

State of California – Natural Resources Agency

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

DEPARTMENT OF FISH AND WILDLIFE

South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov



July 20, 2022

Governor's Office of Planning & Research

Jul 21 2022

Mr. Christopher Solis
County of Ventura
800 South Victoria Avenue
Ventura, CA 93009
christopher.solis@ventura.org

STATE CLEARINGHOUSE

Subject: Bridge Road Bridge Scour Rehabilitation Project, Mitigative Negative Declaration, SCH No. 2022060410; City of Santa Paula, Ventura County

Dear Mr. Solis:

The California Department of Fish and Wildlife (CDFW) has reviewed Ventura County's (County) Mitigative Negative Declaration (MND) for the Bridge Road Scour Rehabilitation Project (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; Public Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, [§ 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). 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. Christopher Solis
County of Ventura
July 20, 2022
Page 2 of 25

Project Description and Summary

Objective: The Project as proposed will include rehabilitation of the Bridge Road bridge. Project actions include stream diversion, ground excavation, dewatering, and the installation of a secant pile wall within the stream bed. A temporary low water crossing will be constructed downstream of the bridge at Fair Weather Crossing to allow construction vehicle access during Project activities. A culvert would be placed under the temporary crossing to maintain creek flows. Additionally, a temporary ramp would be constructed on the northeast side of the bridge. Following the conclusion of construction, the temporary crossing and the temporary access ramp would be removed. The native soil would be re-graded similar to pre-project contours. Vegetation within the creek would be removed during Project activities.

Location: The Project is located in the City of Santa Paula in the County of Ventura. Project activities will occur between Bridge Road and Fairview Road within and surrounding Santa Paula Creek. The Project site within the Santa Monica-Sierra Madre wildlife corridor and the bridge at Bridge Road functions as a wildlife crossing area. The surrounding area consists of the City of Santa Paula to the southwest and the Los Padres National Forest to the north, east, and west.

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: Impacts to Aquatic and Riparian Resources, Lake and Streambed Alteration Agreement (LSA)

Issue: The Project will result in direct and indirect impacts to Santa Paula creek and associate riparian and wetland vegetation.

Specific Impacts: CDFW is concerned that project activities within and surrounding Santa Paula creek may result in changes to the stream and/or the associated sensitive riparian vegetation communities which are subject to Fish and Game Code.

Why impacts would occur: Project implementation includes grading, excavating, material staging, grubbing, and vegetation clearing which may result in direct mortality and loss of sensitive vegetation communities and special status wildlife. The Project occurs within Santa Paula Creek, a perennial creek which functions as a major tributary to the lower Santa Clara River. Both Santa Paula creek and the Santa Clara River support numerous special status plant

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 3 of 25

and animal species. Endangered Species Act (ESA)-listed and CESA-candidate species Southern California steelhead (*Oncorhynchus mykiss*), State Species of Special Concern (SSC) arroyo chub, and SSC California red-legged frog may be present within Santa Paula Creek, adding to its ecological value.

Moreover, the following riparian and wetland vegetation alliances addressed within the MND are considered sensitive and/or locally important: *Populus fremontii-Quercus agrifolia* forest association (S3.2/G4); *Salix laevigata* woodland alliance (S3/G4); *Quercus agrifolia* woodland alliance (S4/G4); *Baccharis salicifolia* shrubland alliance (S4/G4); *Salix lasiolepis* shrubland alliance (S4/G4); and *Salix exigua* shrubland alliance (S4.2/G5). 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. 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. 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 special status species or sensitive vegetation community.

Evidence impacts would be significant: Fish and Game Code section 1602 requires any person, State or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following: Divert or obstruct the natural flow of any river, stream, or lake; change the bed, channel, or bank of any river, stream, or lake; use material from any river, stream, or lake; or, deposit or dispose of material into any river, stream, or lake. The Project may adversely affect the existing hydrology pattern of the Project site as well as downstream. This may occur through the alteration of flows to streams, impacting biological resources both on-site and off-site.

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 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 County 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.

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 4 of 25

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 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, sensitive plant communities ranked S3 (*Populus fremontii*-*Quercus agrifolia* forest association & *Salix laevigata* woodland alliance) impacted by development or fuel modification should be mitigated at no less than 5:1. Sensitive plant communities ranked S4 (*Salix exigua* shrubland alliance; *Quercus agrifolia* woodland alliance; *Baccharis salicifolia* shrubland alliance; and *Salix lasiolepis* shrubland alliance) be mitigated for at no less than 3:1. 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

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 5 of 25

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 be conditioned to fully avoid all impacts to Southern California steelhead. CDFW concurs that no work should occur in the stream channel or stream banks during the winter rainy season. However, within the MND it states that construction will be limited between June 15 and October 15, CDFW recommends this be changed to September 15-October 15 to avoid the nesting bird season.

Comment #2: Impacts to Southern California Steelhead (*Oncorhynchus mykiss*)

Issue: Southern California steelhead have historically been present within Santa Paula Creek and may be impacted by Project activities.

Specific Impacts: Project activities may directly or indirectly impact Southern California steelhead, an ESA- and CESA-candidate species.

Why impacts would occur: Project activities include excavation, dewatering, and water diversion which may result in direct or indirect impacts to Southern California steelhead. Although a weir is present downstream of the development that could pose as an impediment to fish passage, Santa Paula is historically a Southern California steelhead stream. Additionally, habitat is available above the weir and downstream of the Santa Paula diversion which is within the Project area. On May 13, 2022, the California Fish and Game Commission provided public notice that Southern California steelhead is now a candidate species under CESA and as such, receives the same legal protection as a listed species.

Evidence impacts would be significant: Pursuant to Section 2074.2 of the Fish and Game Code, on April 21, 2022, the California Fish and Game Commission (Commission) determined that listing Southern California steelhead under CESA may be warranted (CDFW 2022). This commences a one-year status review of the species, after which the Commission will make a decision whether listing of Southern California steelhead as under CESA is warranted. During the status review, Southern California steelhead is protected under CESA as a candidate species pursuant to Section 2085 of the Fish and Game Code, provided that notice has been given as required by Section 2074.4 of the Fish and Game Code. The CDPR is prohibited from undertaking or authorizing activities that result in take of any endangered, threatened, or candidate species, except as authorized by State law (Fish & Game Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9).

CDFW considers adverse impacts to a species protected by CESA to be significant without mitigation under CEQA. Consequently, if the Project or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, CDFW recommends that the Project proponent seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or a consistency

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 6 of 25

determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subs. (b) and (c)].

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: The MND should analyze and discuss the Project's potential impact on Southern California steelhead population, habitat, substrate, and passage. The EIR should assess the potential impacts of habitat modification from Project activities, grading, removal of soil, and vegetation removal along stream banks. Additionally, the MND should assess the Project's effects on substrate composition within Santa Paula Creek. The MND should analyze the Project's effect on the hydrology and hydraulics (velocity, depth, and temperature) of Santa Paula Creek and how those effects may impact Southern California steelhead. An adequate analysis should provide the following information at a minimum:

1. Project effects on flow (cfs, acre-feet) and hydraulics (velocity, depth, dissolved oxygen, temperature, and wetted perimeter) during the wet season (November through March), dry season (April through October), and both above-average and below-average water year (i.e., wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year) under pre-project (i.e., baseline conditions) and post-project conditions;
2. Percent changes in flow, velocity, depth, temperature, and wetted perimeter (acres gained/lost) under Project conditions;
3. Project effects on water quality (dissolved oxygen and turbidity) throughout the study reach under pre-project (i.e., baseline conditions) and post-project conditions;
4. Any Project-related temporal, partial, or total barriers that would impact fish passage for Southern California steelhead; and
5. Any additional potential effects to on-going habitat recovery and restoration efforts for Southern California steelhead on a local or regional scale.

Mitigation Measure #2: If "take" or adverse impacts to CESA- listed species cannot be avoided either during Project construction and/or over the life of the Project, the County should consult with CDFW to determine if a CESA ITP is required (pursuant to Fish & Game Code, § 2080 *et seq.*).

Comment #3: Impacts to California Species of Special Concern

Issue: CDFW is concerned that Project-related activities may result in significant impacts to the following SSC:

- Fish: arroyo chub (*Gila orcuttii*);
- Reptiles: two-striped garter snake (*Thamnophis hammondi*), coast horned lizard (*Phrynosoma blainvillii*), coastal whiptail (*Aspidoscelis tigris stejnegeri*), California

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 7 of 25

legless lizard (*Anniella spp.*), Southern California legless lizard (*Anniella stebbinsi*) and western pond turtle (*Emys marmorata*);

- Amphibians: California red-legged frog (*Rana draytonii*);
- Mammals: Pallid bat (*Antrozous pallidus*), and hoary bat (*Lasiurus cinereus*); and
- Birds: Yellow warbler (*Setophaga petechia*), and least Bell's vireo (*Vireo bellii pusillus*).

Specific impact: Project construction and related activities, directly or through indirect effects, may result in direct injury or mortality of SSC. The MND acknowledged the potential for these species to occur in and around the Project site.

Why impact would occur: Project implementation includes staging and using heavy equipment within and adjacent to the active river channel. These activities include increased ambient noise and vibration, night lighting, and other activities.

Anthropogenic noise can disrupt the communication of many wildlife species including frogs, birds, and bats (Sun and Narins 2005, Patricelli and Blickley 2006, Gillam and McCracken 2007, Slabbekoorn and Ripmeester 2008). Noise has also been shown to reduce the density of nesting birds (Francis et al. 2009) and cause increased stress that results in decreased immune responses (Kight and Swaddle 2011). Substantial noise may adversely affect wildlife species in several ways as wildlife responses to noise can occur at exposure levels of only 55-60 dB (Barber et al. 2009). For reference, normal conversation is approximately 60 dB, and natural ambient noise levels (e.g., forest habitat) are generally measured at less than 50dB.

Increased ambient lighting levels can increase predation risks and disorientation. This would disrupt normal behaviors of birds in adjacent feeding, breeding, and roosting habitat (Longcore and Rich 2004). Illumination of bat hibernation sites may cause avoidance as well as light disturbance within a hibernation site, which would cause bats to arouse from torpor (Stone et al. 2015). These effects may result in direct mortality, population declines, or local extirpation of SSC fish, reptile, and mammal species

Evidence impact would be significant: Project construction and activities, directly or through habitat modification, may result in direct mortality, reduced reproductive capacity, population declines, or local extirpation of SSC. CEQA provides protection not only for State and federally listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC 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 City (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Pursuant to the California Code of Regulations, title 14, section 650, the County/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's [Scientific Collection Permits](#) webpage for information. A Lake and Streambed Alteration (LSA) Agreement may provide similar take or possession of species as described in the conditions of the agreement.

CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish &

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 8 of 25

Game Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).

Mitigation Measure #2: CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the surrounding river/riparian habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.

Mitigation Measure #3: Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.

Mitigation Measure #4: The County should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing (including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the County prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.

Mitigation Measure #5: Wildlife should be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the County prior to implementing any Project-related ground-disturbing activities and vegetation removal.

Mitigation Measure #6: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the County within three calendar days of the incident or finding. Work in the immediate area

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 9 of 25

may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Comment #4: Impacts to Sensitive Plant Communities

Issue: The MND does not include a plant communities map sufficient to determine impacts to sensitive plant communities. Maps should be included for both the Bridge Road site and the Fairweather Driveway site.

Specific impact: To fully assess impacts to specific plant communities affected by the Project an appropriate plant communities map should be included within the MND. Plant community maps aid CDFW in determining the most appropriate avoidance and mitigation measures for specific Projects and activities.

Why impact would occur: CDFW appreciates the effort of the Applicant in correctly characterizing the surrounding plant communities. However, in order to reduce impacts and offer the most appropriate mitigation, it is necessary to know the specific plant communities that will be impacted by Project activities. Plant community alliances differ in ranking and rarity; thus mitigation measures and ratios may differ. Likewise, the MND should provide the total acreage of each alliance anticipated to be impacted by Project activities. The vegetation maps Figure 5A and 5B on pages 52 and 53 of the MND did not display the distribution of plant community alliances within the Project area. Vegetation communities were only referred to as “riparian vegetation,” but should specify the location and distribution of each plant community present (e.g., *Populus fremontii-Quercus agrifolia* forest association; *Salix laevigata* woodland alliance, *Salix exigua* shrubland alliance; *Baccharis salicifolia* shrubland alliance; *Salix lasiolepis* shrubland alliance; *Artemisia californica* shrubland alliance; *Quercus agrifolia* woodland alliance; and *Salvia mellifera* shrubland alliance). Construction activities would include grading, excavation, vegetation removal, and vehicle movement which could result in direct and indirect impacts to sensitive plant communities.

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

Take of CESA-listed rare plants may only be permitted through an ITP or other authorization issued by 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.

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 10 of 25

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: CDFW recommends the Project compose a plant communities map which displays the composition of sensitive plant communities surrounding the entirety of the Project site. To produce this map, vegetation surveys should be conducted following systematic field techniques outlined by CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFWb 2018). To determine the rarity ranking of vegetation communities on a specific Project site(s), CDFW utilizes vegetation descriptions found in the *Manual of California Vegetation* (MCV). The MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system (found online at <http://vegetation.cnps.org/>). CDFW recommends the environmental document provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.

1. The MND should provide a detailed map (1:24,000 or larger) 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).
2. The MND 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.

Additionally, considerations should be made regarding timing of these field surveys to ensure accuracy in determining what plants exist on site. Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities and will guide the development of minimization and mitigation measures (CDFWb 2018).

Mitigation Measure #2: If rare or sensitive plant communities are impacted on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat. 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. 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 communities be mitigate at a minimum ratio of 5:1. Likewise, although the S4 ranking is defined as "apparently secure" these communities are of local importance and CDFW recommends they be mitigated at a minimum 3:1 ratio.

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 11 of 25

Mitigation Measure #3: All revegetation/restoration areas that will serve as mitigation should include preparation of a restoration plan (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). 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 onsite 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.

Mitigation Measure #4: 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 the 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 adhering to the vegetation descriptions found in the MCV to determine the rarity ranking of vegetation communities on a specific Project site(s). CDFW only tracks rare natural communities using this classification system. The natural communities provided on page 48 of the MND are not necessary for future projects due to the implementation of the MCV classification system in 2005.

Comment #4: Impacts to Non-Game Mammals and Wildlife

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 12 of 25

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 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

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

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 13 of 25

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.

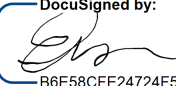
Filing Fees

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 and Game Code, § 711.4; Pub. Resources Code, § 21089).

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

EC: CDFW
Steve Gibson – Los Alamitos – Steve.Gibson@wildlife.ca.gov
Emily Galli – Fillmore – Emily.Galli@wildlife.ca.gov
Susan Howell – San Diego – Susan.Howell@wildlife.ca.gov
CEQA Program Coordinator – Sacramento – CEQACommentLetters@wildlife.ca.gov

State Clearinghouse - state.clearinghouse@opr.ca.gov

References:

- Barber, J.R., K.R. Crooks, and K.M. Fristrup. 2009. The Cost of Chronic Noise Exposure for Terrestrial Organisms. *Trends in Ecology and Evolution* 25:180-189.
- [CDFWa] California Department of Fish and Wildlife. 2022. Notice of Findings – Southern California steelhead declared a candidate species. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=202001&inline>
- [CDFWb] California Department of Fish and Wildlife, 2018. Updated Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Accessed at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959>.
- Cristol, D.A and A.D. Rodewald. 2005. Can Golf Courses Play a Role in Bird Conservation? *Wildlife Society Bulletin* 33(2):407-410.

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 14 of 25

- Gillam, E. H., and G. F. McCracken. 2007. Variability in the echolocation of *Tadarida brasiliensis*: effects of geography and local acoustic environment. *Animal Behaviour* 74:277–286.
- Hinshaw, J.M., Holmstead, G.L., Cypher, B.L., Anderson D.C. 1998. Effects of Simulated Field Disturbance and Topsoil Salvage on *Eristrium Hooveri*. Accessed from: <http://www.jstor.org/stable/41425279>
- 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.
- Kight, C. R., and J. P. Swaddle. 2011. How and why environmental noise impacts animals: An integrative, mechanistic review. *Ecology Letters* 14:1052–1061.
- Longcore, T. and C. Rich. 2004. Ecological light pollution. *Front Ecological Environment* 2(4):191-198.
- 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.
- Patricelli, G., and J. J. L. Blickley. 2006. Avian communication in urban noise: causes and consequences of vocal adjustment. *Auk* 123:639–649.
- Terman, M.R. 1997. Natural links: naturalistic golf courses as wildlife habitat. *Landscape and Urban Planning* 38:183-197.
- Slabbekoorn, H., and E. A. P. Ripmeester. 2008. Birdsong and anthropogenic noise: Implications and applications for conservation. *Molecular Ecology* 17:72–83.
- Stone, E., S. Harris, and G. Jones. 2015. Impacts of artificial lighting on bats: A review of challenges and solutions. *Mammalian Biology - Zeitschrift für Säugetierkunde* 80.
- Sun, J. W. C., and P. M. Narins. 2005. Anthropogenic sounds differentially affect amphibian call rate. *Biological Conservation* 121:419–427.



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 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 County 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	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 16 of 25

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	Ventura County/ 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. 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	Ventura County/ 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	Ventura County/ 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 lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior	Prior to Project construction and activities	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 17 of 25

	to implementing Project-related ground-disturbing activities prior to the County's issuance of grading permits.		
MM-BIO-6- LSA Agreement	If avoidance is not possible then sensitive plant communities ranked S3 (<i>Populus fremontii</i> - <i>Quercus agrifolia</i> forest association & <i>Salix laevigata</i> woodland alliance) impacted by development or fuel modification should be mitigated at no less than 5:1. Sensitive plant communities ranked S4 (<i>Salix exigua</i> shrubland alliance; <i>Baccharis salicifolia</i> shrubland alliance; and <i>Salix lasiolepis</i> shrubland alliance) be mitigated for at no less than 3:1. 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	Ventura County/ 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	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 18 of 25

<p>MM-BIO-8- Southern California Steelhead</p>	<p>The MND should analyze and discuss the Project’s potential impact on Southern California steelhead population, habitat, substrate, and passage. The EIR should assess the potential impacts of habitat modification from Project activities, grading, removal of soil, and vegetation removal along stream banks. Additionally, the MND should assess the Project’s effects on substrate composition within Santa Paula Creek. The MND should analyze the Project’s effect on the hydrology and hydraulics (velocity, depth, and temperature) of Santa Paula Creek and how those effects may impact Southern California steelhead. An adequate analysis should provide the following information at a minimum:</p> <ol style="list-style-type: none"> 1. Project effects on flow (cfs, acre-feet) and hydraulics (velocity, depth, dissolved oxygen, temperature, and wetted perimeter) during the wet season (November through March), dry season (April through October), and both above-average and below-average water year (i.e., wet season/above-average water year, wet season/below-average water year, dry season/above-average water year, and dry season/below-average water year) under pre-project (i.e., baseline conditions) and post-project conditions; 2. Percent changes in flow, velocity, depth, temperature, and wetted perimeter (acres gained/lost) under Project conditions; 3. Project effects on water quality (dissolved oxygen and turbidity) throughout the study reach under pre-project (i.e., baseline conditions) and post-project conditions; 	<p>Prior to Project construction and activities</p>	<p>Ventura County/ Applicant</p>
---	---	---	--------------------------------------

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 19 of 25

	<p>4. Any Project-related temporal, partial, or total barriers that would impact fish passage for Southern California steelhead; and</p> <p>5. Any additional potential effects to on-going habitat recovery and restoration efforts for Southern California steelhead on a local or regional scale.</p>		
MM-BIO-9-Southern California Steelhead	If “take” or adverse impacts to CESA- listed species cannot be avoided either during Project construction and/or over the life of the Project, the County should consult with CDFW to determine if a CESA ITP is required (pursuant to Fish & Game Code, § 2080 <i>et seq.</i>).	Prior to Project construction and activities	Ventura County/ Applicant
MM-BIO-10-SSC	<p>Pursuant to the California Code of Regulations, title 14, section 650, the County/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW’s Scientific Collection Permits webpage for information (CDFW 2020d). A Lake and Streambed Alteration (LSA) Agreement may provide similar take or possession of species as described in the conditions of the agreement.</p> <p>CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).</p>	Prior to construction and activities	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 20 of 25

	CDFW recommends monitoring noise generated by the Project operations during construction and post-construction operations to ensure noise from the Project does not affect wildlife in the surrounding river/riparian habitat. The MND should set acceptable noise thresholds that would be part of a daily monitoring and reporting program to ensure impact to adjacent habitat is below a threshold that would have an adverse effect.		
MM-BIO-11-SSC	Construction equipment should use noise reduction features (e.g., mufflers and engine shrouds) that are no less effective than those originally installed by the manufacturer. Stationary noise sources (e.g., generators, pumps) at staging areas within 1,400 feet of sensitive receptors should be shielded at the source by an enclosure, temporary sound walls, or acoustic blankets. Where feasible, sound walls or acoustic blankets should have a height of no less than 8 feet, a Sound Transmission Class (STC) of 27 or greater, and a surface with a solid face from top to bottom without any openings or cutouts. Unnecessary construction vehicle use and idling time should be minimized to the extent feasible, such that if a vehicle is not required for use immediately or continuously for safe construction activities, its engine should be shut off.	During construction and activities	Ventura County/ Applicant
MM-BIO-12-SSC	The County should retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the species mentioned above. The qualified biologist should conduct focused surveys for SSC and suitable habitat within the appropriate season to detect presence, and again no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing	Prior to/During construction and activities	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 21 of 25

	(including ruderal areas), open ditches or pits, or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed and reported to the California Natural Diversity Database. The qualified biologist should provide a summary report of SSC surveys to the County prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist should develop species-specific mitigation measures for implementation during the Project.		
MM-BIO-13-SSC	Wildlife should be protected, allowed to move away on its own (non- invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC should be captured only by a qualified biologist with proper handling permits. The qualified biologist should prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan should be submitted to the County prior to implementing any Project-related ground- disturbing activities and vegetation removal.	During construction and activities	Ventura County/ Applicant
MM-BIO-14-SSC	If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area should stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented. A formal report should be sent to CDFW and the County within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.	During construction and activities	Ventura County/ Applicant
MM-BIO-15-Sensitive Plant Communities	CDFW recommends resurveying the project footprint and fuel modification area to produce a revised plant communities map. Vegetation surveys should be conducted following systematic field techniques outlined by CDFW's <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and</i>	Prior to Project construction and activities	Ventura County/ Applicant

Mr. Christopher Solis
County of Ventura
July 20, 2022
Page 22 of 25

	<p><i>Sensitive Natural Communities</i> (CDFWa 2018). To determine the rarity ranking of vegetation communities on a specific Project site(s), CDFW utilizes vegetation descriptions found in the MCV. The MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system (found online at http://vegetation.cnps.org/). CDFW recommends the environmental document provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.</p> <ol style="list-style-type: none">1. 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).2. The MND 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 onsite 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.		
--	---	--	--

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 23 of 25

<p>MM-BIO-16- Sensitive Plant Communities</p>	<p>If rare or sensitive plant communities are impacted on or near the footprint of the Project, CDFW recommends the MND provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat. 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 communities be mitigate at a minimum 5:1 ratio. Likewise, although the S4 ranking is defined as “apparently secure” these communities are of local importance and CDFW recommends they be mitigate at a minimum 3:1 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.</p>	<p>Prior to Project construction and activities</p>	<p>Ventura County/ Applicant</p>
<p>MM-BIO-17- Sensitive Plant Communities</p>	<p>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 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.</p>	<p>Prior to Project construction and activities</p>	<p>Ventura County/ Applicant</p>
<p>MM-BIO-18- 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,</p>	<p>Prior to Project construction and activities</p>	<p>Ventura County/ Applicant</p>

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 24 of 25

	<p>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 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>		
MM-BIO-19- Impacts to Non- Game Mammals and Wildlife	<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>	Prior to/During Project construction and activities	Ventura County/ Applicant
MM-BIO-20- 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</p>	During Project construction and activities	Ventura County/ Applicant

Mr. Christopher Solis
 County of Ventura
 July 20, 2022
 Page 25 of 25

	<p>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>		
MM-BIO-21- 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	Ventura County/ Applicant
REC-1- LSA	The Project should be conditioned to fully avoid all impacts to steelhead. CDFW concurs CDFW agrees that no work should occur in the stream channel or stream banks during the winter rainy season. However, within the MND it states that construction will be limited between June 15 and October 15, CDFW recommends this be changed to September 15-October 15 to avoid the nesting bird season.	Prior to construction and activities	Ventura County/ Applicant
REC-2- MCV Classification	CDFW recommends adhering to the vegetation descriptions found in the MCV to determine the rarity ranking of vegetation communities on a specific Project site(s). CDFW only tracks rare natural communities using this classification system. The natural communities provided on page 48 of the MND are not necessary for future projects due to the implementation of the MCV classification system in 2005.	Prior to construction and activities	Ventura County/ Applicant
REC-3- Mitigation and Monitoring	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.	Prior to construction and activities	Ventura County/ Applicant