential Flex, has a few housing opportunity sites that are near the Arcadia Wash. Future housing development within these focus areas may result in impacts to the Arcadia Wash and Santa Anita Wash. Ground-disturbing activities and use of large machinery (e.g., skid steer, motor grader, pile driver, trencher, and crane) to grade the future housing sites, compact soils, and create trenches could result in stream bank erosion and input of excess sediment into streams. In addition, vegetation removal adjacent to streams may destabilize the ground surface and result in increased sediment, debris, and pollutant input into streams. Finally, activities such as vehicle traffic and foot traffic adjacent, within, and through streams could also contribute to stream bank erosion and disturbance of the ground surface. Erosion and excess sediment input could impact the bed, bank, and channel of streams.

Evidence impacts would be significant: Housing development facilitated by the HEU could impact streams which absent specific mitigation could result in alterations to the bed, bank, and channel of Arcadia Wash and Santa Anita Wash.

CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 et seq. to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated plant communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

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- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or,
- Deposit or dispose of material into any river, stream, or lake.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends future housing projects facilitated by the HEU should assess the Project's potential impacts on streams. Modifications to a river, creek, or stream in one area may result in bank erosion, channel incision, or drop in water level along that stream outside of the immediate impact area. If a future development results in impacts to a stream, the Project proponent should apply for a Lake and Stream Alteration Agreement pursuant under Fish and Game Code, section 1600 *et seq.* The Project applicant (or "entity") must provide notification to CDFW pursuant to Fish and Game Code, section 1600 *et seq.* 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. Please visit CDFW's [Lake and Streambed Alteration Program](#) webpage to for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2022b). CDFW also recommends the LSA Notification should include a hydrology report to evaluate whether altering the streams may impact headwater streams where there is hydrologic connectivity. The hydrology report should also include a scour analysis to demonstrate that stream banks and streambed would not erode as a result of impacts within the Project site. Also, CDFW also requests a hydrological evaluation of the 100, 50, 25, 10, 5, and 2-year frequency storm event for existing and proposed conditions.

Additional Recommendations

Biological Baseline Assessment and Impact Analysis. According to Exhibit 3: Map of Candidate Housing Sites in the ND, a large amount of identified housing sites are located adjacent to the Arcadia Regional Park and Santa Anita Golf Course. These locations provide biological value to the area and can provide habitat for various wildlife species. CDFW recommends the ND require that future housing 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 future housing 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

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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 2022c);

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 2018a);

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, 2009). 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.

Data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database (i.e., California Natural Diversity Database) which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting [CNDDB Field Survey Forms](#) (CDFW 2022d). The City should ensure the data has been properly submitted, with all data fields applicable filled out, prior to finalizing/adopting the environmental document. The City should provide CDFW with confirmation of data submittal.

Mitigation and Monitoring Reporting Plan. CDFW recommends the City update the Project's environmental document to include mitigation measures recommended in this letter. CDFW provides comments to assist the City in developing mitigation measures that are specific,

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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 by the City of Arcadia 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 City of Arcadia in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City of Arcadia 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 Julisa Portugal, Environmental Scientist, at (562) 330-7563 or Julisa.Portugal@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW

Erinn Wilson-Olgin, Los Alamitos – Erinn.Wilson-Olgin@wildlife.ca.gov
Victoria Tang, Los Alamitos – Victoria.Tang@wildlife.ca.gov
Ruby Kwan-Davis, Los Alamitos – Ruby.Kwan-Davis@wildlife.ca.gov
Felicia Silva, Los Alamitos – Felicia.Silva@wildlife.ca.gov
Fritz Rieman, Los Alamitos – Frederic.Rieman@wildlife.ca.gov
Cindy Hailey, San Diego – Cindy.Hailey@wildlife.ca.gov
CEQA Program Coordinator, Sacramento – CEQACommentLetters@wildlife.ca.gov
State Clearinghouse, Office of Planning and Research – State.Clearinghouse@opr.ca.gov

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 3883 Ruffin Road
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Attachment A: Draft Mitigation and Monitoring Reporting Plan

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

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1- least Bell's vireo Survey	Future housing development projects shall conduct least Bell's vireo surveys to determine presence/absence on future housing sites. Future project proponents shall retain a qualified biologist to conduct protocol surveys for least Bell's vireo. The qualified biologist shall conduct surveys according to USFWS Least Bell's Vireo Survey Guidelines . All potential least Bell's vireo habitat shall be surveyed at least eight times during the period from April 10 through July 31. CDFW and USFWS shall be notified of survey findings, including negative findings, within 45 calendar days following the completion of protocol-level surveys.	Prior to construction activities and vegetation removal	Project-level lead agency/ Designated Biologist
MM-BIO-2- Nesting Bird Survey	All future housing developments shall avoid any construction activity during nesting season. If not feasible, and future housing development occurs between January 1 through September 15, a nesting bird and raptor survey shall 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 shall be conducted at appropriate nesting times and concentrate on potential roosting or perch sites. Future housing project proponents shall 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	Prior to construction activities and vegetation removal	Project-level lead agency/ Designated Biologist

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	<p>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.</p>		
<p>MM-BIO-3- Bat Surveys</p>	<p>Future 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 shall 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 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. 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>	<p>Prior to construction activities and vegetation removal</p>	<p>Project-level lead agency/ Bat Specialist</p>
<p>MM-BIO-4 – Bat Tree Removal Process</p>	<p>If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year and could roost in trees, trees shall be pushed down using heavy machinery rather than felling it with a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two to 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</p>	<p>During any construction and activities</p>	<p>Bat Specialist</p>

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	bat roosts shall not be bucked or mulched immediately. A period of at least 24 hours, and preferably 48 hours, shall elapse prior to such operations to allow bats to escape.		
MM-BIO-5-Bat Maternity Roost Detection	If maternity roosts are found, to the extent feasible, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are not yet ready to fly out of the roost (March 1 to September 30). If tree removal occurs during maternity season, trees identified as potentially supporting an active maternity roost shall be closely inspected by the bat specialist. Inspection of each tree shall be no more than 7 days prior to tree disturbance to determine the presence or absence of roosting bats more precisely. Trees determined to be maternity roosts shall be left in place until the end of the maternity season. Work shall not occur within 100 feet of or directly under or adjacent to an active roost and work shall not occur between 30 minutes before sunset and 30 minutes after sunrise.	Prior to and during any construction and activities	Bat Specialist
MM-BIO-6-Aquatic Resources	Future housing developments facilitated by the HEU shall assess the Project's potential impacts on streams. Modifications to a river, creek, or stream in one area may result in bank erosion, channel incision, or drop in water level along that stream outside of the immediate impact area. If a future development results in impacts to a stream, the Project proponent shall apply for a Lake and Stream Alteration Agreement pursuant under Fish and Game Code, section 1600 <i>et seq.</i> The Project applicant (or "entity") shall provide notification to CDFW pursuant to Fish and Game Code, section 1600 <i>et seq.</i> 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. Please visit CDFW's Lake and Streambed Alteration Program	Prior to construction activities and vegetation removal	City of Arcadia/ Project-level lead agency

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	<p>webpage to for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal. The LSA Notification shall include a hydrology report to evaluate whether altering the streams may impact headwater streams where there is hydrologic connectivity. The hydrology report shall also include a scour analysis to demonstrate that stream banks and streambed would not erode as a result of impacts within the Project site. Also, CDFW also requests a hydrological evaluation of the 100, 50, 25, 10, 5, and 2-year frequency storm event for existing and proposed conditions.</p>		
REC-1- CESA Consultation	<p>If future housing projects will impact least Bell's vireo, early consultation with CDFW is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. Appropriate authorization from CDFW may include an Incidental Take Permit or a Consistency Determination in certain circumstances, among other options [Fish & G. Code, §§ 2080.1, 2081, subs. (b) and (c)].</p>	<p>Prior to any construction activities and vegetation removal</p>	<p>Project-level lead agency/Project Applicant</p>
REC-2- ESA Consultation	<p>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. CDFW recommends 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 least Bell's vireo.</p>	<p>Prior to any construction activities and vegetation removal</p>	<p>Project-level lead agency/Project Applicant</p>
REC-3- Biological Baseline Assessment	<p>CDFW recommends the ND require that future housing 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</p>	<p>Prior to construction activities and vegetation removal</p>	<p>Project-level lead agency/ Project Applicant</p>

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	<p>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:</p> <p>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 future housing 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</p> <p>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</p> <p>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. 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</p>		
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	<p>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> <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 & 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>REC-4- Data</p>	<p>Project-level lead agencies should ensure sensitive and special status species data have been properly submitted to the California Natural Diversity Database with all data fields applicable filled out. Confirmation of data submittal should be provided to CDFW.</p>	<p>Prior to finalizing/adopting project-level</p>	<p>Project-level lead agency</p>

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		CEQA document	
REC-5-Mitigation and Monitoring Reporting Plan	The City should update the Project's 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.	Prior to finalizing/adopting project-level CEQA document	City of Arcadia