



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

June 1, 2022

Mr. Carlos Contreras
City of Thousand Oaks
2100 Thousand Oaks Boulevard
Thousand Oaks, CA 91362
CContreras@toaks.org

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



**Subject: The Oaks Specific Plan, Draft Environmental Impact Report,
SCH No. 2022010527; City of Thousand Oaks, Ventura County**

Dear Mr. Contreras:

The California Department of Fish and Wildlife (CDFW) has reviewed the City of Thousand Oaks (City) Draft Environmental Impact Report (DEIR) for The Oaks Specific Plan (Project). The City, as Lead Agency, prepared a DEIR pursuant to the California Environmental Quality Act (CEQA; Pub. Resources Code, § 21000 et. seq.) with the purpose of informing decision-makers and the public regarding potential environmental effects related to the 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 or be subject to Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust for the people of the state [Fish & Game 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). CDFW is also directed to provide biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect state fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Public Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & Game Code, § 1600 et seq.). To the extent implementation of the Project as proposed may result in "take" of any species protected under the California Endangered Species Act (CESA; Fish & Game Code, § 2050 et seq.), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & Game Code, §1900 et seq.), CDFW recommends the Project proponent obtain appropriate authorization under the Fish and Game Code.

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 2 of 14

Project Description and Summary

Objective: The Project Proponent is proposing a multi-building apartment complex, associated parking structure, and parking lot in the city of Thousand Oaks. The two parcels that make up the Project site total 42.9 acres and are proposed to be divided so that parcel one encompasses 8.88 acres while the other encompasses 34.1 acres. Development will take place within an existing surface parking lot and will span over the two land parcels. On one parcel (Planning area 1) a multi-family residential development and associated subterranean parking structure will be developed along the 8.8 acres. Parcel one will include 264 apartment units within four residential buildings, totaling 286,119 square feet. Parcel one will also include 274 subterranean parking space and 161 surface parking spaces. On the second parcel (Planning area 2) a four-story parking structure will be erected adjacent to an existing office building. The parking structure will provide 925 parking spots. The project as proposed will remove up to 31 trees, 26 of which are landmark trees (*Plantanus racemosa*) while the remaining 5 are regulated oak trees (*Q. agrifolia* and *Q. lobata*). Additionally, a further 99 regulated trees will be encroached upon by the development. Fuel modification will span into sensitive riparian vegetation communities at the Project's north-western edge.

Location: The Project site is located in the southern portion of Thousand Oaks in Ventura County. The area is highly industrialized and is surrounded by commercial and mixed-use development.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the City in adequately identifying, avoiding, and/or mitigating significant, or potentially significant, direct and indirect impacts on fish and wildlife biological resources based on the planned activities of this proposed Project. CDFW recommends the measures below be included in a science-based monitoring program with adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Public Resources Code, § 21081.6 and CEQA Guidelines, § 15097). Additional comments or other suggestions may also be included to improve the document.

Specific Comments

Comment #1: Impacts to Aquatic and Riparian Resources

Issue: The Project may result in direct and indirect impacts to riparian and wetland vegetation near the Project site.

Specific Impacts: CDFW is concerned that project activities surrounding the School House Canyon drainage may result in changes to the stream and/or the associated sensitive riparian vegetation communities which are subject to Fish and Game Code. Jurisdictional surveys should evaluate all rivers, streams, and lakes including culverts, ditches, storm channels that may transport water, sediment, and pollutants and discharge into rivers, streams, and lakes.

Why impacts would occur: Project implementation includes grading, excavating, material staging, grubbing, and vegetation clearing that may result in direct mortality and loss of sensitive

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 3 of 14

vegetation communities, including riparian and wetland habitats in the Project site. Increased sediment deposition can bury seedlings and saplings of riparian trees, resulting in increased mortality of new recruits (Kui and Stella 2016). Construction equipment, vehicles, import of fill material, disposal piles, and staging areas can introduce and spread non-native, invasive plants. Invasive plant seeds, rhizomes, or stolons can be transported along streams and spread upstream and downstream.

Evidence impacts would be significant: Riparian habitats provide important food, nesting habitat, cover, and migration corridors for wildlife. Only 5 to 10% of California's original riparian habitat exists today and much of the remaining habitat is in a degraded condition.

The riparian and wetland vegetation alliances addressed within the DEIR are considered sensitive (*Quercus lobata* woodland alliance and *Quercus lobata* riparian forest and woodland alliance; ranked S3). Impacts to sensitive vegetation communities 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 sensitive plant communities will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species or vegetation community identified as a candidate, sensitive, or special status species.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW concurs with the Project's statement to notify CDFW pursuant to Fish and Game Code, section 1600 *et seq.* The Project should notify prior to any Project construction or activities. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. Please visit the Lake and Streambed Alteration Program (<https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>) webpage to obtain a notification package for an LSA.

CDFW's issuance of an LSA for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the City for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the CEQA document should fully identify the potential impacts to the streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA.

Mitigation Measure #2: Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.

Mitigation Measure #3: CDFW recommends fully avoiding impacts to waters and riparian/wetland vegetation communities. If feasible, CDFW recommends redesigning the Project to avoid impacts to the existing drainage features that support sensitive vegetation communities. Design alternatives should attempt to retain as much surface flow and natural

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 4 of 14

hydrologic processes as possible. CDFW recommends taking an inter-disciplinary approach to involve landscape architects, engineers, and wildlife biologists, and hydrologists to develop design alternatives that could fully avoid or lessen impacts to waters and riparian/wetland vegetation communities.

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

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

Mitigation Measure #6: If avoidance is not possible then sensitive plant communities ranked S3 (*Quercus lobata* woodland alliance and *Quercus lobata* riparian forest and woodland alliance) impacted by development or fuel modification should be mitigated at not less than 5:1. The Project proponent should mitigate at a ratio sufficient to achieve a no-net loss for impacts to special status plant species and their associated habitat. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures.

Mitigation Measure #7: CDFW recommends that all on-site mitigation sites for impacts to waters and riparian/wetland vegetation communities be protected in perpetuity from public encroachment and structural intrusion. This should include all water features on site, including ephemeral and perennial bodies.

CDFW recommends the Lead Agency/Project Proponent fund a minimum of five years of initial restoration and maintenance. If applicable, mitigation lands (unnamed creeks, surrounding natural areas) should be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate non-wasting endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities and prior to the County's issuance of grading permits.

Recommendation #1: The Project should protect the School House Canyon drainage, associated streams and washes from degradation. In addition, CDFW recommends including appropriate native plants and habitats, wherever possible, which can enhance flora and fauna biodiversity and reduce water runoff, irrigation, and chemical inputs (Cristol and Rodewald 2005; Merola-Zwartjes and DeLong 2005; Nooten et al. 2018; Terman 1997).

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 5 of 14

Recommendation #2: CDFW recommends conducting habitat assessment surveys for aquatic Species of Special Concern (SSC) within the drainage. Although the drainage is isolated and degraded it is possible for fish, amphibian, and reptile species to be present.

Recommendation #3: If tree trimming is to occur, it should avoid nesting bird season (January 1-September 15). Likewise, CDFW agrees that a qualified biologist should be present during fuel modification and encroachment activities within sensitive plant communities. Fuel modification is considered a permanent impact. Rare plants and communities within 1,000 meters from these activities are considered impacted.

Comment #2: Spreading Invasive Pests and Diseases

Issue: CDFW is concerned that the DEIR does not describe procedures for disposal of removed trees which may be infested with invasive pests and disease.

Specific impacts: The Project proposes to remove an unspecified amount of vegetation. Improper disposal of vegetation may result in the spread of tree insect pests and disease into areas not currently exposed to these stressors. This could result in expediting the loss of oaks and other trees in California which support a high biological diversity including special status species. The environmental document should address the presence or absence of goldspotted oak borer (*Agrilus auroguttatus*), Polyphagous shot-hole borer (*Euwallacea* sp.), and thousand canker fungus (*Geosmithia morbida*) in on-site trees and, if present, describe how any effected trees would be disposed of as part of the Project.

Why impacts would occur: Within the Arborist Report are the results of the tree surveys conducted in 2020. Within the report the arborist grades the trees from A-F in regard to their health. Within the project site 55 trees were given D scores, and two were given F scores. These low scores may indicate presence of insect borers or disease. Thus, the Project may remove tree species that could host insects/pests and diseases. Trees will be removed and presumably hauled to off-site locations for disposal thereby potentially exposing off-site oak and other tree species to infestation and disease.

Evidence impact would be significant: The Project may have a substantial adverse effect on any sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW or U.S. Fish and Wildlife Service (USFWS). The Project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS that are dependent on habitats susceptible to insect and disease pathogens.

Mitigation Measure #1: CDFW recommends the Project work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: thousand canker fungus (<https://thousandcankers.com/>), Polyphagous shot hole borer (<https://ucanr.edu/sites/eskalenlab/?file=index.html>), and goldspotted oak borer (<http://ipm.ucanr.edu/PMG/PESTNOTES/pn74163.html>). A summary report documenting inspection methods, number and species of trees inspected, results, and conclusions, including negative findings, should be submitted to CDFW for review and included as an appendix in final

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 6 of 14

environmental documents. The summary report should also include photographic documentation of entry/exit holes and evidence of pests/disease.

Mitigation Measure #2: If invasive pests and/or diseases are detected, the Project should provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan should be submitted to CDFW for review and included as an appendix in the final environmental document.

Comment #3: Impacts to Non-Game Mammals and Wildlife

Issue: Wildlife may still move through the Project site during the daytime or nighttime. CDFW is concerned that any wildlife potentially moving through or seeking temporary refuge on the Project site may be directly impacted during Project activities and construction. Any final fence, or other design features, design should allow for wildlife movement.

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

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

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

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

Mitigation Measure #1: If fencing is proposed for use during construction or during the life of the Project, fences 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. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (<https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf>) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.

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 special status species or other wildlife of low mobility that would be injured or killed by grubbing

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 7 of 14

or Project-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 site, working outward towards adjacent habitat off site where wildlife may safely escape.

Additional Recommendations

Fuel Modification. If the Project includes fuel modification, CDFW recommends that the final environmental document should include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area. A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones drain back into the development and not onto natural habitat land as perennial sources of water allow for the introduction of invasive Argentine ants.

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 should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.

Filing Fees

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the County 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 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 Angela Castanon, Environmental Scientist, at Angela.Castanon@wildlife.ca.gov.

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 8 of 14

Sincerely,

DocuSigned by:



B6E58CFE24724F5...
Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

ec: CDFW

Steve Gibson, Los Alamitos – Steve.Gibson@wildlife.ca.gov
Emily Galli, Fillmore – Emily.Galli@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

References:

- Cristol, D.A and A.D. Rodewald. 2005. Can Golf Courses Play a Role in Bird Conservation? Wildlife Society Bulletin 33(2):407-410.
- Kui, L and J.C. Stella. 2016. Fluvial sediment burial increases mortality of young riparian trees but induces compensatory growth response in survivors. Forest Ecology and Management 366:32-40.
- Merola-Zwartjes, M. and J.P. DeLong. 2005. Avian Species Assemblages on New Mexico Golf Courses: Surrogate Riparian Habitat for Birds? Wildlife society Bulletin 33(2):435-447.
- Nooten, S.S., Schultheiss, R., Wright, J., Macdonald, C., Singh, B.K., Cook, J.M., and Power, S.A. 2018. What shapes plant and animal diversity on urban golf courses? Urban Ecosystems 21:565-576.
- [TCD] Thousand Cankers Disease. 2021. What is Thousand Cankers? Available from: <https://thousandcankers.com/>
- Terman, M.R. 1997. Natural links: naturalistic golf courses as wildlife habitat. Landscape and Urban Planning 38:183-197.
- [UCCE] UC California Cooperative Extension. 2022. Eskalen's Lab. Available from: <https://ucanr.edu/sites/eskalenlab/?file=index.html>
- [UCIPM] UC Integrated Pest Management Program. 2021. Goldspotted Oak Borer. Available from: <http://ipm.ucanr.edu/PMG/PESTNOTES/pn74163.html>



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 South Coast Region
 3883 Ruffin Road
 San Diego, CA 92123
 (858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Attachment A: Draft Mitigation and Monitoring Reporting Plan

CDFW recommends the following language to be incorporated into a future environmental document for the Project. A final MMRP should 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
MM-BIO-1-LSA Agreement	<p>CDFW concurs with the Project’s statement to notify CDFW pursuant to Fish and Game Code, section 1600 <i>et seq.</i> The Project should notify prior to any Project construction or activities. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. Please visit the Lake and Streambed Alteration Program (https://wildlife.ca.gov/Conservation/Environmental-Review/LSA) webpage to obtain a notification package for an LSA.</p> <p>CDFW’s issuance of an LSA for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from the City for the Project. To minimize additional requirements by CDFW pursuant to section 1600 <i>et seq.</i> and/or under CEQA, the CEQA document should fully identify the potential impacts to the streams or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA.</p>	Prior to Project construction and activities	City of Thousand Oaks/ Applicant

Mr. Carlos Contreras
 City of Thousand Oaks
 June 1, 2022
 Page 10 of 14

MM-BIO-2- LSA Agreement	Any LSA Agreement issued for the Project by CDFW may include additional measures protective of streambeds on and downstream of the Project such as additional erosion and pollution control measures. To compensate for any on-site and off-site impacts to riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: avoidance of resources, on-site or off-site creation, enhancement, or restoration, and/or protection and management of mitigation lands in perpetuity.	Prior to /During/ After Project construction and activities	City of Thousand Oaks/ Applicant
MM-BIO-3- LSA Agreement	CDFW recommends fully avoiding impacts to waters and riparian/wetland vegetation communities. If feasible, CDFW recommends redesigning the Project to avoid impacts to the existing drainage features that support sensitive vegetation communities. CDFW also recommends the City consider Project alternatives that could incorporate the unnamed streams into the planned development. Design alternatives should attempt to retain as much surface flow and natural hydrologic processes as possible. CDFW recommends taking an inter-disciplinary approach to involve landscape architects, engineers, and wildlife biologists, and hydrologists to develop design alternatives that could fully avoid or lessen impacts to waters and riparian/wetland vegetation communities.	Prior to Project construction and activities	City of Thousand Oaks/ Applicant
MM-BIO-4- LSA Agreement	If impacts to streams are unavoidable, CDFW recommends that mitigation occur at a CDFW-approved bank. Mitigation bank credits should be purchased, approved, or otherwise fully executed prior to implementing Project-related ground-disturbing activities and prior to the County's issuance of grading permits.	Prior to Project construction and activities	City of Thousand Oaks/ Applicant
MM-BIO-5- LSA Agreement	If credits at a CDFW-approved mitigation bank are not available, CDFW recommends setting aside replacement habitat to be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. Mitigation lands should be in the same watershed as the Project site and support in-kind vegetation. An appropriate non-wasting endowment should be provided for the long-term management of mitigation	Prior to Project construction and activities	City of Thousand Oaks/ Applicant

Mr. Carlos Contreras
 City of Thousand Oaks
 June 1, 2022
 Page 11 of 14

	lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities prior to the County's issuance of grading permits.		
MM-BIO-6- LSA Agreement	CDFW recommends avoiding any sensitive plant communities. If avoidance is not possible then sensitive plant communities ranked S3 (<i>Quercus lobata</i> woodland alliance and <i>Quercus lobata</i> riparian forest and woodland alliance) impacted by development or fuel modification be mitigated at not less than 4:1. The Project proponent should mitigate at a ratio sufficient to achieve a no-net loss for impacts to special status plant species and their associated habitat. CDFW recommends that an on-site Habitat Mitigation and Monitoring Plan (HMMP) be developed. An HMMP should provide specific, detailed, and enforceable measures.	Prior to Project construction and activities	City of Thousand Oaks/ Applicant
MM-BIO-7- LSA Agreement	<p>CDFW recommends that all on-site mitigation sites for impacts to waters and riparian/wetland vegetation communities be protected in perpetuity from public encroachment and structural intrusion. This should include all water features on site, including ephemeral and perennial bodies.</p> <p>CDFW recommends the Project fund a minimum of five years of initial restoration and maintenance. If applicable, mitigation lands (unnamed creeks, surrounding natural areas) should be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate non-wasting endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities and prior to the County's issuance of grading permits.</p>	Prior to/ During/After Project construction and activities	City of Thousand Oaks/ Applicant

Mr. Carlos Contreras
 City of Thousand Oaks
 June 1, 2022
 Page 12 of 14

<p>MM-BIO-8- Invasive Pests and Diseases</p>	<p>CDFW recommends the City/Applicant work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: thousand canker fungus (https://thousandcankers.com/), Polyphagous shot hole borer (https://ucanr.edu/sites/eskalenlab/?file=index.html), and goldspotted oak borer (http://ipm.ucanr.edu/PMG/PESTNOTES/pn74163.html). A summary report documenting inspection methods, number and species of trees inspected, results, and conclusions, including negative findings, should be submitted to CDFW for review and included as an appendix in final environmental documents. The summary report should also include photographic documentation of entry/exit holes and evidence of pests/disease.</p>	<p>Prior to Project construction and activities</p>	<p>City of Thousand Oaks/ Applicant</p>
<p>MM-BIO-9- Invasive Pests and Diseases</p>	<p>If invasive pests and/or diseases are detected, the Lead Agency/Project Proponent should provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site without first being treated using best available management practices relevant for each tree disease observed. A management plan should be submitted to CDFW for review and included as an appendix in the final environmental document.</p>	<p>Prior to Project construction and activities</p>	<p>City of Thousand Oaks/ Applicant</p>
<p>MM-BIO-10- Impacts to Non- Game Mammals and Wildlife</p>	<p>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. Los Angeles County's Significant Ecological Areas Ordinance Implementation Guide (https://planning.lacounty.gov/site/sea/wp-content/uploads/2020/02/SEA-IG-2-6-20.pdf) offers additional information on permeable fencing as well as design standards. CDFW recommends reviewing those design standards.</p>	<p>Prior to/During Project construction and activities</p>	<p>City of Thousand Oaks/ Applicant</p>

Mr. Carlos Contreras
 City of Thousand Oaks
 June 1, 2022
 Page 13 of 14

MM-BIO-11- Impacts to Non-Game Mammals and Wildlife	<p>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-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.</p> <p>It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.</p>	During Project construction and activities	City of Thousand Oaks/ Applicant
MM-BIO-12- Impacts to Non-Game Mammals and Wildlife	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 site, working outward towards adjacent habitat off site where wildlife may safely escape.	Prior to/During construction and activities	City of Thousand Oaks/ Applicant
REC-1- School House Drainage	The Project should protect the School House Canyon drainage, associated streams and washes from degradation. In addition, CDFW recommends including appropriate native plants and habitats, wherever possible, which can enhance flora and fauna biodiversity and reduce water runoff, irrigation, and chemical inputs (Cristol and Rodewald 2005; Merola-Zwartjes and DeLong 2005; Nooten et al. 2018; Terman 1997).	Prior to/ During Project construction and activities	City of Thousand Oaks/ Applicant
REC-2- Habitat Assessments	CDFW recommends conducting habitat assessment surveys for aquatic SSC within the drainage. Although the drainage is isolated and degraded it is possible for fish, amphibian, and reptile species to be present.	Prior to Project construction and activities	City of Thousand Oaks/ Applicant
REC-3- Fuel Modification/ Encroachment	If tree trimming is to occur, it should avoid nesting bird season (January 1-September 15). Likewise, CDFW agrees that a qualified biologist should be present during fuel modification and encroachment activities within sensitive plant communities. Fuel modification is considered a permanent impact. Rare plants and communities within 1,000 meters from these activities are considered impacted.	Prior to/ During Project construction and activities	City of Thousand Oaks/ Applicant

Mr. Carlos Contreras
City of Thousand Oaks
June 1, 2022
Page 14 of 14

REC-4- Fuel Modification	If the Project includes fuel modification, CDFW recommends that the final environmental document include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area. A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones drain back into the development and not onto natural habitat land as perennial sources of water allow for the introduction of invasive Argentine ants.	Prior to Project construction and activities	City of Thousand Oaks/ Applicant
REC-5- Mitigation and Monitoring	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 should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.	Prior to construction and activities	City of Thousand Oaks/ Applicant