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SENT BY EMAIL ONLY

AUG 01 2022

STATE CLEARINGHOUSE

July 29, 2022

Mark Carnahan
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Subject: Grand Estates, Mitigated Negative Declaration, SCH #2022060712, City of Glendora, Los Angeles County

Dear Mr. Carnahan:

The California Department of Fish and Wildlife (CDFW) has reviewed an Initial Study/Mitigated Negative Declaration (MND) and Biological Resources Technical Report (BRTR) from the City of Glendora (City) for the Grand Estates (Project). The Project is proposed by Dreamland Investments, LLC (Project Applicant). Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW's Role

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State [Fish & G. Code, §§ 711.7, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

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

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Project Description and Summary

Objective: The Project proposes to divide 27 acres into 11 acres designated for residential development and 16 acres designated as open space. The 11 acres will be located in the southern portion of the Project site and will be subdivided into 14 lots. Lot one will consist of the existing single-family residence that will remain in place. Lot four will be utilized for the installation of two private roads that will allow for road access throughout the residential development. The main private street will be constructed along the southeastern edge of the Project site with a smaller street splitting off to the northeast midway. The 12 remaining lots will each contain a graded pad upon which a custom home will be developed. The new lots will range in size from 20,000 square feet to 32,000 square feet. No home construction is currently planned for the Project site. The timing and construction of each custom home will occur at an unknown future date and time. Upon complete buildout, the southern portion of the Project site is anticipated to support 13 single-family residences.

In addition to the residential development, the Project currently supports three debris basins located within the 16 acres of open space. The existing debris basins are filled to capacity and do not function as intended. Due to the inability to function properly, all three basins will be demolished, and larger debris basins will be reconstructed in the same location. Each spillway inlet will be approximately five feet tall and connect to the storm drain system in the residential development via a 36-inch pipeline. An asphalt maintenance access road will also be constructed to allow maintenance vehicles access to the drainage facilities. Additionally, water, sewer, and storm drain infrastructure will be installed underground throughout the Project site. In regard to biological resources, the Project site supports 835 trees of which 651 trees will need to be removed to allow for Project implementation. Of the 651 trees that will be removed, 455 trees are considered protected through the City tree ordinance or state regulations.

The first phase of construction will entail site preparation and grading activities. The total cut is anticipated to be approximately 94,500 cubic yards with total fill to be approximately 96,800 cubic yards. Long-term operation activities for the proposed Project include landscaping maintenance of the residential development, street cleaning, and maintenance of the three debris basins. Maintenance activities including sediment removal from the three debris basins will be managed by Los Angeles County Flood Control District and is anticipated to occur on an as-needed basis.

Location: The Project site is comprised of 27 acres at the northern terminus of Grand Avenue in the City of Glendora, Los Angeles County. The Project site is bounded by the San Gabriel mountains to the north, West Palm Drive to the south, North Silent Ranch Drive to the west, and Rainbow Drive to the east. The existing single-family residence within the Project site is located at 950 North Silent Ranch Drive. The Project location encompasses Assessor's Parcel Number: 8684-045-004.

Comments and Recommendations

CDFW visited the Project site on July 14, 2022. Based on our review of the Project's CEQA document and site visit, CDFW offers the comments and recommendations below to assist the City in adequately avoiding and/or mitigating the Project's impacts on fish and wildlife (biological) resources. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the

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Project's CEQA mitigation, monitoring, and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Specific Comments

Comment #1: Impacts to Mountain Lion (*Puma concolor*)

Issue: The Project could impact mountain lion through loss of foraging habitat and increase of human presence.

Specific impacts: The proposed Project may impact mountain lion by grading activities throughout the Project site as well as construction activities related to the debris basins. The Project may also impact mountain lion by increasing human presence through residential development and associated traffic, noise, and lighting.

Why impact would occur: The Project is located within the range of the Southern California/Central Coast Evolutionary Significant Unit of mountain lion. Specifically, it is located within the range of the San Gabriel/San Bernardino Mountains (SGSB) mountain lion population. The Project site is comprised of several vegetation communities including California sagebrush scrub, riparian habitat, and coast live oak woodlands, which provide habitat for this species. Based on the [Mountain Lion Predicted Habitat CWHW](#) dataset, the Project site provides medium habitat suitability (CWHR 2022). In addition to having suitable habitat on site, mule deer, the primary prey for mountain lion, were observed during field surveys. Furthermore, the BRTR states, "Mountain lion are expected to use the study area for foraging, movement through its home range, or during the dispersal of young, with most movement occurring at night". The MND does not provide mitigation for permanent and temporal loss of mountain lion habitat within the Project site. The Project site may not be a designated wildlife corridor or linkage, but it is evident that the site supports local movement for this species.

Furthermore, the Project would increase human presence, traffic, noise, and potential artificial lighting, both during the Project construction and over the Project's lifetime. Although the Project intends to install fencing and walls surrounding the residential development, that does not guarantee that human-wildlife conflicts will not occur. As human population density increases, the probability of persistence of mountain lion decreases (Woodroffe 2000). As California has continued to grow in human population and communities expand into wildland areas, there has been a commensurate increase in direct and indirect interaction between mountain lions and people (CDFW 2013). As a result, the need to relocate or humanely euthanize mountain lions (depredation kills) may increase for public safety. Mountain lions are exceptionally vulnerable to human disturbance (Lucas 2020). Areas of high human activity have lower occupancy of rare carnivores. Mountain lions tend to avoid roads and trails by the mere presence of those features, regardless of how much they are used (Lucas 2020). Increased traffic could cause vehicle strikes. Anthropogenic lighting could alter behavior and interactions of mountain lion in both the wildland and wildland-urban interface (Ditmer *et al.* 2020). Lighting could adversely alter how mountain lions and mule deer move and utilize the Project site and surrounding natural areas.

Evidence impact would be significant: The mountain lion is a specially protected mammal in the State (Fish and G. Code, § 4800). In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list an evolutionarily significant unit of mountain lion in

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southern and central coastal California as threatened under CESA (CDFW 2022a). As a CESA candidate species, the mountain lion in southern California is granted full protection of a threatened species under CESA. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). As to CEQA, the status of mountain lion as a threatened species under CESA qualifies it as an endangered, rare, or threatened species under CEQA (CEQA Guidelines, §15380). No mitigation has been proposed for impacts on mountain lion from the Project from the standpoint of habitat loss and encroachment, as well as anthropogenic impacts discussed above.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #1: To improve the Project's CEQA document, CDFW recommends the MND include a discussion regarding mountain lion's special status under CESA. CDFW recommends the City discuss the Project's potential impact on mountain lion from the standpoint of the following impacts:

- 1) Introducing new/additional barriers to dispersal (e.g., residential development);
- 2) Habitat loss and encroachment within Project site and surrounding areas;
- 3) Increased human presence, noise, and lighting; and
- 4) Use of herbicides, pesticides, and rodenticides.

Recommendation #2: Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an Incidental Take Permit for the Project unless the Project's CEQA document addresses all the Project's impact on CESA endangered, threatened, and/or candidate species. The Project's CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an Incidental Take Permit. It is important that the take proposed to be authorized by CDFW's Incidental Take Permit be described in detail in the Project's CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an Incidental Take Permit. However, it is worth noting that mitigation for the Project's impact on a CESA endangered, threatened, and/or candidate species proposed in the Project's CEQA document may not necessarily satisfy mitigation required to obtain an Incidental Take Permit.

Mitigation Measure #1: If take or adverse impacts to mountain lion cannot be avoided, the Project Applicant should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project Applicant should comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project Applicant should provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

Mitigation Measure #2: The Project Applicant should offset the loss of mountain lion foraging habitat such that there is no net loss or at a ratio acceptable to CDFW. Mitigation proposed to offset loss of foraging habitat should be disclosed in the final CEQA document. The mitigation proposed should also be justified as to how it would reduce the Project's impact on mountain lion to less than significant. If the mitigation proposed is through off-site acquisition, the off-site habitat should be similar in kind, as near to the Project site as possible, and protected in perpetuity under a conservation easement.

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Mitigation Measure #3: The Project Applicant should prohibit use of any rodenticides and second-generation anticoagulant rodenticides on the property in perpetuity. The Project Applicant should inform future homeowners that no rodenticides and second-generation anticoagulant rodenticides should be used on site at any time as a condition of home build or purchase.

Mitigation Measure #4: To prevent human-wildlife conflicts within the Project site and to keep mountain lions wild, the Project Applicant should incorporate the following elements into the design of the residential development, as well as management and maintenance of the residential residences in perpetuity:

- Never feed deer or other wildlife; it is illegal to feed deer and other big game in California and it will attract mountain lions;
- Deer-proof landscaping by avoiding plants that deer like to eat;
- Trim brush to reduce hiding places for mountain lions;
- Install motion-sensitive lighting around the residential development; and
- Increase site permeability through permeable fence designs to limit physical obstructions to wildlife movement.

The Project Applicant should provide documentation and a plan with measures to prevent human-wildlife conflicts that should be incorporated into the Project prior to the City issuing appropriate permits.

Comment #2: Impacts to Thread-leaved brodiaea (*Brodiaea filifolia*)

Issue: The Project may impact thread-leaved brodiaea, which is a CESA-and Endangered Species Act (ESA)-listed species.

Specific Impacts: Grading activities and vegetation removal of the Project site may result in loss of individuals and population decrease of thread-leaved brodiaea. Construction activities related to the reconstruction of three debris basins and installment of an access road may involve machinery which may also result in direct loss of this plant species.

Why impacts would occur: Thread-leaved brodiaea has a limited range extending from the foothills of Glendora to Rancho Santa Fe in San Diego. This plant species is typically found among herbaceous plant communities that occur in open areas. Based on [CNDDDB](#), historical observations of thread-leaved brodiaea have been recorded less than two miles from the Project site (CDFW 2022e). In addition to historical observations, critical habitat for this species has been designated approximately 1.4 miles east of the Project site. The BRTR states that focused special-status plant surveys were conducted in May and July of 2014 and in May and July of 2019. Findings from the focused plant surveys concluded that "...thread-leaved brodiaea is not expected to occur on site." According to the [Thread-Leaved Brodiaea 5-Year Review: Summary and Evaluation](#) conducted by United States Fish and Wildlife Service (USFWS), the blooming period extends from March to June (USFWS 2009). Based on the blooming period, surveys that were conducted in July were outside of the designated window for blooming. It is also noted by USFWS that seedlings and young plants that produce only leaves for a few years before they can produce flowers, may often go undetected during focused surveys (USFWS 2009).

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The MND does not provide a mitigation measure requiring pre-construction surveys for thread-leaved brodiaea. The Project proceeding based on false-negative results may lead to significant impacts on this species. Grading activities of the 11 acres for construction of grading pads may result in direct loss of thread-leaved brodiaea individuals. Additionally, construction of custom homes will occur over an unknown period of time. Prolonging construction of custom homes may result in long-term Project impacts. Alongside residential development, demolition of debris basins, reconstruction of debris basins, and installment of an access road may also impact undetected thread-leaved brodiaea in the northern portion of the Project site. Finally, if thread-leaved brodiaea are within the Project site and were not detected, the overall population of this protected species will be significantly impacted.

Evidence impacts would be significant: Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). Consistent with CEQA Guidelines section 15380, thread-leaved brodiaea as an endangered species under CESA qualifies it as an endangered, rare, or threatened species under CEQA and should be treated as such.

Impacts to any sensitive or special status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. The Project and environmental document should be conditioned to avoid and/or mitigate for potential impacts to thread-leaved brodiaea if present. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #5: The Project Applicant should retain a qualified botanist with experience surveying for southern California rare plants to conduct focused surveys for the presence and/or absence of thread-leaved brodiaea within the Project site. The focused surveys should be conducted during the early, mid-, and late part of the blooming period to ensure no thread-leaved brodiaea was undetected. The focused surveys should be conducted according to CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#) (CDFW 2018). If custom home(s) are anticipated to be built more than three years following completion of the initial phase of construction, a subsequent focused survey should be conducted prior to development of the custom home(s).

Mitigation Measure #6: If take of thread-leaved brodiaea would occur from Project construction or operation, CESA authorization [(i.e., ITP)] would be required for the Project. CDFW may consider the Lead Agency's CEQA documentation for its CESA-related actions if it adequately analyzes/discloses impacts and mitigation to CESA-listed species. Additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species.

Comment #3: Impacts to Streams and Associated Riparian Communities

Issue: The proposed Project will result in impacts to three main ephemeral drainages and

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associated coast live oak woodland.

Specific impacts: Project activities, which include demolishing the existing debris basins and installing new debris basins, will have an adverse impact on the drainages and associated coast live oak woodland. In addition to the debris basins, storm water will be diverted from the existing concrete-lined channel within the southern portion of the Project site to a new buried storm drain system.

Why impacts would occur: Based on the MND, the Project will result in direct impacts to 1.77 acres of streambed with associated coast live oak woodland and 0.28 acre of stream with non-riparian habitat. Project activities mentioned above will result in grading activities and discharge of fill that may potentially enter the stream. Moreover, excessive dust, stream bank erosion, and chemical pollution from machinery oil or fuels may also have an impact on the stream. Furthermore, the riparian habitat consisting of coast live oak woodland is anticipated to be removed from the northern portion of Project site. Vegetation removal could also result in impacts to the bed, bank, and channel of a stream. Herbaceous vegetation adjacent to streams protects the physical and ecological integrity of these water features and maintains natural sedimentation processes. In addition to removal of a sensitive plant community and impacts to several drainages, the Project would permanently alter stormwater flow through the Project site by constructing and maintaining new roads and storm drains.

Additionally, mitigation measure BIO-6 proposes to mitigate direct impacts to 1.77 acres of streambed with associated coast live oak woodland at a 3:1 ratio and mitigate direct impacts to 0.28 acre of stream with non-riparian habitat at a 1:1 ratio. The MND does not disclose a justification as to why the proposed mitigation is sufficient to reduce the Project's impacts to a level below significance. The streams and riparian habitat on site serve as important biological resources that allow wildlife to continue to thrive. CDFW is concerned that the mitigation proposed does not adequately offset the Project's impacts to these valued biological resources.

Riparian habitats, such as coast live oak woodland, provide important food, nesting habitat, cover, and migration corridors for wildlife. Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California (CalPIF 2002). Oak woodlands also provide several important ecological functions within an ecosystem which include, but are not limited to, protecting soils from erosion and land sliding, regulating water flow in watersheds, and maintaining water quality in streams and rivers. Moreover, CDFW and the City of Glendora consider coast live oak woodlands to be a sensitive plant community, especially riparian oak woodland habitat. Not only does the coast live oak woodland play a crucial role in the ecosystem within the Project site, but ephemeral drainages also provide a water source for wildlife, especially after a rainfall event. Lastly, ephemeral drainages impose beneficial influences on the environment by supplying fresh water to perennial water, supplying nutrient-rich soil downstream, and potentially replenishing groundwater tables (Vorste *et al.* 2020).

Evidence impacts would be significant: The Project may impact streams both during Project construction and for the Project's lifetime. CDFW exercises its regulatory authority as provided by Fish and Game Code section 1600 *et seq.* to conserve fish and wildlife resources which includes rivers, streams, or lakes and associated natural communities. Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake;

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

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #3: CDFW's issuance of an LSA Agreement 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 lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, a project's CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands in perpetuity.

Mitigation Measure #7: The Project Applicant should mitigate for direct impacts to 1.77 acres of streambed with coast live oak woodland at a 4:1 mitigation ratio and streambed with non-riparian habitat at a 3:1 mitigation ratio. The Project Applicant should provide 7.08 acres of streambed with coast live oak woodland and 0.84 acre of streambed habitat. Mitigation 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 endowment should be provided for the long-term management of mitigation lands.

Mitigation Measure #8: The Project Applicant's LSA notification to CDFW should provide the following information:

- 1) A stream delineation in accordance with the U.S. Fish and Wildlife Service wetland definition adopted by CDFW (Cowardin *et al.* 1979);
- 2) Linear feet and/or acreage of streams and associated natural communities that would be permanently and/or temporarily impacted by the Project. This includes impacts as a result of routine maintenance and fuel modification. Plant community names should be provided based on vegetation association and/or alliance per the [Manual of California Vegetation](#), second edition (Sawyer *et al.* 2009);
- 3) A discussion as to whether impacts on streams within the Project site would impact those streams immediately outside of the Project site where there is hydrologic connectivity. Potential impacts such as changes to drainage pattern, runoff, and sedimentation should be discussed; and
- 4) A hydrological evaluation of the 100-year storm event to provide information on how water and sediment is conveyed through the Project site. Additionally, the hydrological evaluation should assess a sufficient range of storm events (e.g., 100, 50, 25, 10, 5, and 2-year frequency storm events) to evaluate water and sediment transport under pre-Project and post-Project conditions.

Please visit CDFW's [Lake and Streambed Alteration Program](#) webpage for information about

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LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal (CDFW 2022c).

Comment #4: Impacts to Sensitive Plant Communities and Protected Trees

Issue: The Project will impact sensitive upland vegetation communities.

Specific impacts: The Project would result in direct impacts to 7.71 acres of coast live oak woodland alliance, 0.91 acre of California sagebrush scrub, and 0.01 acre of California walnut grove. Project activities that will result in direct permanent impacts to coast live oak woodland and California sagebrush scrub entail grading and vegetation removal activities. In addition, 651 trees throughout the Project site will be removed.

Why impacts would occur: The Project will remove coast live oak woodland and California sagebrush scrub from the Project site. Removal of coast live oak woodland would allow for residential development. Removal of California sagebrush scrub in the northern portion of the site will allow for the installment of an access road. The California walnut grove will not be removed but will be temporarily impacted due to demolition and reconstruction of the debris basin directly south of the walnut grove. Regarding tree removal, 651 trees are to be removed from the entire Project site. Of the 651 trees, 455 trees are protected as they are part of the three sensitive plant communities. Removing more than half of the total trees within the Project site will result in permanent loss of habitat function. Alongside loss of habitat function, removing the trees may potentially result in permanent loss of habitat quality.

These sensitive plant communities play a vital role in the biodiversity and biological integrity of the Project site. Project activities involving removal of these plant communities will contribute to permanent and temporal loss of habitat for wildlife species that rely on these native plant communities. In addition, there is a longer reestablishment period for oak woodlands and higher risk of failure especially during periods of drought, which results in prolonged temporal loss of habitat. Similar to oak woodland, the BTRR states that California sagebrush scrub "...may take a number of years before this habitat type will reestablish, especially given the drought years preceding and following the 2014 Colby fire". Permanent and temporal loss of these sensitive plant communities may result in adverse impacts to the 49 species observed on site and the overall ecosystem within the Project site.

Mitigation Measure BIO-4 proposes that coast live oak woodland alliance and California walnut grove will be mitigated for direct impacts at a 3:1 mitigation ratio. Additionally, the mitigation measure proposes to mitigate for direct impacts to California sagebrush scrub at a 1:1 mitigation ratio. Mitigation Measure BIO-7 proposes varying mitigation ratios for replacement of trees based on the City's [2018 Urban Forestry Manual](#) (City of Glendora 2018). The MND does not provide information that demonstrates why the mitigation ratios for both mitigation measures proposed are sufficient. Although these mitigation ratios may meet the minimum requirements per the City ordinance, it is unclear how they are sufficient to offset Project impacts. Lastly, the BTRR states that the Project applicant has the option to pay in-lieu fees for 879 replacement trees. In-lieu fees do not disclose how mitigation occurs, which may lead to unmitigated impacts, resulting in a net loss of trees, sensitive plant communities, and additional temporal impacts.

Evidence impacts would be significant: All three plant communities are considered protected per the [Glendora Community Plan 2025 Conservation Element](#) (City of Glendora 2008). In

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addition, the southern California black walnut is a tree species of local significance; a species of limited distribution; and a species that is moderately threatened in California with a rarity ranking of S3.2 (Sawyer et al. 2009). Southern California black walnut trees and California walnut groves meet the definition of endangered, rare, or threatened Species under CEQA (CEQA Guidelines, § 15380). Impacts to sensitive natural 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 these sensitive plant species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a plant community identified as sensitive by CDFW.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #4: The Project applicant should justify why the City's mitigation ratios for replacement of trees are sufficient to reduce a Project's impacts to a level less than significant. It is understood that the mitigation ratios are based on diameter at breast height, but the final CEQA document should elaborate from a biological standpoint why these mitigation ratios are sufficient.

Recommendation #5: Mitigation for the proposed Project should be reevaluated to account for the considerable amount of time to reestablish these sensitive plant communities, the high number of trees removed, and the permanent and temporal loss of habitat.

Mitigation Measure #9: The Project Applicant should revise Mitigation Measure BIO-6 to mitigate for direct impacts to coast live oak woodland and California black walnut grove at a 4:1 mitigation ratio and California sagebrush scrub at a 2:1 mitigation ratio. The Project Applicant should provide 30.84 acres of coast live oak woodland, 0.04 acre of California walnut grove, and 1.82 acres of California sagebrush scrub. Mitigation should be implemented on site and/or through off-site restoration and preservation.

Mitigation Measure #10: Implementation for mitigation of upland sensitive vegetation communities should be outlined in Conceptual Restoration Plan (CRP). The Project Applicant should submit a CRP to the City prior to the City issuing appropriate permits. Mitigation should entail the recreation or restoration of a functioning woodland and sagebrush scrub habitat of similar composition, structure, and function to natural communities that would be impacted. Mitigation should include the restoration and/or recreation of structurally diverse native understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings should originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted. The CRP should detail the following:

- 1) Species-specific planting methods (e.g., container or bulbs);
- 2) Planting schedule;
- 3) Irrigation schedule: long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation;
- 4) Measures to control exotic vegetation and protection from herbivory;
- 5) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be based on present site/ habitat conditions and/or functional local woodlands and sagebrush scrub

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habitat as reference sites;

- 6) Contingency measures should the success criteria not be met;
- 7) Adaptive management techniques, including replacement plants if necessary;
- 8) Identification of responsible entities; and
- 9) Annual reporting criteria and requirements.

Mitigation Measure #11: Mitigation should be protected in perpetuity under a conservation easement dedicated to a CDFW approved entity and an appropriate endowment should be provided (see Mitigation Measure #5).

Comment #5: Tree Diseases, Pests, and Pathogens

Issue: The proposed Project will remove 651 trees which may potentially spread material infected with invasive tree diseases, pests, and pathogens.

Specific impacts: Tree removal during Project activities may spread invasive tree diseases, pests, and pathogens into areas not currently exposed to these stressors. This could result in additional loss of native trees and plant communities. Loss of additional trees may result in loss of foraging and perching habitat for small mammals, birds, and raptors.

Why impacts would occur: The Project may remove trees that could host diseases and pests. One such pathogen is *Phytophthora ramorum*, which causes sudden oak death. Sudden oak death has become the most common cause of mortality of oak (*Quercus* genus) and other native trees (Phytosphere 2015). Mortality rates of oak trees are greater than 50 percent in some areas impacted by sudden oak death (Phytosphere 2012). Tree dieback can have cascading impacts on the habitat and ecosystem, particularly avian distribution and abundance (Monahan and Koenig 2006). Diseases such as sudden oak death can spread via equipment and transport of infected material. These fragments can be spread to new locations if equipment and tools are not disinfected or cleaned before moving to the next work location. Infected material that is transported off site for disposal may expose other trees and plant communities to pest and disease. Another pest is the polyphagous shot hole borer, which can live on many native tree species such as California sycamore (*Platanus racemosa*), willows (*Salix* genus), oaks, cottonwoods (*Populus* genus), and alders (*Alnus* genus) (Calinvasives 2021). These diseases could result in expediting the loss of oak woodlands, and other native trees and plant communities within and adjacent to a Project site.

Evidence impacts would be significant: The Project may have a substantial adverse effect on sensitive natural communities identified in local or regional plans, policies, and regulations or by the CDFW. The Project may result in a substantial adverse effect, either directly or through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW that are dependent on woodlands susceptible to invasive tree diseases, pests, and pathogens.

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #12: Mitigation Measure BIO-7 states that a qualified arborist shall prepare a Tree Planting and Maintenance Plan prior to Project activities. The Tree Planting and Maintenance Plan should discuss and provide actions to prevent and minimize the spread of invasive tree diseases, pests, and pathogens including, but not limited to [sudden oak death](#)

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(*Phytophthora ramorum*), [thousand canker fungus](#) (*Geosmithia morbida*), [polyphagous shot hole borer](#) (*Euwallacea* spp.), and [goldspotted oak borer](#) (*Agrilus auroguttatus*) (TCD 2021; UCANR 2021; Phytosphere Research 2012; UCIPM 2013). To avoid the spread of infectious tree pests and diseases, infected trees should not be transported from a Project site without first being treated using best available management practices outlined in the Tree Planting and Maintenance Plan.

Additional Recommendations

Nesting birds. The MND provides mitigation for nesting birds; however, the Project's mitigation measure for nesting birds may be inadequate to reduce the Project's impact on nesting birds to less than significant. CDFW recommends the City revise Mitigation Measure BIO-3 by incorporating the underlined language and removing the language that has strikethrough:

Initiation of construction activities, including initial vegetation clearing, should avoid the migratory bird nesting season February 15 through September 15 (as early as January 1 for some raptors) (~~February 1 through August 31~~) in order to avoid any potential significant impact to birds and raptors that may be nesting on the Project site. If construction activities must be initiated during the migratory bird-nesting season, an avian nesting survey of the Project site and contiguous habitat within 500 feet of all Project-related impact areas shall be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist, subject to the City's approval, within 72 hours prior to the start of construction-related activity in accordance with the Migratory Bird Treaty Act (16 USC 703–712) and California Fish and Game Code Sections 3503, 3503.5, and 3513.

If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which shall be determined by the qualified wildlife biologist based on the species' sensitivity to disturbance (minimum of ~~50 feet for common, urban-adapted species,~~ 300 feet for other passerine species, and 500 feet for raptors, and 0.5 mile for special-status species). The "no disturbance buffer" area shall be demarcated in the field with flagging and stakes or construction fencing and shall be avoided until the nest is vacated and the juveniles have fledged. Project personnel, including all contractors working on site, should be instructed on nesting birds, sensitivity of the area, and adherence to the no-disturbance buffers. The qualified biologist shall have the authority to stop work on the Project site and shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur.

Bats. The Project's mitigation measure for bats may be inadequate to reduce the Project's impact on bats to less than significant. CDFW recommends the City revise Mitigation Measure BIO-4 by incorporating the underlined language and removing the language that has strikethrough:

Initiation of construction activities, including initial vegetation clearing, should avoid the maternity roosting season (March 1 through September 30 ~~August~~), in order to avoid any potential significant impact to bat maternity roosts. If construction activities must be initiated during the maternity roosting season, a roost survey must be conducted by a qualified bat specialist biologist, subject to the City's approval. The roost survey for roosting bats shall be conducted on the Project site, including all trees and structures within 300 feet of Project-related

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impact areas, and shall be conducted no less than 30 days prior to commencement of construction activities.

If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year and could roost in trees at a given location, during tree pruning, trees should be pushed using heavy machinery prior to using a chainsaw for any limbing or trimming. To ensure the optimum warning for any roosting bats that may still be present, trees should be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. A period of at least 24 hours, and preferable 48 hours, should elapse prior to such operations to allow bats to escape.

If maternity roosting is identified, work should be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are yet ready to fly out of the roost (March 1 to September 30). ~~those trees and/or occupied structures shall not be removed during the bat maternity roost season (March to August) and a minimum 300-foot buffer shall be established. The “no disturbance buffer” area shall be demarcated in the field with flagging and stakes and the roost shall be monitored by a qualified biologist until roost is vacated and juveniles have fledged.~~

Landscaping. The Project proposes landscaping throughout the residential development. CDFW recommends the Project Applicant use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project Applicant should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends the City restrict use of any species, particularly those listed ‘Moderate’ or ‘High’ by the [California Invasive Plant Council](#) (Cal-IPC 2022). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

Fencing. The Project proposes installing aesthetic fencing between the Project site and adjacent residential uses. CDFW recommends that any fencing used during and after the Project be constructed with materials that are not harmful to wildlife. Prohibited materials should include, but are not limited to, spikes, glass, razor, or barbed wire. Use of chain link and steel stake fence should be avoided or minimized as this type of fencing can injure wildlife or create barriers to wildlife dispersal. All hollow posts and pipes should be capped to prevent wildlife entrapment and mortality. These structures mimic the natural cavities preferred by various bird species and other wildlife for shelter, nesting, and roosting. Raptor’s talons can become entrapped within the bolt holes of metal fence stakes resulting in mortality. Metal fence stakes used on the Project site should be plugged with bolts or other plugging materials to avoid this hazard. Fences should not have any slack that may cause wildlife entanglement.

Data. CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database [i.e., California Natural Diversity Database (CNDDDB)] which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting [CNDDDB Online Field Survey Form](#) (CDFW 2022b). Information on special status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW’s Vegetation Classification and Mapping Program (CDFW 2022d). The City should ensure that the Project applicant has submitted data properly, with all data fields applicable filled out, prior to finalizing/adopting the environmental document. The data entry

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should also list pending development as a threat and then update this occurrence after impacts have occurred. The Project applicant should provide CDFW with confirmation of data submittal.

Mitigation and Monitoring Reporting Plan. CDFW recommends updating the MND's proposed Biological Resources Mitigation Measures to include mitigation measures recommended in this letter. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2)]. As such, CDFW has provided comments and recommendations to assist the City in developing mitigation measures that are (1) consistent with CEQA Guidelines section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). The City is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided the City with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment A).

Filing Fees

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

Conclusion

We appreciate the opportunity to comment on the Project to assist the City of Glendora in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the City of Glendora has to our comments and to receive notification of any forthcoming hearing date(s) for the Project [CEQA Guidelines, § 15073(e)]. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at Julisa.Portugal@wildlife.ca.gov or (562) 330-7563.

Sincerely,

DocuSigned by:


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

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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.

Biological Resources (BIO)			
Mitigation Measure (MM) or Recommendation (REC)		Timing	Responsible Party
MM-BIO-1- Mountain Lion Incidental Take Permit	If take or adverse impacts to mountain lion cannot be avoided, the Project Applicant shall consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project Applicant shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project Applicant shall provide a copy of a fully executed take authorization prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.	Prior to the Project-related ground-disturbing activities/vegetation removal	City of Glendora/ Project Applicant
MM-BIO-2 – Mountain Lion Habitat Mitigation	The Project Applicant shall offset the loss of mountain lion foraging habitat such that there is no net loss or at a ratio acceptable to CDFW. Mitigation proposed to offset loss of foraging habitat shall be disclosed in the final CEQA document. The mitigation proposed shall also be justified as to how it would reduce the Project's impact on mountain lion to less than significant. If the mitigation proposed is through off-site acquisition, the off-site habitat shall be similar in kind, as near to the Project site as possible, and protected in perpetuity under a conservation easement.	Prior to the Project-related ground-disturbing activities/vegetation removal	City of Glendora/ Project Applicant
MM-BIO-3 – Rodenticides	The Project Applicant shall prohibit use of any rodenticides and second-generation anticoagulant rodenticides on the property in perpetuity. The Project Applicant shall inform future homeowners that no rodenticides and second-generation	Prior to the Project-related ground-disturbing activities/	City of Glendora/ Project Applicant

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	anticoagulant rodenticides shall be used on site at any time as a condition of home build or purchase.	vegetation removal	
MM-BIO-4- Prevention of Human-Wildlife Conflicts	<p>To prevent human-wildlife conflicts within the Project site and to keep mountain lions wild, the Project Applicant shall incorporate the following elements into the design of the residential development, as well as management and maintenance of the residential residences in perpetuity:</p> <ul style="list-style-type: none"> • Never feed deer or other wildlife; it is illegal to feed deer and other big game in California and it will attract mountain lions; • Deer-proof landscaping by avoiding plants that deer like to eat; • Trim brush to reduce hiding places for mountain lions; • Install motion-sensitive lighting around the residential development; and • Increase site permeability through permeable fence designs to limit physical obstructions to wildlife movement. <p>The Project Applicant shall provide documentation and a plan with measures to prevent human-wildlife conflicts that shall be incorporated into the Project prior to the City issuing appropriate permits.</p>	Prior to the Project-related ground-disturbing activities and prior to City issuance of permits	City of Glendora/ Project Applicant
MM-BIO-5- Thread- Leaved Brodiaea Focus Surveys	<p>The Project Applicant shall retain a qualified botanist with experience surveying for southern California rare plants to conduct focused surveys for the presence and/or absence of thread-leaved brodiaea within the Project site. The focused surveys shall be conducted during the early, mid-, and late part of the blooming period to ensure no thread-leaved brodiaea was undetected. The focused surveys shall be conducted according to CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural</p>	Prior to the Project-related ground-disturbing activities	City of Glendora/ Project Applicant

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	Communities . If custom home(s) are anticipated to be built more than three years following completion of the initial phase of construction, a subsequent focused survey shall be conducted prior to development of the custom home(s).		
MM-BIO-6- Incidental Take Permit	If take of thread-leaved brodiaea would occur from Project construction or operation, CESA authorization [(i.e., ITP)] shall be required for the Project. CDFW may consider the Lead Agency's CEQA documentation for its CESA-related actions if it adequately analyzes/discloses impacts and mitigation to CESA-listed species. Additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species.	Prior to the Project-related ground-disturbing activities	City of Glendora/ Project Applicant
MM-BIO-7- Streambed Mitigation	The Project Applicant shall mitigate for direct impacts to 1.77 acres of streambed with coast live oak woodland at a 4:1 mitigation ratio and streambed with non-riparian habitat at a 3:1 mitigation ratio. The Project Applicant shall provide 7.08 acres of streambed with coast live oak woodland and 0.84 acre of streambed with habitat. Mitigation shall 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 endowment shall be provided for the long-term management of mitigation lands.	Prior to the Project-related ground-disturbing activities and vegetation removal	City of Glendora/ Project Applicant
MM-BIO-8 –LSA Notification	The Project Applicant's LSA notification to CDFW shall provide the following information: <ol style="list-style-type: none"> 1) A stream delineation in accordance with the U.S. Fish and Wildlife Service wetland definition adopted by CDFW (Cowardin <i>et al.</i> 1979); 2) Linear feet and/or acreage of streams and associated natural communities that would be permanently and/or temporarily impacted by the Project. This includes 	Prior to Project-related ground-disturbing activities and vegetation removal	Project Applicant

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	<p>impacts as a result of routine maintenance and fuel modification. Plant community names shall be provided based on vegetation association and/or alliance per the Manual of California Vegetation, second edition (Sawyer <i>et al.</i> 2009);</p> <p>3) A discussion as to whether impacts on streams within the Project site would impact those streams immediately outside of the Project site where there is hydrologic connectivity. Potential impacts such as changes to drainage pattern, runoff, and sedimentation shall be discussed; and</p> <p>4) A hydrological evaluation of the 100-year storm event to provide information on how water and sediment is conveyed through the Project site. Additionally, the hydrological evaluation shall assess a sufficient range of storm events (e.g., 100, 50, 25, 10, 5, and 2-year frequency storm events) to evaluate water and sediment transport under pre-Project and post-Project conditions.</p>		
MM-BIO-9 – Sensitive Plant communities Mitigation	<p>The Project Applicant shall revise Mitigation Measure BIO-6 to mitigate for direct impacts to coast live oak woodland and California black walnut grove at a 4:1 mitigation ratio and California sagebrush scrub at a 2:1 mitigation ratio. The Project Applicant shall provide 30.84 acres of coast live oak woodland, 0.04 acre of California walnut grove, and 1.82 acres of California sagebrush scrub. Mitigation shall be implemented on site and/or through off-site restoration and preservation.</p>	<p>Prior to Project-related ground-disturbing activities and vegetation removal</p>	<p>City of Glendora/ Project Applicant</p>
MM-BIO-10 – Conceptual Restoration Plan	<p>Implementation for mitigation of upland sensitive vegetation communities shall be outlined in Conceptual Restoration Plan (CRP). The Project Applicant shall submit a CRP to the City prior to the City issuing appropriate permits. Mitigation shall entail the recreation or restoration of a functioning woodland and sagebrush scrub habitat of similar composition, structure, and function to natural communities that would be impacted. Mitigation shall include the restoration and/or recreation of</p>	<p>Prior to Project-related ground-disturbing activities and issuance of City permits</p>	<p>Project Applicant/ Qualified Biologist</p>

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	<p>structurally diverse native understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings shall originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted. The CRP shall detail the following:</p> <ol style="list-style-type: none"> 1) Species-specific planting methods (e.g., container or bulbs); 2) Planting schedule; 3) Irrigation schedule: long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation; 4) Measures to control exotic vegetation and protection from herbivory; 5) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria shall be based on present site/ habitat conditions and/or functional local woodlands and sagebrush scrub habitat as reference sites; 6) Contingency measures shall the success criteria not be met; 7) Adaptive management techniques, including replacement plants if necessary; 8) Identification of responsible entities; and 9) Annual reporting criteria and requirements 		
<p>MM-BIO-11 – Conservation Easement</p>	<p>Mitigation shall be protected in perpetuity under a conservation easement dedicated to a CDFW approved entity and an appropriate endowment shall be provided (see Mitigation Measure #5).</p>	<p>Prior to Project-related ground disturbing activities</p>	<p>Project Applicant</p>
<p>MM-BIO-12- Tree Diseases</p>	<p>Mitigation Measure BIO-7 states that a qualified arborist shall prepare a Tree Planting and Maintenance Plan prior to Project activities. The Tree Planting and Maintenance Plan shall</p>	<p>Prior to Project-related ground</p>	<p>City of Glendora/</p>

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	<p>discuss and provide actions to prevent and minimize the spread of invasive tree diseases, pests, and pathogens including, but not limited to sudden oak death (<i>Phytophthora ramorum</i>), thousand canker fungus (<i>Geosmithia morbida</i>), polyphagous shot hole borer (<i>Euwallacea</i> spp.), and goldspotted oak borer (<i>Agrilus auroguttatus</i>). To avoid the spread of infectious tree pests and diseases, infected trees shall not be transported from a Project site without first being treated using best available management practices outlined in the Tree Planting and Maintenance Plan.</p>	<p>disturbing activities and during Project implementation</p>	<p>Project Applicant/ Qualified Arborist</p>
<p>MM-BIO-13- Nesting Birds</p>	<p>Initiation of construction activities, including initial vegetation clearing, shall avoid the migratory bird nesting season February 15 through September 15 (as early as January 1 for some raptors) in order to avoid any potential significant impact to birds and raptors that may be nesting on the Project site. If construction activities must be initiated during the migratory bird-nesting season, an avian nesting survey of the Project site and contiguous habitat within 500 feet of all Project-related impact areas shall be conducted for protected migratory birds and active nests. The avian nesting survey shall be performed by a qualified wildlife biologist, subject to the City's approval, within 72 hours prior to the start of construction-related activity in accordance with the Migratory Bird Treaty Act (16 USC 703–712) and California Fish and Game Code Sections 3503, 3503.5, and 3513.</p> <p>If an active bird nest is found, the nest shall be flagged and mapped on the construction plans along with an appropriate no disturbance buffer, which shall be determined by the qualified wildlife biologist based on the species' sensitivity to disturbance (minimum of 300 feet for passerine species, 500 feet for raptors, and 0.5 mile for special-status species). The "no disturbance buffer" area shall be demarcated in the field with flagging and stakes or construction fencing and shall be avoided until the</p>	<p>Prior to Project-related ground disturbing activities and during Project implementation</p>	<p>City of Glendora/ Project Applicant/ Qualified Biologist</p>

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	<p>nest is vacated and the juveniles have fledged. Project personnel, including all contractors working on site, shall be instructed on nesting birds, sensitivity of the area, and adherence to the no-disturbance buffers. The qualified biologist shall have the authority to stop work on the Project site and shall serve as a construction monitor during those periods when construction activities will occur near active nest areas to ensure that no inadvertent impacts on these nests occur.</p>		
<p>MM-BIO-14- Bats</p>	<p>Initiation of construction activities, including initial vegetation clearing, shall avoid the maternity roosting season (March 1 through September 30), in order to avoid any potential significant impact to bat maternity roosts. If construction activities must be initiated during the maternity roosting season, a roost survey must be conducted by a qualified bat specialist, subject to the City’s approval. The roost survey for roosting bats shall be conducted on the Project site, including all trees and structures within 300 feet of Project-related impact areas, and shall be conducted no less than 30 days prior to commencement of construction activities.</p> <p>If bats are not detected, but the bat specialist determines that roosting bats may be present at any time of year and could roost in trees at a given location, during tree pruning, trees shall be pushed using heavy machinery prior to using a chainsaw for any limbing or trimming. To ensure the optimum warning for any roosting bats that may still be present, trees shall be pushed lightly two or three times, with a pause of approximately 30 seconds between each nudge to allow bats to become active. A period of at least 24 hours, and preferable 48 hours, shall relapse prior to such operations to allow bats to escape.</p> <p>If maternity roosting is identified, work shall be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are yet ready to fly out of the roost (March 1 to September 30).</p>	<p>Prior to Project-related ground disturbing activities and during Project implementation</p>	<p>City of Glendora/ Project Applicant/ Bat specialist</p>

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<p>REC 1 – Mountain Lion Disclosure</p>	<p>To improve the Project’s CEQA document, CDFW recommends the MND include a discussion regarding mountain lion’s special status under CESA. CDFW recommends the City discuss the Project’s potential impact on mountain lion from the standpoint of the following impacts:</p> <ol style="list-style-type: none"> 1) Introducing new/additional barriers to dispersal (e.g., residential development); 2) Habitat loss and encroachment within Project site and surrounding areas; 3) Increased human presence, noise, and lighting; and 4) Use of herbicides, pesticides, and rodenticides. 	<p>Prior to finalizing CEQA document</p>	<p>City of Glendora/ Project Applicant</p>
<p>REC 2 – CEQA Document for Incidental Take Permit</p>	<p>Revisions to the Fish and Game Code, effective January 1998, may require that CDFW issue a separate CEQA document for the issuance of an Incidental Take Permit for the Project unless the Project’s CEQA document addresses all the Project’s impact on CESA endangered, threatened, and/or candidate species. The Project’s CEQA document should also specify a mitigation monitoring and reporting program that will meet the requirements of an Incidental Take Permit. It is important that the take proposed to be authorized by CDFW’s Incidental Take Permit be described in detail in the Project’s CEQA document. Also, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for an Incidental Take Permit. However, it is worth noting that mitigation for the Project’s impact on a CESA endangered, threatened, and/or candidate species proposed in the Project’s CEQA document may not necessarily satisfy mitigation required to obtain an Incidental Take Permit.</p>	<p>Prior to finalizing CEQA document</p>	<p>City of Glendora/ Project Applicant</p>
<p>REC 3 – CEQA Document for LSA</p>	<p>CDFW’s issuance of an LSA Agreement 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 lead agency/project applicant for the project. To minimize additional requirements by CDFW pursuant to Fish and Game Code</p>	<p>Prior to finalizing CEQA document</p>	<p>City of Glendora/ Project Applicant</p>

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	<p>section 1600 et seq. and/or under CEQA, a project's CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.</p> <p>To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures; avoidance of resources; protective measures for downstream resources; on- and/or off-site habitat creation; enhancement or restoration; and/or protection and management of mitigation lands in perpetuity.</p>		
REC 4 – Mitigation Ratio Justification	<p>The Project applicant should justify why the City's mitigation ratios for replacement of trees are sufficient to reduce a Project's impacts to a level less than significant. It is understood that the mitigation ratios are based on diameter at breast height, but the final CEQA document should elaborate from a biological standpoint why these mitigation ratios are sufficient.</p>	Prior to finalizing CEQA document	City of Glendora/ Project Applicant
REC 5 – Mitigation Reevaluation	<p>Mitigation for the proposed Project should be reevaluated to account for the considerable amount of time to reestablish these sensitive plant communities, the high number of trees removed, and the permanent and temporal loss of habitat.</p>	Prior to finalizing CEQA document	City of Glendora/ Project Applicant
REC 6- Landscaping	<p>The Project proposes landscaping throughout the residential development. CDFW recommends the Project Applicant use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project Applicant should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends the City restrict use of any species, particularly those listed 'Moderate' or 'High' by the California Invasive Plant Council. These species are documented to have substantial and</p>	Prior to finalizing CEQA document	City of Glendora/ Project Applicant

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	severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.		
REC 7- Fencing	The Project proposes installing aesthetic fencing between the Project site and adjacent residential uses. CDFW recommends that any fencing used during and after the Project be constructed with materials that are not harmful to wildlife. Prohibited materials should include, but are not limited to, spikes, glass, razor, or barbed wire. Use of chain link and steel stake fence should be avoided or minimized as this type of fencing can injure wildlife or create barriers to wildlife dispersal. All hollow posts and pipes should be capped to prevent wildlife entrapment and mortality. These structures mimic the natural cavities preferred by various bird species and other wildlife for shelter, nesting, and roosting. Raptor's talons can become entrapped within the bolt holes of metal fence stakes resulting in mortality. Metal fence stakes used on the Project site should be plugged with bolts or other plugging materials to avoid this hazard. Fences should not have any slack that may cause wildlife entanglement.	Prior to finalizing CEQA document	City of Glendora/ Project Applicant
REC 8 – Data	Please report any special status species detected by completing and submitting CNDDB Online Field Survey Form . Information on special status native plant populations and sensitive natural communities, the Combined Rapid Assessment and Relevé Form should be completed and submitted to CDFW's Vegetation Classification and Mapping Program. The City should ensure that the Project Applicant has submitted the data properly, with all data fields applicable filled out, prior to finalizing/adopting the environmental document. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred. The Project Applicant should provide CDFW with confirmation of data submittal.	Prior to finalizing CEQA document	City of Glendora/ Project Applicant