



State of California – Natural Resources Agency

DEPARTMENT OF FISH AND WILDLIFE

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October 21, 2022

Russell Castaneda-Calleros
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



Subject: Comments on the Mitigated Negative Declaration for the San Gabriel Valley Water Company Plant No.7 Project, SCH #2022090324, Los Angeles County

Dear Mr. Castaneda-Calleros:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) for the San Gabriel Valley Water Company Plant No. 7 Project (Project) from the Rio Hondo Community College District (RHCCD). 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 would construct a second water reservoir, which will be 60 feet in diameter, 40 feet high, and a 0.60 million gallons (MG) capacity. This site is about 9,745 square feet in size, or about 0.22 acres. Development will require grading for the reservoir foundation, related piping, pavement, light pole foundations, wrought iron fencing, a catch basin, and landscaping.

Location: The proposed Project is located next to an existing water storage site and adjacent to an access road—Observatory Road—on the easterly boundaries of RHCCD. The primary address for this site is 3600 Workman Mill Road, Whittier, CA 90601. The nearest cross street is South Drive and Circle Drive located in unincorporated North Whittier.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist the RHCCD in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions are also included to improve the environmental document. CDFW recommends the measures or revisions below be included in a science-based monitoring program that contains adaptive management strategies as part of the Project's CEQA mitigation, monitoring and reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Specific Comments

Comment #1: Crotch's Bumble Bee

Issue: The MND concluded that Crotch's bumble bee (*Bombus crotchii*), a CESA-listed candidate species, may have marginal habitat on site.

Specific impacts: The Project may result in temporal or permanent loss of suitable nesting and foraging habitat. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

Why impacts would occur: California ground squirrels were observed on site, potentially creating burrows that Crotch's bumble bee may utilize for habitat. Suitable Crotch's bumble bee habitat includes areas of grasslands and scrub that contain requisite habitat elements, such as small mammal burrows. Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014).

Without appropriate species-specific surveys, a single general survey may be ineffective for detecting rare wildlife that may be on site. Ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site. The new residence construction may result in temporal or permanent loss of

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colonies, and suitable nesting and foraging habitat. Ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site.

Evidence impact would be significant: The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of Crotch's bumble bee. The Project may also reduce the number and range of the species without taking into account the likelihood that special status species on adjacent and nearby natural lands may rely upon the habitat that occurs on the proposed Project site. In addition, Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Crotch's bumble bee is listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#) (CDFW 2017).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #1: Due to suitable habitat within the Project site, within one year prior to vegetation removal and/or grading, a qualified entomologist familiar with the species behavior and life history should conduct surveys to determine the presence/absence of Crotch's bumble bee. Surveys should be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Survey results, including negative findings, should be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report should provide the following:

- a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track lines to document that the entire site was covered during field surveys.
- b) Field survey conditions that should include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched.
- c) Map(s) showing the location of nests/colonies.
- d) A description of physical (e.g., soil, moisture, slope) and biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, should include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).

Mitigation Measure #2: If "take" or adverse impacts to Crotch's bumble bee cannot be avoided either during Project activities or over the life of the Project, the City must consult CDFW to determine if a CESA Incidental Take Permit is required (pursuant to Fish & Game Code, § 2080 *et seq.*).

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Comment #2: Impacts to Species of Special Concern

Issue: According to the California Natural Diversity Database (CNDDDB), several historic records of coastal whiptail (*Aspidoscelis tigris stejnegeri*), a designated California Species of Special Concern (SSC), is located within two miles of the Project site.

Specific impact: The site contains coastal sage scrub, potentially providing marginal habitat for coastal whiptail. Direct impacts to SSC could result from Project construction and activities (e.g., equipment staging, mobilization, and grading); ground disturbance; vegetation clearing; and trampling or crushing from construction equipment, vehicles, and foot traffic. Indirect impacts could result from temporary or permanent loss of suitable habitat for coastal whiptail or other SSCs.

Why impacts would occur: Grading activities and the removal of vegetation may potentially result in the loss or disturbance of foraging and nesting habitat for SSC. One general biological survey was conducted for the MND. There are no focused, species-specific surveys proposed to be conducted for SSC reptile species. The general preconstruction survey may be insufficient for detecting SSC due to its unfocused nature. Without focused surveys, there is little chance for detection, leading to potential false negative results. The MND does not provide any other avoidance, minimization, or mitigation measures for potential impacts to the SSC. Without measures to avoid, minimize, or mitigate for potential impacts to the SSC, individuals not detected on site may be crushed, trampled, or killed and occupied habitat will be lost by construction activities.

Evidence impacts 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 California 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, § 15063, 15065 and 15380). Therefore, impacts to SSC could require a mandatory finding of significance by the RHCCD (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #3-Scientific Collection Permit: The Project may require capture, handling, and relocation of wildlife. Pursuant to the [California Code of Regulations, title 14, section 650](#), the RHCCD/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 (CDFWa 2022).

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).

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Mitigation Measure #4-Species surveys: The RHCCD should retain a qualified biologist with experience surveying for coastal whiptail. Prior to commencing any Project-related ground-disturbing activities, the qualified biologist should conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. Project related activities include construction, equipment and vehicle access, parking, and staging. In addition, the qualified biologist should conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location should be mapped and photographed. The qualified biologist should provide a summary report of SSC surveys to the RHCCD 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-Protection Plan: Wildlife should be protected or allowed to move away on its own (non-invasive, passive relocation) to adjacent appropriate habitat within the open space on site or in suitable habitat adjacent to the Project area (either way, at least 200 feet from the grading limits). Special status wildlife should be captured only by a qualified biologist with proper handling permits (see Mitigation Measure #1). The qualified biologist should prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols should be implemented during Project construction and activities/biological construction monitoring.

Mitigation Measure #6-Injured or Dead Wildlife: 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 RHCCD 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.

Comment #3: Impacts to Bat Species

Issue: According to the CNDDDB, a historic record of pallid bat (*Antrozous pallidus*), a designated SSC, was recorded within approximately three miles northwest of the Project site.

Specific impacts: Project activities include tree encroachment and vegetation removal that may disturb or remove areas that provide foraging or roosting habitat and therefore has the potential for the direct loss of bats. Indirect impacts to bats and roosts could result from increased noise disturbances, human activity, dust, vegetation clearing, ground-disturbing activities (e.g., staging, mobilizing, and grading), and vibrations caused by heavy equipment.

Why impacts would occur: The removal of vegetation may potentially result in the loss or disturbance of foraging and roosting habitat for bats. Construction activities will temporarily increase the disturbance levels as well as human activity in the Project area. Moreover, the Project may permanently remove potential foraging habitat for bats. Lastly, the general biological reconnaissance survey for the Project was conducted during daytime hours. Since bat species are most active at night between dusk and dawn, surveys conducted during the daytime would miss detection. Therefore, there is potential bats present on site that would be undetected. This may cause the Project to impact individuals not previously known to reside in

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or around the Project area. Bats would require more species-specific and specific time-of-day surveys.

Evidence impacts would be significant: Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment, (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). There are many bat species that can be found year-round in urban areas throughout the south coast region of California (Miner & Stokes, 2005). Several bat species are considered SSC and meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of California Species of Special Concern could require a mandatory finding of significance by the RHCCD (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s):

Mitigation Measure #7: Prior to construction activities, CDFW recommends a qualified bat specialist conduct bat surveys within the Project area (plus a 100-foot buffer as access allows) in order to identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. CDFW recommends the use of acoustic recognition technology to maximize detection of bat species to minimize impacts to sensitive bat species. A discussion of survey results, including negative findings should be provided to the RHCCD. Depending on the survey results, a qualified bat specialist should discuss potentially significant effects of the Project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist should be completed and submitted to the RHCCD prior to any Project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.

Mitigation Measure #8: 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 prior to ground disturbing activity, trees should be pushed using heavy machinery. 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.

Mitigation Measure #9: If maternity roosts are found, work should be scheduled between October 1 and February 28, outside of the maternity roosting season when young bats are present but are ready to fly out of the roost (March 1 to September 30).

Additional Comments and Recommendations

Recommendation #1 – California gnatcatcher: CDFW recommends modifying MM BIO-1 on page 28 of the MND to include underlined language.

“The results of the coastal California gnatcatcher presence/absence survey determined that the species is absent from the Site. Construction shall commence prior to March 28, 2023, or a follow up presence/absence survey for the coastal California gnatcatcher shall be conducted in accordance with USFWS protocol for this species.”

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If coastal California gnatcatcher are present, at a minimum, the Project Applicant will avoid impacting occupied habitat by maintaining a 500-foot buffer. In addition, no construction activities will occur within 500 feet of an active nest. Buffers will be maintained until young have fledged (left the nest on their own), as determined by a qualified biologist, or the nest is no longer active. Buffers will be delineated by high visibility flagging. If these avoidance techniques are not feasible, USFWS and CDFW will be contacted regarding alternative avoidance measures for the species.

If coastal California gnatcatcher are present, the Project Applicant should consult with the USFWS to determine if the Project would result in take of coastal California gnatcatcher. Consultation with the USFWS, in order to comply with the ESA, is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact gnatcatcher. If a take permit from the USFWS is needed, the Project Applicant should comply with the mitigation measures detailed in a take permit issued from USFWS.

If the Project would result in permanent loss of habitat, the Project Applicant should provide replacement habitat for the total acreage of habitat that is impacted. Replacement habitat 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 by the Project Applicant prior to any ground-disturbing activities or vegetation removal.”

Recommendation #2 – Entrapment: The Project may result in the use of open pipes used as fence posts, property line stakes, signs, etc. CDFW recommends that all hollow posts and pipes be capped to prevent wildlife entrapment and mortality because 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.

Recommendation #3 – Landscaping: The MND states the site will be landscaped. CDFW recommends the MND provide the Project’s landscaping plant palette and/or tree species list. CDFW also recommends using native, locally appropriate plant species for landscaping on the Project site. CDFW recommends invasive/exotic plants, including pepper trees (*Schinus* genus) and fountain grasses (*Pennisetum* genus), be restricted from use in landscape plans for this Project. A list of invasive/exotic plants that should be avoided as well as suggestions for better landscape plants can be found at [California Invasive Plant Species Council](#) website (Cal-IPC, 2022).

Recommendation #4 – Rodenticides: CDFW recommends preventing the use of second-generation anticoagulant rodenticides on site and over the life of the Project.

Recommendation #5 – Data: CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, §

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21003, subd. (e)]. Accordingly, please report any special status species detected by completing and submitting [CNDDB Field Survey Forms](#) (CDFW 2022b). This includes potential occurrences of Crotch's bumble bee and other special status species. The RHCCD should ensure the data has been properly submitted, with all data fields applicable filled out, prior to Project ground-disturbing activities. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred. The RHCCD should provide CDFW with confirmation of data submittal.

Recommendation #6 - Mitigation and Monitoring Reporting Plan: Per Public Resources Code section 21081.6(a)(1), CDFW has provided the RHCCD 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 shall 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 RHCCD and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required for the underlying Project approval to be operative, vested, and final (Cal. Code Regs., tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

Conclusion

We appreciate the opportunity to comment on the Project to assist the RHCCD in adequately analyzing and minimizing/mitigating impacts to biological resources. CDFW requests an opportunity to review and comment on any response that the RHCCD 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 Felicia Silva, Environmental Scientist, at Felicia.Silva@wildlife.ca.gov or (562) 292-8105.

Sincerely,

DocuSigned by:



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Erinn Wilson-Olgin

Environmental Program Manager I
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ec: CDFW

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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 shall 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-Crotch bumble bee survey	<p>Due to suitable habitat within the Project site, within one year prior to vegetation removal and/or grading, a qualified entomologist familiar with the species behavior and life history shall conduct surveys to determine the presence/absence of Crotch's bumble bee. Surveys shall be conducted during flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project-related ground-disturbing activities. At minimum, a survey report shall provide the following:</p> <ul style="list-style-type: none"> a) A description and map of the survey area, focusing on areas that could provide suitable habitat for Crotch's bumble bee. CDFW recommends the map show surveyor(s) track lines to document that the entire site was covered during field surveys. b) Field survey conditions that shall include name(s) of qualified entomologist(s) and brief qualifications; date and time of survey; survey duration; general weather conditions; survey goals, and species searched. c) Map(s) showing the location of nests/colonies. d) A description of physical (e.g., soil, moisture, slope) and 	Prior to Project construction and activities	RHCCD/Project Applicant

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	biological (e.g., plant composition) conditions where each nest/colony is found. A sufficient description of biological conditions, primarily impacted habitat, shall include native plant composition (e.g., density, cover, and abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, and abundance of each species).		
MM-BIO-2- Crotch bumble bee survey	If “take” or adverse impacts to Crotch’s bumble bee cannot be avoided either during Project activities or over the life of the Project, the City must consult CDFW to determine if a CESA Incidental Take Permit is required (pursuant to Fish & Game Code, § 2080 <i>et seq.</i>).	Prior to Project construction and activities	RHCCD/Project Applicant
MM-BIO-3- Scientific Collection Permits	<p>The Project may require capture, handling, and relocation of wildlife. Pursuant to the California Code of Regulations, title 14, section 650, the RHCCD /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 (CDFWa 2022).</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 Project construction and activities	RHCCD/Project Applicant
MM-BIO-4- Species surveys	The RHCCD shall retain a qualified biologist with experience surveying for coastal whiptail. Prior to commencing any Project-related ground-disturbing activities, the qualified biologist shall conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or	Prior to Project construction and activities	RHCCD/Project Applicant

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	<p>vegetation removal where there may be impacts to SSC. Project related activities include construction, equipment and vehicle access, parking, and staging. In addition, the qualified biologist shall conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location shall be mapped and photographed. The qualified biologist shall provide a summary report of SSC surveys to the RHCCD prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist shall develop species-specific mitigation measures for implementation during the Project.</p>		
MM-BIO-5- Protection Plan	<p>Wildlife shall be protected or allowed to move away on its own (non-invasive, passive relocation) to adjacent appropriate habitat within the open space on site or in suitable habitat adjacent to the Project area (either way, at least 200 feet from the grading limits). Special status wildlife shall be captured by only by a qualified biologist with proper handling permits (see Mitigation Measure #1). The qualified biologist shall prepare a species-specific list (or plan) of proper handling and passive relocation protocols. The list (or plan) of protocols shall be implemented during Project construction and activities/biological construction monitoring.</p>	Prior to Project construction and activities	RHCCD/Project Applicant
MM-BIO-6- Injured or Dead Wildlife	<p>If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented. A formal report shall be sent to CDFW and the RHCCD 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.</p>	Prior to Project construction and activities	RHCCD/Project Applicant
MM-BIO-7- Impacts to bat species	<p>Prior to construction activities, a qualified bat specialist shall conduct bat surveys within these areas (plus a 100-foot buffer as access allows) in order to identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity</p>	Prior to Construction and/or ground	RHCCD/Project Applicant

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	roosts. Acoustic recognition technology shall be utilized to maximize detection of bat species to minimize impacts to sensitive bat species. A discussion of survey results, including negative findings shall be provided to the RHCCD. Depending on the survey results, a qualified bat specialist shall discuss potentially significant effects of the Project on bats and include species specific mitigation measures to reduce impacts to below a level of significance (CEQA Guidelines, § 15125). Surveys, reporting, and preparation of robust mitigation measures by a qualified bat specialist shall be completed and submitted to the RHCCD prior to any Project-related ground-disturbing activities or vegetation removal at or near locations of roosting habitat for bats.	disturbing activities	
MM-BIO-8- Impacts to bat species	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 within the Project vicinity, trees shall be pushed using heavy machinery prior to using a chainsaw to remove branches. 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 elapse prior to such operations to allow bats to escape.	Prior to Construction and/or ground disturbing activities	RHCCD/Project Applicant
MM-BIO-9-Bat maternity roost	If maternity roosts are found, 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).	Prior to Construction and/or ground disturbing activities	RHCCD/Project Applicant
REC-1- California Gnatcatcher	CDFW recommends modifying MM BIO-1 on page 28 of the MND to include <u>underlined</u> language and remove language with strikethrough. <i>"The results of the coastal California gnatcatcher presence/absence survey determined that the species is</i>	Prior to Project construction and activities	RHCCD/Project Applicant

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	<p><i>absent from the Site. Construction shall commence prior to March 28, 2023, or a follow up presence/absence survey for the coastal California gnatcatcher shall be conducted in accordance with USFWS protocol for this species.</i></p> <p><u><i>If coastal California gnatcatcher are present, at a minimum, the Project Applicant will avoid impacting occupied habitat by maintaining a 500-foot buffer. In addition, no construction activities will occur within 500 feet of an active nest. Buffers will be maintained until young have fledged (left the nest on their own), as determined by a qualified biologist, or the nest is no longer active. Buffers will be delineated by high visibility flagging. If these avoidance techniques are not feasible, USFWS and CDFW will be contacted regarding alternative avoidance measures for the species.</i></u></p> <p><u><i>If coastal California gnatcatcher are present, the Project Applicant should consult with the USFWS to determine if the Project would result in take of coastal California gnatcatcher. Consultation with the USFWS, in order to comply with the ESA, is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact gnatcatcher. If a take permit from the USFWS is needed, the Project Applicant should comply with the mitigation measures detailed in a take permit issued from USFWS.</i></u></p> <p><u><i>If the Project would result in permanent loss of habitat, the Project Applicant should provide replacement habitat for the total acreage of habitat that is impacted. Replacement habitat 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</i></u></p>		
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	<u><i>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 by the Project Applicant prior to any ground-disturbing activities or vegetation removal.”</i></u>		
REC-2-Entrapment	The Project may result in the use of open pipes used as fence posts, property line stakes, signs, etc. CDFW recommends that all hollow posts and pipes be capped to prevent wildlife entrapment and mortality because 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.	Prior to Project construction and activities	RHCCD/Project Applicant
REC-3-Landscaping	The MND states the site will be landscaped. CDFW recommends the MND provide the Project’s landscaping plant palette and tree species list. CDFW also recommends using native, locally appropriate plant species for landscaping on the Project site. CDFW recommends invasive/exotic plants, including pepper trees (<i>Schinus</i> genus) and fountain grasses (<i>Pennisetum</i> genus), be restricted from use in landscape plans for this Project. A list of invasive/exotic plants that should be avoided as well as suggestions for better landscape plants can be found at California Invasive Plant Species Council website (Cal-IPC, 2022).	Prior to Project construction and activities	RHCCD/Project Applicant
REC-4-Rodenticide	CDFW recommends preventing the use of second-generation anticoagulant rodenticides on site and over the life of the Project.	Prior to Project construction and activities	RHCCD/Project Applicant
REC-5-Data	CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. The RHCCD shall ensure that all data concerning	Prior to Project construction and activities	RHCCD/Project Applicant

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	<p>special status species within the Project site be submitted to the CNDDDB by completing and submitting CNDDDB Field Survey Forms. This includes all potential occurrences of Crotch's bumble bee and other SSC. The RHCCD shall ensure the data has been properly submitted, with all data fields applicable filled out, prior to Project ground-disturbing activities. The data entry shall also list pending development as a threat and then update this occurrence after impacts have occurred. The RHCCD shall provide CDFW with confirmation of data submittal.</p>		
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