



STATE OF CALIFORNIA • NATURAL RESOURCES AGENCY Gavin Newson, Governor  
DEPARTMENT OF FISH AND WILDLIFE Charlton H. Bonham, Director

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Via Electronic Mail Only

June 5, 2023

Michele Bush  
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**Subject: Notice of Preparation of a Draft Environmental Impact Report for the  
3577 Canyon Crest Road Single-Family Residence, SCH #2023050207, Los  
Angeles County Department of Regional Planning, Los Angeles County**

Dear Ms. Bush:

The California Department of Fish and Wildlife (CDFW) has reviewed a Notice of Preparation (NOP) of a Draft Environmental Impact Report (EIR) from the Los Angeles County Department of Regional Planning (LACDRP) for the 3577 Canyon Crest Road Single-Family Residence (Project). CDFW appreciates the opportunity to provide comments regarding aspects of the Project that could affect fish and wildlife resources and be subject to CDFW's 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.

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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.

### **Project Description and Summary**

**Objective:** The Project proposes the development of a 1,555 square-foot single-family home with an attached 397 square-foot garage. The total development footprint, comprised of the driveway and residential infrastructure, is approximately 2,000 square feet. Project activities will occur on the eastern portion of the Project parcel in an existing residential neighborhood adjacent to Millard Canyon. In addition to development of a single-family home, the Project will entail encroachment and removal of trees within the Project site.

**Location:** The Project site encompasses 1.02 acres, located at 3577 Canyon Crest Road, in the City of Altadena, Los Angeles County. The Project site is bounded by Canyon Crest Road to the north and east, Arroyo Boulevard to the west, and Florecita Drive to the south. The Assessor's Parcel Number associated with the Project is 5830-003-016.

### **Comments and Recommendations**

CDFW offers the comments and recommendations below to assist LACDRP in adequately identifying, avoiding, and/or mitigating the Project's significant, or potentially significant, direct, and indirect impacts on fish and wildlife (biological) resources. The EIR should provide adequate and complete disclosure of the Project's potential impacts on biological resources [Pub. Resources Code, § 21061; CEQA Guidelines, §§ 15003(i), 15151]. CDFW looks forward to commenting on the EIR when it is available.

### **Specific Comments**

1) Impacts on Crotch's bumble bee (*Bombus crotchii*). According to the

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[California Natural Diversity Database \(CNDDDB\)](#), recent occurrence of Crotch's bumble bee have been recorded within a mile of the Project site (CDFW 2023a). Additionally, the Project site may provide floral resources and habitat for Crotch's bumble bee. The Project as proposed could grade and/or remove habitat that could support Crotch's bumble bee. The Project may also result in temporal or permanent loss of suitable nesting and foraging habitat for Crotch's bumble bee. In addition, Project ground-disturbing activities and vegetation removal may cause death or injury of adults, eggs, and larva, burrow collapse, nest abandonment, and reduced nest success.

- a) Protection Status. 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). Crotch's bumble bee has a State ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Also, Crotch's bumble bee has a very restricted range and steep population declines make the species vulnerable to extirpation from the State (CDFW 2017). Accordingly, Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, impacts to Crotch's bumble bee could require a mandatory finding of significance by LACDRP [CEQA Guidelines, § 15065(a)(1)].
- b) Surveys. CDFW recommends LACDRP retain a qualified entomologist with the appropriate take authorization and familiarity with the species to survey the Project site for Crotch's bumble bee and habitat. Surveys should be conducted within one year prior to vegetation removal and/or grading throughout the entire Project site by a qualified entomologist familiar with the species' behavior and life history. A minimum of three surveys should also be conducted during peak flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). The entomologist should utilize a non-lethal survey methodology and obtain appropriate photo vouchers for species confirmation (CBBA 2023). During the surveys, the entomologist should flag inactive small mammal burrows and other potential nest sites to reduce the risk of take. Survey results, including negative findings, should be submitted to CDFW prior to obtaining appropriate permits.
- c) Disclosure. The EIR should provide full disclosure of the presence of Crotch's bumble bee within the Project site. The EIR should analyze the Project's impact on floral resources, nesting habitat, and overwintering

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habitat for Crotch's bumble bee. Conclusions made in regard to habitat quality and suitability should be substantiated by scientific and factual data, which may include maps, diagrams, and similar relevant information sufficient to permit full assessment of significant impacts by reviewing agencies. Potential direct and indirect impacts on Crotch's bumble bee should be discussed in the EIR.

- d) Minimizing Potential Impacts. The EIR should include measures to first avoid impacts on Crotch's bumble bee. If Crotch's bumble bee is detected and impacts to Crotch's bumble bee cannot be feasibly avoided, the Project applicant should consult with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). Appropriate authorization from CDFW under CESA may include an Incidental Take Permit (ITP) or a Consistency Determination in certain circumstances, among other options [Fish & Game Code, §§ 2080.1, 2081, subds. (b) and (c)].
- 2) Impact on Species of Special Concern (SSC) - Reptiles. According to CNDDDB, southern California legless lizard (*Anniella stebbinsi*) and coast horned lizard (*Phrynosoma blainvillii*) have been observed adjacent to the Project site (CDFW 2023a). The southern California legless lizard and coast horned lizard are designated as an SSC. The Project will require ground disturbing activities such as grading and grubbing, which may result in reptile habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. Moreover, the Project may remove essential foraging and breeding habitat for this species.
    - a) Protection Status. CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065).
    - b) Analysis and Disclosure. CDFW recommends the EIR provide full disclosure of presence of these SSC species and potential impacts on habitat within the Project site. To allow for a full assessment of significant impacts, surveys and assessments for the species should be disclosed in the EIR and not deferred until a later time (i.e., preconstruction surveys). If the Project would result in loss of suitable habitat, CDFW recommends the EIR include measures to mitigate impacts associated with habitat loss.

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- c) Surveys and Avoidance. CDFW recommends LACDRP include a measure in the EIR to retain a qualified biologist familiar with the reptile species behavior and life history conduct focused surveys to determine the presence/absence of these SSC. Surveys should be conducted during the active season when reptile species are most likely to be detected. Additionally, CDFW recommends that a qualified biological monitor be on site during ground and habitat disturbing activities to move out of harm's way special status species that would be injured or killed by Project-related activities. It should be noted that the temporary relocation of on-site wildlife does not constitute as effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.
- 3) Impacts on Oak Trees (*Quercus* genus) and Oak Woodlands (*Quercus* genus Woodland Alliance). The NOP states that the Project will require, "...the removal of one non-heritage coast live oak tree and encroachment into the protected zones of 10 non-heritage coast live oaks trees on and adjacent to the project parcel." CDFW considers oak woodlands to be a sensitive plant community since certain associations of this species have a rarity ranking of S3.
- a) Protection Status. Impacts to a sensitive natural community is be considered significant under CEQA unless impacts are clearly mitigated below a level of significance. Without appropriate mitigation, the Project may result in significant impacts on a sensitive natural community if the Project's measures and actions would remove, encroach into, or disturb such resources. Moreover, oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360-1372) and Public Resources Code section 21083.4 due to the historic and on-going loss of these resources.
- b) Analysis and Disclosure. CDFW recommends the EIR discuss the Project's potential impacts on oak trees and oak woodlands. CDFW recommends the Project avoid and minimize development and encroachment onto oak trees and woodlands. If avoidance is not feasible, CDFW recommends the EIR include a measure to provide sufficient compensatory mitigation for the number of oak trees and acres of oak woodland habitat impacted. The number of replacement trees and oak woodland habitat acres should be higher if the Project would impact large oak trees; impact an oak woodland supporting rare, sensitive, or special status plants and wildlife; or impact an oak woodland with a State Rarity Ranking of S1, S2, or S3.

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- 4) Impacts on Nesting Birds. According to CNDDDB, observations of southwestern willow flycatcher (*Empidonax traillii extimus*) have been recorded throughout the Project site (CDFW 2023a). Moreover, there are a myriad of trees and shrubs within the Project site that support nesting birds. In Los Angeles, urban forests and street trees, both native and some non-native species, provide habitat for a high diversity of birds (Wood and Esaian 2020). In addition, several species of raptor have adapted to and exploited urban areas for breeding and nesting (Cooper et al. 2020). The Project may occur during the nesting bird season, which may result in the incidental loss of fertile eggs or nestlings, or nest abandonment.
- a) Protection Status. Southwestern willow flycatcher is designated as an endangered species under CESA and the Endangered Species Act. Moreover, migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Code of Federal Regulations, Title 50, § 10.13). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests, including raptors and other migratory nongame birds (as listed under the Federal MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor.
- b) Analysis and Disclosure. CDFW recommends the EIR discuss the Project's potential impact on the population and supporting habitat of southwestern willow flycatcher. The EIR should also discuss the Project's potential impact on nesting birds and raptors within the Project site. A discussion of potential impacts should include impacts that may occur during implementation of the Project resulting in ground-disturbing activities and vegetation removal.
- c) Avoidance. CDFW recommends the EIR include a measure to fully avoid impacts to nesting birds and raptors. To the extent feasible, no construction, ground-disturbing activities (e.g., mobilizing, staging, and excavating), and vegetation removal during the avian breeding season which generally runs from February 15 through September 15 (as early as January 1 for some raptors) to avoid take of birds, raptors, or their eggs.
- d) Minimizing Potential Impacts. If impacts to nesting birds and raptors cannot be avoided, CDFW recommends the EIR include a measure to minimize impacts on nesting birds and raptors. Prior to starting ground-disturbing activities and vegetation removal, a qualified biologist should



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conduct nesting bird and raptor surveys to identify nests. The qualified biologist should establish no-disturbance buffers to minimize impacts on those nests. CDFW recommends a minimum 300-foot no disturbance buffer around active bird nests. For raptors, the no disturbance buffer should be expanded to 500 feet and 0.5 mile for special status species, if feasible. If southwestern willow flycatcher is detected on site and impacts 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). Personnel working on the Project, including all contractors working on site, should be instructed on the presence of nesting birds, area sensitivity, and adherence to no-disturbance buffers. Reductions in the buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors determined by a qualified biologist.

- 5) Los Angeles County Significant Ecological Areas (SEA). The Project site lies within the Altadena Foothills and Arroyos SEA. [Los Angeles County SEAs](#) are officially designated areas within Los Angeles County identified as having irreplaceable biological resources (LACDRP 2023). These areas represent the wide-ranging biodiversity of Los Angeles County and contain some of Los Angeles County's most important biological resources. CDFW recommends the EIR provide a discussion and analysis on the Project's impact on this SEA. CDFW also recommends LACDRP include a measure to avoid development and encroachment onto this SEA.

## **General Comments**

- 1) Biological Baseline Assessment. The EIR should provide an adequate biological resources assessment, including a complete assessment and impact analysis of the flora and fauna within and adjacent to the Project site and where the Project may result in ground disturbance. The assessment and analysis should place emphasis upon identifying endangered, threatened, sensitive, regionally, and locally unique species, and sensitive habitats. Impact analysis will aid in determining any direct, indirect, and cumulative biological impacts, as well as specific mitigation or avoidance measures necessary to offset those impacts. CDFW recommends avoiding any sensitive natural communities found on or adjacent to the Project site. CDFW also considers impacts to SSC a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. An environmental document should include the following information:

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- a) Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region [CEQA Guidelines, § 15125(c)]. The EIR should include measures to fully avoid and otherwise protect Sensitive Natural Communities from Project-related impacts. CDFW considers these communities as threatened habitats having both regional and local significance. Plant communities, alliances, and associations with a state-wide ranking of S1, S2, and S3 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by visiting the [Vegetation Classification and Mapping Program - Natural Communities](#) webpage (CDFW 2023b);
- b) A thorough, recent, floristic-based assessment of special status plants and natural communities following CDFW's [Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities](#) (CDFW 2018). Adjoining habitat areas should be included where Project construction and activities could lead to direct or indirect impacts off site;
- c) Floristic, alliance- and/or association-based mapping and vegetation impact assessments conducted at the Project site and within the neighboring vicinity. The [Manual of California Vegetation Online](#) should also be used to inform this mapping and assessment (CNPS 2023). Adjoining habitat areas should be included in this assessment if the Project could lead to direct or indirect impacts off site. Habitat mapping at the alliance level will help establish baseline vegetation conditions;
- d) A complete, recent, assessment of the biological resources associated with each habitat type on site and within adjacent areas that could also be affected by a Project. California Natural Diversity Database in Sacramento should be contacted to obtain current information on any previously reported sensitive species and habitat. An assessment should include a nine-quadrangle search of the CNDDDB to determine a list of species potentially present in the Project site. A lack of records in the CNDDDB does not mean that rare, threatened, or endangered plants and wildlife do not occur in the Project site. Field verification for the presence or absence of sensitive species is necessary to provide a complete biological assessment for adequate CEQA review [CEQA Guidelines, § 15003(i)];



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- e) A complete, recent, assessment of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect, including California Species of Special Concern and California Fully Protected Species (Fish & G. Code, §§ 3511, 4700, 5050, and 5515). Species to be addressed should include all those which meet the CEQA definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380). Seasonal variations in use of a Project site should also be addressed such as wintering, roosting, nesting, and foraging habitat. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's [Survey and Monitoring Protocols and Guidelines](#) for established survey protocol for select species (CDFW 2023c). Acceptable species-specific survey procedures may be developed in consultation with CDFW and the USFWS; and
  - f) A recent wildlife and rare plant survey. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of a proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if build out could occur over a protracted time frame or in phases.
- 2) Scientific Collecting Permit. Pursuant to the California Code of Regulations, title 14, section 650, qualified biologist(s) must obtain appropriate handling permits to capture, temporarily possess, and relocated wildlife to avoid harm or mortality in connection with Project-related activities. 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). Please visit CDFW's [Scientific Collection Permits](#) webpage for information (CDFW 2023e).
- 3) Translocation/Salvage of Plants and Animal Species. Translocation and transplantation is the process of removing plants and wildlife from one

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location and permanently moving it to a new location. CDFW generally does not support the use of translocation or transplantation as the primary mitigation strategy for unavoidable impacts to endangered, rare, or threatened plants and animals. Studies have shown that these efforts are experimental and the outcome unreliable. CDFW has found that permanent preservation and management of habitat capable of supporting these species is often a more effective long-term strategy for conserving plants and animals and their habitats.

- 4) Disclosure. A EIR should provide an adequate, complete, and detailed disclosure about the effect which a proposed Project is likely to have on the environment (Pub. Resources Code, § 20161; CEQA Guidelines, §15151). Adequate disclosure is necessary so CDFW may provide comments on the adequacy of proposed avoidance, minimization, or mitigation measures, as well as to assess the significance of the specific impact relative to plant and wildlife species impacted (e.g., current range, distribution, population trends, and connectivity).
- 5) Mitigation Measures. Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in projects through the use of feasible alternatives or mitigation measures [CEQA Guidelines, §§ 15002(a)(3), 15021]. Pursuant to CEQA Guidelines section 15126.4, an environmental document "shall describe feasible measures which could mitigate for impacts below a significant level under CEQA."
  - a) Level of Detail. Mitigation measures must be feasible, effective, implemented, and fully enforceable/imposed by the Lead Agency through permit conditions, agreements, or other legally binding instruments (Pub. Resources Code, § 21081.6(b); CEQA Guidelines, § 15126.4). A public agency "shall provide the measures that are fully enforceable through permit conditions, agreements, or other measures" (Pub. Resources Code, § 21081.6). CDFW recommends LACDRP provide mitigation measures that are specific, detailed (i.e., responsible party, timing, specific actions, location), and clear in order for a measure to be fully enforceable and implemented successfully via a mitigation monitoring and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097). Adequate disclosure is necessary so CDFW may provide comments on the adequacy and feasibility of proposed mitigation measures.

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- b) Disclosure of Impacts. If a proposed mitigation measure would cause one or more significant effects, in addition to impacts caused by the Project as proposed, the EIR should include a discussion of the effects of proposed mitigation measures [CEQA Guidelines, § 15126.4(a)(1)]. In that regard, the EIR should provide an adequate, complete, and detailed disclosure about the Project's proposed mitigation measure(s). Adequate disclosure is necessary so CDFW may assess the potential impacts of proposed mitigation measures.
- 6) Data. CEQA requires that information developed in environmental impact reports be incorporated into a database which may be used to make subsequent or supplemental environmental determinations [Pub. Resources Code, § 21003, subd. (e)]. Accordingly, please report any special status species and natural communities detected by completing and submitting [CNDDDB Field Survey Forms](#) (CDFW 2023d). To submit 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 2023f). LACDRP should ensure data collected for the preparation of the EIR be properly submitted, with all data fields applicable filled out. The data entry should also list pending development as a threat and then update this occurrence after impacts have occurred.
- 7) Biological Direct, Indirect, and Cumulative Impacts. CDFW recommends providing a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts. The EIR should address the following:
- a) A discussion regarding Project-related indirect impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands [e.g., preserve lands associated with a Natural Community Conservation Plan (Fish & G. Code, § 2800 et. seq.)]. Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the EIR;
- b) A discussion of both the short-term and long-term effects to species population distribution and concentration and alterations of the ecosystem supporting the species impacted [CEQA Guidelines, §

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15126.2(a)];

- c) A discussion of potential adverse impacts from lighting, noise, temporary and permanent human activity, and exotic species, and identification of any mitigation measures;
  - d) A discussion of Project-related changes on drainage patterns; the volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site. The discussion should also address the potential water extraction activities and the potential resulting impacts on the habitat (if any) supported by the groundwater. Mitigation measures proposed to alleviate such Project impacts should be included;
  - e) An analysis of impacts from proposed changes to land use designations and zoning, and existing land use designation and zoning located nearby or adjacent to natural areas that may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the EIR; and
  - f) A cumulative effects analysis, as described under CEQA Guidelines section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant and wildlife species, habitat, and vegetation communities. If LACDRP determines that the Project would not have a cumulative impact, the EIR should indicate why the cumulative impact is not significant. LACDRP's conclusion should be supported by facts and analyses [CEQA Guidelines, § 15130(a)(2)].
- 8) Compensatory Mitigation. The EIR should include mitigation measures for adverse Project-related direct or indirect impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of Project-related impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement, financial assurance and dedicated to a qualified entity for long-term management

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and monitoring. Under Government Code, section 65967, the Lead Agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves.

- 9) Long-term Management of Mitigation Lands. For proposed preservation and/or restoration, an EIR should include measures to protect the targeted habitat values from direct and indirect negative impacts in perpetuity. The objective should be to offset the Project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include (but are not limited to) restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. An appropriate non-wasting endowment should be set aside to provide for long-term management of mitigation lands.
  
- 10) Lake and Streambed Alteration Program. The EIR should provide a stream delineation and analysis of impacts. The delineation should be conducted pursuant to the to the USFWS wetland definition adopted by CDFW (Cowardin et al. 1979). Be advised that some wetland and riparian habitats subject to CDFW's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers' Section 404 permit and Regional Water Quality Control Board Section 401 Certification. Modifications to a river, creek, or stream in one area may result in bank erosion, channel incision, or drop in water level along that stream outside of the immediate impact area. Therefore, CDFW recommends the EIR discuss the potential impact to any stream that may be located within or surrounding the Project site.
  - a) CDFW has authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (including vegetation associated with the stream or lake) of a river or stream or use material from a streambed. For any such activities, the project applicant (or "entity") must notify CDFW pursuant to Fish and Game Code Section 1600 *et seq.* CDFW's issuance of a Lake and Streambed Alteration (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 environmental document of the local jurisdiction (Lead Agency) for the Project. To minimize additional requirements by CDFW pursuant to section 1600 *et seq.* and/or under CEQA, the environmental document should

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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. Please visit CDFW's [Lake and Streambed Alteration Program](#) webpage for more information (CDFW 2023g).

- b) As part of the LSA Notification process, CDFW requests 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 the 100, 50, 25, 10, 5, and 2-year frequency flood events to evaluate existing and proposed conditions and erosion/scour potential. CDFW recommends the EIR discuss the results and address avoidance, minimization, and/or mitigation measures that may be necessary to reduce potential significant impacts.

## Conclusion

We appreciate the opportunity to comment on the NOP for 3577 Canyon Crest Road Single-Family Residence and to assist LACDRP in identifying and mitigating Project impacts on biological resources. If you have any questions or comments regarding this letter, please contact Julisa Portugal, Environmental Scientist, at [Julisa.Portugal@wildlife.ca.gov](mailto:Julisa.Portugal@wildlife.ca.gov) or (562) 330-7563.

Sincerely,

DocuSigned by:  
  
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Erinn Wilson-Olgin  
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