



State of California – Natural Resources Agency

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Apr 29 2022

April 28, 2022

STATE CLEARINGHOUSE

Mr. Michael Conger
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**Subject: White Stallion Planned Development, Mitigated Negative Declaration,
SCH No. 2022030691; City of Thousand Oaks, Ventura County**

Dear Mr. Conger:

The California Department of Fish and Wildlife (CDFW) has reviewed the Ventura County's (County) Mitigative Negative Declaration (MND) for the White Stallion Planned Development Plan (Project). The County, as Lead Agency, prepared a MND 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.

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Project Description and Summary

Objective: The project as proposed involves the construction of a single-family residence within a 21-acre property. A secondary residence building, an attached and detached garage, pool, landscaping, and accessory structures will also be erected along the two parcels that make up the property. The total square development area totals 18,887 square feet or 0.43 acres. The project will also include the demolition of a dilapidated shed structure that is on the site. The project will include road improvements, grading (2.08 acres), and fuel modification (3.87 acres).

Location: The Project site is located in an unincorporated area of Thousand Oaks within the Hidden Valley community. The property spans two land parcels: parcels 668-0-080-140 and -150. The site is surrounded by scattered single-family residentials and open space areas.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the County 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: Mitigation for Sensitive Vegetation Communities

Issue: Mitigation ratios for S3 ranked sensitive vegetation communities provided in the MND are too low for the proposed Project impacts. Mitigation ratios should also be provided for sensitive communities ranked S4 and S5.

Specific Impacts: CDFW commends the County/Applicant in its efforts to accurately characterize vegetation. However, mitigation ratios of 2:1 are too low for S3 ranked vegetation communities. Additionally, vegetation communities ranked S4 and S5 should also be appropriately mitigated. The vegetation communities found within the surrounding area of the Project footprint provide important foraging and nesting areas for a variety of special status species. Development of the area and thinning of vegetation for fuel modification will result in the loss of resources. Sensitive plant communities within 1,000 meters from these activities are considered impacted.

Why impacts would occur: Project implementation includes grading, vegetation clearing, trail construction, soil compaction, utilities construction, and other activities that may result in direct mortality, population declines, or local extirpation of vegetation communities. These communities offer habitat and resources to a multitude of species, including specially listed species.

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The following ranked vegetation alliances and associations were found within the project area: *Diplacus aurantiacus* shrubland alliance (S3); *Sambucus nigra ssp. caerulea* shrubland alliance (S3); *Ceanothus spinosus* shrubland alliance (S4); *Adenostoma fasciculatum-Salvia mellifera* shrubland alliance (S4); *Artemisia californica* shrubland alliance (S4); *Adenostoma fasciculatum- Malosma laurina* shrubland association (S4); *Salvia leucophylla* shrubland alliance (S4); *Quercus agrifolia* woodland alliance (S4); *Artemisia californica-Acmispon glaber/Lotus scoparius* shrubland association (S5); *Malosma laurina-Artemisia californica* shrubland association (S5); and, *Adenostoma fasciculatum* shrubland alliance (S5). The MND states a combined 3.73 acres of these sensitive vegetation communities would be impacted due to fuel modification and grading.

CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3, and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21-80 occurrences of this community in existence in California, S2 has 6-20 occurrences, and S1 has less than 6 occurrences. The Projects may have direct or indirect effects to these sensitive species.

Evidence impacts would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in a Project(s) continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS).

Pursuant under CEQA Guidelines, section 15125(c), CDFW considers southern California coastal sage scrub habitats as locally significant. The absence of mitigation for many of the habitats listed above will result in significant loss of viable and valuable habitat. As a result, the Project may continue to have a significant change on the environment absent appropriate mitigation for the unavoidable direct and indirect, permanent or temporal losses, of native and undisturbed vegetation and habitat (CEQA Guidelines, § 15382). Collectively, Upland Scrub and Grassland habitats currently support or provide suitable habitat for plants and wildlife, including rare plants and wildlife, including California Species of Special Concern (SSC).

Mitigation Measure #1: CDFW recommends avoiding any sensitive natural communities found on the Project. If avoidance is not feasible, CDFW recommends a Project Plan (Plan) be conditioned to provide mitigation ratios depending on the sensitivity of the species. 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. This should be for the number of plants replaced to number impacted, including acres of habitat created to acres of habitat impacted.

CDFW recommends all impacts to S3 sensitive vegetation communities (*Diplacus aurantiacus* shrubland alliance and *Sambucus nigra ssp. caerulea* shrubland alliance) (0.38-acres) be mitigated at a 4:1 ratio. Impacts to S4 and S5 communities (*Artemisia californica* shrubland alliance; *Malosma laurina-Artemisia californica* shrubland association; *Ceanothus spinosus* shrubland alliance; *Adenostoma fasciculatum- Malosma laurina* shrubland association; *Quercus agrifolia* woodland alliance; *Artemisia californica-Acmispon glaber/Lotus scoparius* shrubland

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association; *Adenostoma fasciculatum* shrubland alliance; and *Salvia leucophylla* shrubland alliance) (3.35-acres) should be mitigated at a 2:1 ratio.

Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and pollinators. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (AB 1094; Government Code, §§ 65965-65968).

Mitigation Measure #2: Success criteria should be based on the specific composition of the vegetation communities being impacted. Success should not be determined until the site has been irrigation-free for at least 5 years and the metrics for success have remained stable (no negative trend for richness/diversity/abundance/cover and no positive trend for invasive/non-native cover for each vegetation layer) for at least 5 years. In the revegetation plan, the success criteria should be compared against an appropriate reference site, with the same vegetation alliance, with as good or better-quality habitat. The success criteria should include percent cover (both basal and vegetative), species diversity, density, abundance, and any other measures of success deemed appropriate by CDFW. Success criteria should be separated into vegetative layers (tree, shrub, grass, and forb) for each alliance being mitigated, and each layer should be compared to the success criteria of the reference site, as well as the alliance criteria in MCV ensuring one species or layer does not disproportionately dominate a site but conditions mimic the reference site and meets the alliance membership requirements.

CDFW does not recommend topsoil salvage or transplantation as viable mitigation options. Several studies have documented topsoil salvage had no effect on the recolonization of the target plant species (Hinshaw 1998). Based on the scientific literature available, relying on topsoil salvage alone to mitigate impacts to CEQA-rare plant species does not appear to provide any value to mitigate impacts to the plant.

Recommendation #1: CDFW recommends taking an inter-disciplinary approach, inclusive of wildlife biologists and restoration professionals, to restore scrub and grassland habitats. The County should replace acreage of Mediterranean Scrub and Grassland, Warm Semi-Desert Scrub and Grassland, and Coastal Bluff Scrub at no less than the total acres impacted and use only native grasses or forbs indigenous to grasslands in region/watershed. Restoration should consider habitat requirements (e.g., refugia, structure, variation in plant density and cover) of wildlife that could occur in these two vegetation communities. CDFW recommends that the location of the mitigation site avoid the conversion of other habitats (e.g., scrubland to grassland). Scrub and grassland restoration should occur in areas appropriate abiotic and biotic conditions to support each habitat type.

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Comment #2: Impacts to Special-Status Plants

Issue: CDFW is concerned with the lack of mitigation measures proposed for rare plants.

Specific impact: A nine-quad review of the California Natural Diversity Database (CNDDDB) revealed several special status plants that have potential to occur in the geographical area(s). CDFW considers plant communities, alliances, and associations with a statewide ranking of S1, S2, S3, and S4 as sensitive and declining at the local and regional level (Sawyer et al. 2008). An S3 ranking indicates there are 21-80 occurrences of this community in existence in California, S2 has 6-20 occurrences, and S1 has less than 6 occurrences. The Project may have direct or indirect effects to these sensitive species.

Why impact would occur: Disclosure, avoidance, and mitigation measures should all be provided within the MND. Take of CESA-listed rare plants may only be permitted through an incidental take permit (ITP) or other authorization issued by CDFW pursuant to California Code of Regulations, Title 14, section, 786.9 subdivision (b). CDFW is concerned the loss of CESA-listed rare plants may occur if appropriate avoidance, minimization, and/or mitigation for these species is not adopted.

Evidence impact would be significant: Impacts to special-status plant species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Inadequate avoidance, minimization, and mitigation measures for impacts to these sensitive plant species will result in a Project(s) continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS. Additionally, plants that have a California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) of 1A, 1B, 2A, and 2B are rare throughout their range, endemic to California, and are seriously or moderately threatened in California. All plants constituting CRPR 1A, 1B, 2A, and 2B meet the definitions of CESA and are eligible for State listing. Impacts to these species or their habitat must be analyzed during preparation of environmental documents relating to CEQA, as they meet the definition of rare or endangered (CEQA Guidelines, § 15380). Please see CNPS Rare Plant Ranks website (<https://www.cnps.org/rare-plants/cnps-rare-plant-ranks>) for additional rank definitions (CNPS 2020).

Recommended Potentially Feasible Mitigation Measure(s):

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

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Mitigation Measure #2: If rare or sensitive plants are found on or near the footprint of the Project, CDFW recommends:

1. The MND should provide species-specific measures to fully avoid impacts to all ESA- and CESA-listed plants. This may include flagging all plants and/or perimeter of populations; no-work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training.
2. The MND provide measures to fully mitigate the loss of individual ESA- (Endangered Species Act) and CESA-listed plants and habitat. The MND should provide a map showing which plants or populations will be impacted and provide a table that clearly documents the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species).

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

Comment #3: Survey Protocols for Special-Status Reptiles

Issue: The MND does not offer adequate survey protocols or mitigation measures for special-status reptiles.

Specific impacts: Within the MND the County/Applicant acknowledges the potential presence of several special status species including: California legless lizard (*Anniella spp.*); Southern California legless lizard (*Anniella stebbinsi*); coastal whiptail (*Aspidoscelis tigris stejnegeri*); and California glossy snake (*Arizona elegans occidentalis*). However, no meaningful mitigation measures were put forth for these species. The MND states “Most special-status wildlife species that may potentially occur at the site are capable of escaping harm during project development, including grading or fuel modification, while a few are vulnerable to direct impacts, including injury and mortality.” This rationale is insufficient and further mitigation measures should be provided by the Applicant.

CDFW recommends focus surveys for the above species. To allow CDFW to determine the extent of impacts to the species associated with the Project and provide meaningful avoidance, minimization, and mitigation measures. CDFW recommends the MND be recirculated after

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these surveys are completed to fully disclose the potential impacts to special-status species. Additionally, any proposed mitigation area should include a discussion on the territory size and breeding locations and how all life cycle functions will be mitigated.

Why impacts would occur: Disclosure, avoidance, and mitigation measures should all be provided within the MND. Take of CESA-listed species or Species of Special Concern (SSC) may only be permitted through an ITP or a scientific collections permit. CDFW is concerned the loss of special-listed species may occur if appropriate avoidance, minimization, and/or mitigation for these species is not adopted.

Further, Project(s) activities have the potential to impact special status wildlife species, which have been documented to occur in the region. A lack of protocol surveys will likely result in avoidable impacts to a variety of sensitive species. Protocol surveys are necessary to identify listed species and supporting habitat necessary for their survival. Ground clearing and construction activities could lead to the direct mortality of a listed species or SSC. The loss of occupied habitat could yield a loss of foraging potential, nesting sites, basking sites, or refugia and would constitute a significant impact absent appropriate mitigation.

Evidence impact would be significant: CDFW considers impacts to CESA-listed and SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s):

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

Mitigation Measure #2: Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the County coordinate with CDFW and/or USFWS prior to any ground disturbing activities within potentially occupied habitat.

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Comment #4: Crotch's Bumble Bee (*Bombus crotchii*)

Issue: The Project may impact Crotch's bumble bee (*Bombus crotchii*) (an invertebrate of conservation and an SSC) through the removal of California sage brush communities. No mention of surveys or mitigation measures were included within the MND.

Specific impacts: Crotch's bumble bees are generalist foragers and have been reported visiting a wide variety of flowering plants (Biesmeijer et al. 2006; Xerces 2018). They are known to occur in laurel sumac scrub, grassland, meadows, and coastal sage scrub, among other vegetation communities. The Project as proposed would be along 21 acres, of which 2.02 acres of ranked California native vegetation communities will be disturbed by grading and fuel modification.

Why impacts would occur: Project as proposed would grade, develop, and/or modify habitat that could support Crotch's bumble bee. The Project may result in temporal or permanent loss of suitable nesting and foraging habitat for Crotch's bumble bee. Crotch's bumble bees are generalist foragers and have been reported visiting a wide variety of flowering plants (Biesmeijer et al. 2006; Xerces 2018). They are known to occur in laurel sumac scrub, grassland, meadows, and coastal sage scrub, among other vegetation communities. The Project ground-disturbing activities and vegetation removal may cause death or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success. Suitable Crotch's bumble bee habitat includes areas of grasslands and scrub that contain requisite habitat elements, such as small mammal burrows. Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Despite the presence of suitable Crotch's bumble bee habitat on site, the MND does not provide information as to what criteria would be used to conclude that the species is not present. Without adequate presence/absence surveys, ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site. Project activities may result in temporal or permanent loss of colonies, and suitable nesting and foraging habitat.

Evidence impact would be significant: Crotch's bumble bee is listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFWb 2017). 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 range and steep population declines make the species vulnerable to extirpation from the State (CDFWb 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 County (CEQA Guidelines, § 15065).

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Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends measures be taken, primarily, to avoid Project impacts to Crotch's bumble bee. Surveys should be performed by a qualified entomologist familiar with the species behavior and life history to determine the presence/absence of Crotch's bumble bee and within one year prior to vegetation removal and/or grading. 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:

1. 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.
2. 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.
3. Map(s) showing the location of nests/colonies.
4. 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, 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 "take" or adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the County should consult CDFW to determine appropriate avoidance and/or minimization measures for the species.

Recommendation #1: CDFW recommends the County update their CEQA document to reflect the possibility of Crotch's bumble bee within the Project site and discuss the local and regional significance of impacts to the species. Focus surveys should be conducted in order to determine presence/absence, identify potential nest sites, and to further evaluate the quality of habitat present for Crotch's bumble bee. The updated analysis should include appropriate avoidance, minimization, and compensatory mitigation measures to offset any impacts to below a level of significance.

Comment #5: Impacts to Bats

Issue: The Project may impact the western mastiff bat (*Eumops perotis californicus*), pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), and the hoary bat (*Lasiurus cinereus*).

Specific impacts: The Project is adjacent to natural habitats where bats may forage and roost. The project as proposed includes direct impacts to bats such as removal of trees, vegetation, and/or structures that may provide roosting habitat and therefore has the potential for the direct

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loss of bats. Indirect impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground disturbing activities (e.g., staging, access, excavation, grading), and vibrations caused by heavy equipment. Demolition, grading, and excavating activities may impact bats potentially using man-made structures or surrounding trees as roost sites.

Why impacts would occur: Within the MND it states "...bats could forage at the project site, suitable roosting habitat for bats was noted onsite." Although there is potential for bats to occur, the MND does not include any measures to avoid, minimize, or protect the species. Without any avoidance and minimization measures, the Project may impact the species. In urbanized areas, bats use trees and man-made structures for daytime and nighttime roosts, and forage in sources of open water such as ponds and lakes (Avila-Flores and Fenton 2005; Oprea et al. 2009; Remington and Cooper 2014). Forested patches on parks and/or golf courses provide good habitat for foraging and commuting bats and may provide important refuge for bats in highly urbanized landscapes (Sewell 2019). Mature riparian trees and crevices in buildings and facilities in the Project site could provide roosting habitat for bats. 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 impact would be significant: Bats 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). Several bat species are considered SSC 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 County (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends a qualified bat specialist conduct bat habitat assessment surveys within the Project site and a 500-foot buffer to locate potential bat roosting sites. These assessments will determine baseline conditions of potential roosting areas present throughout the study area to identify trees and/or structures (i.e., tunnels, maintenance buildings, food concession stands, comfort stations) that could provide daytime and/or nighttime roost sites.

Mitigation Measure #2: CDFW also recommends nighttime emergence surveys of day roosts during seasons when bats are most mobile (April 1 to September 30). Emergence surveys should be performed shortly after dusk to identify any bats that emerge from a potential roost site. CDFW recommends using acoustic recognition technology to maximize detection of bats. In most parts of California, night roost use will only occur from spring through fall while day roosts are typically utilized during the spring, summer, and fall in California (Johnston et al. 2004).

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Survey methodology and results, including negative findings, should be included in final environmental documents. Depending on survey results, please discuss potentially significant effects of the proposed Project on the bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125).

Mitigation Measure #3: If maternity roosts are found, CDFW recommends, the following mitigation measures:

1. If maternity roosts are found, to the extent feasible, work should 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).
2. If maternity roosts are found and if trees and/or structures must be removed/demolished during the maternity season, a qualified bat specialist should conduct a pre-construction survey to identify those trees and/or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat. Acoustic recognition technology will be used to maximize detection of bats. Each tree and/or structure identified as potentially supporting an active maternity roost should be closely inspected by the bat specialist no more than 7 days prior to tree and/or structure disturbance to determine the presence or absence of roosting bats more precisely. If maternity roosts are detected, trees and/or structures determined to be maternity roosts should be left in place until the end of the maternity season. Work should not occur within 100 feet of or directly under or adjacent to an active roost and work should not occur between 30 minutes before sunset and 30 minutes after sunrise.
3. If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, trees will be removed using the two-step removal method. Segments of the tree which do not offer any roosting habitat will be removed using a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly with heavy machinery two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be left in place for at least a 24-hour period and 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, but preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by using lights, fans, and placing one-way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.

Mitigation Measure #4: If night-time or day-time roosting habitat is available and presence is confirmed within trees CDFW recommends the two-step removal method:

1. During daytime hours between October 1-October 15 portions of trees which do not provide habitat will be removed with a chainsaw by a qualified arborist. Tree cutting will occur under the supervision of a qualified bat biologist who will guide the trimming in a way to minimize any potential harm to bats. Removal of non-roosting areas will influence movement of bats from the structure through noise and vibration disturbance. A period of

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at least 24 hours, but preferably 48 hours, should elapse prior to complete removal to allow bats to escape.

2. Following the appropriate waiting period and an inspection by a qualified biologist the tree or structure can be fully removed.

These methods should be done when young are not dependent on their mothers for food, are able to fly, and are not tied to the roosting site due to seasonal timing. Generally, these methods should not be done past the third week of October. In the absence of presence/absence data a conservative approach to tree removal is recommended to lessen the likelihood of “take.”

Mitigation Measure #5: If roosting habitat is available but absence is confirmed following appropriate focus-surveys CDFW recommends removing potential roosting habitat during winter months (November 1-January 31). Removal of habitat where bats have been determined to be absent will prevent future occupation in the area. Bats move roosting locations frequently based on need or seasonal changes. Habitat that is not occupied may become so in a matter of days, to weeks, to months, to years.

Recommendation 1: CDFW also recommends the proper inspection of the shed present on-site to avoid take of bat species. Pallid bats are especially vulnerable to take in man-made structures as they have been documented to utilize unnatural structures as roosting sites.

Comment #6: 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.

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Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas.

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

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

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

Fuel Modification. If the Project includes fuel modification, CDFW recommends that the final environmental 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 County 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

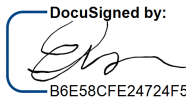
The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the County and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

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Conclusion

We appreciate the opportunity to comment on the Project to assist the County in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the County 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

Sincerely,

DocuSigned by:

B6E58CFE24724F5...

Erinn Wilson-Olgin
Environmental Program Manager I
South Coast Region

cc: CDFW

Steve Gibson, Los Alamitos – Steve.Gibson@wildlife.ca.gov
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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
<p>MM-BIO-1- Impacts to Sensitive Plant Communities</p>	<p>CDFW recommends avoiding any sensitive natural communities found on the Project. If avoidance is not feasible, 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 all impacts to the S3 sensitive vegetation communities (<i>Diplacus aurantiacus</i> shrubland alliance and <i>Sambucus nigra ssp. caerulea</i> shrubland alliance) (0.38-acres) should be mitigated at a 4:1 ratio and impacts to the S4 and S5 communities (<i>Artemisia californica</i> shrubland alliance; <i>Malosma laurina-Artemisia californica</i> shrubland association; <i>Ceanothus spinosus</i> shrubland alliance; <i>Adenostoma fasciculatum- Malosma laurina</i> shrubland association; <i>Quercus agrifolia</i> woodland alliance; <i>Artemesia californica-Acmispon glaber/Lotus scoparius</i> shrubland association; <i>Adenostoma fasciculatum</i> shrubland alliance; and <i>Salvia leucophylla</i> shrubland alliance) (3.35-acres) be mitigated at a 2:1 ratio.</p> <p>Rare plants are habitat specialists that require specific conditions to persist such as vegetation composition (species abundance, diversity, cover), soils, substrate, slope, hydrology, and</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>pollinators. All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods; annual success criteria; contingency actions should success criteria not be met; long-term management and maintenance goals; and a funding mechanism for long-term management. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (AB 1094; Government Code, §§ 65965-65968).</p>		
<p>MM-BIO-2- Impacts to Sensitive Plant Communities</p>	<p>Success criteria should be based on the specific composition of the vegetation communities being impacted. Success should not be determined until the site has been irrigation-free for at least 5 years and the metrics for success have remained stable (no negative trend for richness/diversity/abundance/cover and no positive trend for invasive/non-native cover for each vegetation layer) for at least 5 years. In the revegetation plan, the success criteria should be compared against an appropriate reference site, with the same vegetation alliance, with as good or better-quality habitat. The success criteria should include percent cover (both basal and vegetative), species diversity, density, abundance, and any other measures of success deemed appropriate by CDFW. Success criteria should be separated into vegetative layers (tree, shrub, grass, and forb) for each alliance being mitigated, and each layer should be compared to the success criteria of the reference site, as well as the alliance criteria in MCV ensuring one species or layer does not disproportionately dominate a site but conditions mimic the reference site and meets the alliance membership requirements.</p> <p>CDFW does not recommend topsoil salvage or transplantation as viable mitigation options. Several studies have documented topsoil salvage had no effect on the recolonization of the target plant</p>	<p>Prior to /During/ After Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>species (Hinshaw 1998). Based on the scientific literature available, relying on topsoil salvage alone to mitigate impacts to CEQA-rare plant species does not appear to provide any value to mitigate impacts to the plant.</p>		
<p>MM-BIO-3- Impacts to Rare Plants</p>	<p>CDFW recommends including avoidance, minimization, and/or mitigation measure language articulating the need to perform focused surveys for sensitive/rare plants on-site and disclosing the results prior to the implementation of Projects. Based on the <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities</i> (CDFWa 2018) (https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959), a qualified biologist should “conduct surveys in the field at the time of year when species are both evident and identifiable. Usually this is during flowering or fruiting.” Final CEQA documentation, for a specified Project(s), should provide a thorough discussion on the presence/absence of sensitive plants on-site and identify measures to protect sensitive plant communities from Project-related direct and indirect impacts.</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>
<p>MM-BIO-4- Impacts to Rare Plants</p>	<p>If rare or sensitive plants are found on or near the footprint of the Project, CDFW recommends:</p> <ol style="list-style-type: none"> 1. The MND should provide species-specific measures to fully avoid impacts to all ESA- and CESA-listed plants. This may include flagging all plants and/or perimeter of populations; no-work buffers around plants and/or populations (e.g., flagged perimeter plus 50 feet); restrictions on ground disturbing activities within protected areas; relocation of staging and other material piling areas away from protected areas; restrictions on herbicide use and/or type of herbicide and/or application method within 100 feet of sensitive plants; and worker education and training. 2. The MND provide measures to fully mitigate the loss of individual ESA- (Endangered Species Act) and CESA-listed 	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>plants and habitat. The MND should provide a map showing which plants or populations will be impacted and provide a table that clearly documents the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species).</p>		
<p>MM-BIO-5- Impacts to Rare Plants</p>	<p>CDFW recommends the County/Applicant create a mitigation plan (Plan). The Plan should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [Genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g. percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>
<p>MM-BIO-6- Impacts to Special-Status Reptiles</p>	<p>To disclose impacts to special-status reptiles within the MND, CDFW recommends focused surveys for species likely to occur within a Project(s) area. Additional surveys will more reliably determine what species are present so CDFW can make informed recommendations as to avoidance, minimization, and mitigation measures. Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on-site in appropriate habitat suitable for each species. Suitable habitat consists of areas</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.</p>		
<p>MM-BIO-7- Impacts to Special-Status Reptiles</p>	<p>Prior to any Project activities, a relocation plan (Plan) should be developed by a qualified biologist familiar with the respective reptile in consultation with CDFW. The Plan should include, but not be limited to, the timing and location of the surveys that will be conducted for the species, identify the locations where more intensive survey efforts will be conducted (based on high habitat suitability); identify the habitat and conditions in any proposed relocation site(s); the methods that will be utilized for trapping and relocating the individuals; and the documentation/recordation of the number of animals relocated. CDFW recommends the County coordinate with CDFW and/or USFWS prior to any ground disturbing activities within potentially occupied habitat.</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>
<p>MM-BIO-8- Impacts to Crotch's Bumble Bee</p>	<p>CDFW recommends that measures be taken, primarily, to avoid Project impacts to Crotch's bumble bee. Surveys should be performed by a qualified entomologist familiar with the species behavior and life history to determine the presence/absence of Crotch's bumble bee and within one year prior to vegetation removal and/or grading. 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:</p> <ol style="list-style-type: none"> 1. 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. 	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<ol style="list-style-type: none"> 2. 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. 3. Map(s) showing the location of nests/colonies. 4. 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, 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). 		
<p>MM-BIO-9- Impacts to Crotch's Bumble Bee</p>	<p>If "take" or adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the County should consult CDFW to determine appropriate avoidance and/or minimization measures for the species.</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>
<p>MM-BIO-10- Impacts to Bats</p>	<p>CDFW recommends a qualified bat specialist conduct bat surveys to determine baseline conditions within the Project site and within a 500-foot buffer to identify trees and/or structures (i.e., tunnels, maintenance buildings, food concession stands, comfort stations) that could provide daytime and/or nighttime roost sites. CDFW recommends using acoustic recognition technology to maximize detection of bats. Night roosts are typically utilized from the approach of sunset until sunrise. In most parts of California, night roost use will only occur from spring through fall while day roosts are typically utilized during the spring, summer, and fall in California (Johnston et al. 2004).</p> <p>Survey methodology and results, including negative findings, should be included in final environmental documents. Depending on survey results, please discuss potentially significant effects of the proposed Project on the bats and include species specific</p>	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125).</p>		
<p>MM-BIO-11- Impacts to Bats</p>	<p>If maternity roosts are found, CDFW recommends, the following three mitigation measures:</p> <ol style="list-style-type: none"> 1. If maternity roosts are found, to the extent feasible, work should 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). 2. If maternity roosts are found and if trees and/or structures must be removed/demolished during the maternity season, a qualified bat specialist should conduct a pre-construction survey to identify those trees and/or structures proposed for disturbance that could provide hibernacula or nursery colony roosting habitat. Acoustic recognition technology will be used to maximize detection of bats. Each tree and/or structure identified as potentially supporting an active maternity roost should be closely inspected by the bat specialist no more than 7 days prior to tree and/or structure disturbance to determine the presence or absence of roosting bats more precisely. If maternity roosts are detected, trees and/or structures determined to be maternity roosts should be left in place until the end of the maternity season. Work should not occur within 100 feet of or directly under or adjacent to an active roost and work should not occur between 30 minutes before sunset and 30 minutes after sunrise. 3. If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year, trees will be removed using the two-step removal method. Segments of the tree which do not offer any roosting 	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	<p>habitat will be removed using a chainsaw. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly with heavy machinery two to three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. The tree should then be left in place for at least a 24-hour period and 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, but preferably 48 hours, should elapse prior to such operations to allow bats to escape. Bats should be allowed to escape prior to demolition of buildings. This may be accomplished by using lights, fans, and placing one-way exclusionary devices into areas where bats are entering a building that allow bats to exit but not enter the building.</p>		
<p>MM-BIO-12- Impacts to Bats</p>	<p>If night-time or day-time roosting habitat is available and presence is confirmed within trees CDFW recommends the two-step removal method:</p> <ol style="list-style-type: none"> 1. During daytime hours between October 1-October 15 portions of trees which do not provide habitat will be removed with a chainsaw by a qualified arborist. Tree cutting will occur under the supervision of a qualified bat biologist who will guide the trimming in a way to minimize any potential harm to bats. Removal of non-roosting areas will influence movement of bats from the structure through noise and vibration disturbance. A period of at least 24 hours, but preferably 48 hours, should elapse prior to complete removal to allow bats to escape. 2. Following the appropriate waiting period and an inspection by a qualified biologist the tree or structure can be fully removed. 	<p>Prior to Project construction and activities</p>	<p>County of Ventura/ Applicant</p>

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	These methods should be done when young are not dependent on their mothers for food, are able to fly, and are not tied to the roosting site due to seasonal timing. Generally, these methods should not be done past the third week of October. In the absence of presence/absence data a conservative approach to tree removal is recommended to lessen the likelihood of “take.”		
MM-BIO-13- Impacts to Bats	If roosting habitat is available but absence is confirmed following appropriate focus-surveys CDFW recommends removing potential roosting habitat during winter months (November 1-January 31). Removal of habitat where bats have been determined to be absent will prevent future occupation in the area. Bats move roosting locations frequently based on need or seasonal changes. Habitat that is not occupied may become so in a matter of days, to weeks, to months, to years.	Prior to Project construction and activities	County of Ventura/ Applicant
MM-BIO-14- Impacts to Non-Game Mammals and Wildlife	If fencing is proposed for use during construction or during the life of the Project, fences should be constructed with materials that are not harmful to wildlife. Prohibited materials include, but are not limited to, spikes, glass, razor, or barbed wire. Fencing should also be minimized so as not to restrict free wildlife movement through habitat areas.	Prior to Project construction and activities	County of Ventura/ Applicant
MM-BIO-15- Impacts to Non-Game Mammals and Wildlife	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. It should be noted that the temporary relocation of on-site wildlife does not constitute effective mitigation for the purposes of offsetting Program impacts associated with habitat loss.	Prior to Project construction and activities	County of Ventura/ Applicant

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MM-BIO-16- 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	County of Ventura/ Applicant
REC-1- Sensitive Plant Communities	CDFW recommends taking an inter-disciplinary approach, inclusive of wildlife biologists and restoration professionals, to restore scrub and grassland habitats. The County should replace acreage of Mediterranean Scrub and Grassland, Warm Semi-Desert Scrub and Grassland, and Coastal Bluff Scrub at no less than the total acres impacted and use only native grasses or forbs indigenous to grasslands in region/watershed. Restoration should consider habitat requirements (e.g., refugia, structure, variation in plant density and cover) of wildlife that could occur in these two vegetation communities. CDFW recommends that the location of the mitigation site avoid the conversion of other habitats (e.g., scrubland to grassland). Scrub and grassland restoration should occur in areas appropriate abiotic and biotic conditions to support each habitat type.	Prior to Project construction and activities	County of Ventura/ Applicant
REC-2- Crotch's Bumble Bee	CDFW recommends the County update their CEQA document to reflect the possibility of Crotch's bumble bee within the Project site and discuss the local and regional significance of impacts to the species. Focus surveys should be conducted in order to determine presence/absence, identify potential nest sites, and to further evaluate the quality of habitat present for Crotch's bumble bee. The updated analysis should include appropriate avoidance, minimization, and compensatory mitigation measures to offset any impacts to below a level of significance.	Prior to Project construction and activities	County of Ventura/ Applicant
REC-3- Bats	CDFW also recommends the proper inspection of the shed present on-site to avoid take of bat species. Pallid bats are especially vulnerable to take in man-made structures as they have been documented to utilize unnatural structures as roosting sites.	Prior to Project construction and activities	County of Ventura/ Applicant

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REC-4- Crotch's Bumble Bee	CDFW recommends the County update their CEQA document to reflect the possibility of Crotch's bumble bee within the Project site and discuss the local and regional significance of impacts to the species. Focus surveys should be conducted in order to determine presence/absence, identify potential nest sites, and to further evaluate the quality of habitat present for Crotch's bumble bee. The updated analysis should include appropriate avoidance, minimization, and compensatory mitigation measures to offset any impacts to below a level of significance.	Prior to Project construction and activities	County of Ventura/ Applicant
REC-5- Alternatives	CDFW recommends the County consider an alternative that would fully avoid or minimize impacts to streams, sensitive plants and wildlife. CDFW recommends the County recirculate the environmental document after including alternative locations in order to foster meaningful public participation and informed decision making [CEQA Guidelines, §§ 15088.5, 15126.6(f)]. If the County concludes that no feasible alternative locations exist, or the use of alternative locations as a mitigation measure is infeasible, the County must disclose the reasons in the final environmental document and recirculate [CEQA Guidelines, §§ 15088.5(a)(3), 15126.6(f)(2)].	Prior to Project construction and activities	County of Ventura/ Applicant
REC-6- Fuel Modification	If the Project includes fuel modification, CDFW recommends that the final environmental 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	County of Ventura/ Applicant
REC-7-	Per Public Resources Code section 21081.6(a)(1), CDFW has provided the County 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).	Prior to construction and activities	County of Ventura/ Applicant

Mr. Michael Conger
Ventura County
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Mitigation and Monitoring Reporting Plan	A final MMRP should reflect results following additional plant and wildlife surveys and the Project's final on and/or off-site mitigation plans.		
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