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January 17, 2024

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Subject: Draft Programmatic Environmental Impact Report for the Santa Barbara County Last-Mile Broadband Program Project, SCH No. 2024051301, Santa Barbara County, CA

Dear Fred Luna:

The California Department of Fish and Wildlife (CDFW) reviewed the draft Programmatic Environmental Impact Report (PEIR) from Santa Barbara County Association of Governments (SBCAG; Lead Agency) for the Santa Barbara County Last-Mile Broadband Program (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

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, CDFW appreciates 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 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, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (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 (Fish & G. Code, § 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 fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

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CDFW may also act 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. As proposed, for example, the Project may be subject to CDFW's 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 law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Santa Barbara County Association of Governments (SBCAG)

Objective: The objective of the Project is to install fiber optic cable in various locations throughout Santa Barbara County (County) to facilitate the future expansion of the County's high-speed broadband internet network. Primary Project activities include installing underground and aerial fiberoptic cable. Underground cable will be installed within road rights-of-way and may also require the installation of underground fiber markers and signage. Aerial cable installation may require the installation of utility poles and signage. The Project will also install prefabricated walk-in hut/shelters, steel distribution cabinets/enclosures, distribution fiber, splice points, drops, drop hubs, and small underground structures. The initial nine priority area installations (Priority Areas) would involve installing a total of approximately 52.57 miles of underground conduit/fiber.

Location: The Project as described within the PEIR includes the entire County because the specific locations of most future broadband facilities are currently not known. However, nine locations have been identified as Priority Areas where construction will occur for the Project. These Priority Areas are titled Guadalupe, Casmalia, Los Alamos, Cuyama and New Cuyama, East of Santa Maria, Highway 246 Corridor, Jonata Park, Los Olivos, and Refugio Canyon within the PEIR.

Timeframe: Specific timing of future, unidentified projects is unknown, but construction for five of the nine Priority Area projects is anticipated to begin in Spring 2025 and last approximately 24 months.

Biological Setting: The Project area crosses the following watersheds according to the United States Geological Survey's hydrologic unit maps: Cuyama, Central Coastal, Santa Maria, San Antonio, Santa Barbara Coastal, Santa Ynez, and Ventura. The

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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County includes chaparral, grassland, coastal sage scrub, foothill pine woodland, valley oak woodland and forest, and valley oak riparian forest and woodland.

Although the PEIR is intended for the whole County, the PEIR only analyzed the nine Priority Areas. SBCAG’s Priority Areas include 11,078.7 acres of valley grassland, 7,165.7 acres of agriculture, 6,906.4 acres of forest land, 5,194.1 acres of coastal sage scrub, 1,948 acres of urban area, 1,258.1 acres of ceanothus mixed chaparral, 657.8 acres of scrub oak mixed chaparral, 424.2 acres of barren land, 188.6 acres of chamise chaparral, 25.7 acres of north coastal scrub, and 2.3 acres of montane meadows.

Within the County, there are 12 special-status plant species (Table 1) and 42 special-status animal species (Table 2) that have moderate to high potential to occur in the Project area.

Table 1. Special-status plant species that have moderate to high potential to occur in the Project area

Common name	Scientific name	Status
Hoover's bent grass	<i>Agrostis hooveri</i>	California Native Plant Species (CNPS) rank 1B.2
Aphanisma	<i>Aphanisma blitoides</i>	CNPS rank 1B.2
Sand mesa manzanita	<i>Arctostaphylos rudis</i>	CNPS rank 1B.2
Late-flowered mariposa-lily	<i>Calochortus fimbriatus</i>	CNPS rank 1B.3
Island white-felted paintbrush	<i>Castilleja hololeuca</i>	CNPS rank 1B.2
Santa Barbara ceanothus	<i>Ceanothus impressus</i> var. <i>impressus</i>	CNPS rank 1B.2
La Graciosa thistle	<i>Cirsium scariosum</i> var. <i>loncholepis</i>	Endangered Species Act (ESA) endangered, CESA threatened, CNPS rank 1B.1, critical habitat present in Project area
Gaviota tarplant	<i>Deinandra increscens</i> ssp. <i>villosa</i>	ESA endangered, CESA endangered, CNPS rank 1B.1, critical habitat present in Project area
Umbrella larkspur	<i>Delphinium</i>	CNPS rank 1B.3
Vandenberg monkeyflower	<i>Diplacus vandenbergensis</i>	ESA endangered, CNPS rank 1B.1, critical habitat present in Project area
Lompoc yerba santa	<i>Eriodictyon capitatum</i>	ESA endangered, CESA rare, CNPS rank 1B.2, critical habitat present in Project area
Blushing layia	<i>Layia erubescens</i>	CNPS rank 1B.2

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Vandenberg monkeyflower	<i>Diplacus vanderbergensis</i>	ESA endangered, critical habitat present in Project area
Ventura marsh milk-vetch	<i>Astragalus pycnostachyus var. lanosissimus</i>	ESA endangered, CESA endangered, critical habitat present in Project area

Table 2. Special-status animal species that have moderate to high potential to occur in the Project area.

Common name	Scientific name	Status
Crotch's bumble bee	<i>Bombus crotchii</i>	CESA candidate
vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	ESA endangered, critical habitat present in Project area
monarch-California overwintering population	<i>Danaus plexippus plexippus pop. 1</i>	ESA candidate
Kern primrose sphinx moth	<i>Euproserpinus euterpe</i>	ESA threatened
tidewater goby	<i>Eucyclogobius newberryi</i>	ESA endangered, Species of Special Concern (SSC), critical habitat present in Project area
unarmored threespine stickleback	<i>Gasterosteus aculeatus williamsoni</i>	ESA endangered, CESA endangered, fully protected (FP)
arroyo chub	<i>Gila orcuttii</i>	SSC
steelhead - southern California Distinct Population Segment (DPS)	<i>Oncorhynchus mykiss irideus pop. 10</i>	ESA endangered, CESA candidate endangered
California tiger salamander - Santa Barbara County DPS	<i>Ambystoma californiense pop. 2</i>	ESA endangered, CESA threatened, critical habitat present in Project area
arroyo toad	<i>Anaxyrus californicus</i>	ESA endangered, SSC, critical habitat in Project area
foothill yellow-legged frog - south coast DPS	<i>Rana boylei pop. 6</i>	ESA endangered, CESA endangered
California red-legged frog	<i>Rana draytonii</i>	ESA threatened, SSC, critical habitat present in Project
Western spadefoot	<i>Spea hammondii</i>	Federally proposed for listing as threatened (FPT), SSC

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Coast Range newt	<i>Taricha torosa</i>	SSC
Northern California legless lizard	<i>Anniella pulchra</i>	SSC
California legless lizard	<i>Anniella spp.</i>	SSC
California glossy snake	<i>Arizona elegans occidentalis</i>	SSC
coastal whiptail	<i>Aspidoscelis tigris stejnegeri</i>	SSC
southwestern pond turtle	<i>Actinemys pallida</i>	FPT, SSC
blunt-nosed leopard lizard	<i>Gambelia sila</i>	ESA endangered, CESA endangered, FP
coast horned lizard	<i>Phrynosoma blainvillii</i>	SSC
coast patch-nosed snake	<i>Salvadora hexalepis virgultea</i>	SSC
two-striped gartersnake	<i>Thamnophis hammondi</i>	SSC
tricolored blackbird	<i>Agelaius tricolor</i>	CESA threatened, SSC
grasshopper sparrow	<i>Ammodramus savannarum</i>	SSC
golden eagle	<i>Aquila chrysaetos</i>	FP
short-eared owl	<i>Asio flammeus</i>	SSC
burrowing owl	<i>Athene cunicularia</i>	CESA candidate
Swainson's hawk	<i>Buteo swainsoni</i>	CESA threatened
western snowy plover	<i>Charadrius nivosus nivosus</i>	ESA threatened, SSC, critical habitat present in Project area
white-tailed kite	<i>Elanus leucuru</i>	FP
southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	ESA and CESA endangered, critical habitat present in Project area
California condor	<i>Gymnogyps californianus</i>	ESA and CESA endangered, FP, critical habitat present in Project area
bald eagle	<i>Haliaeetus leucocephalus</i>	CESA endangered, FP
Belding's savannah sparrow	<i>Passerculus sandwichensis beldingii</i>	CESA endangered
light-footed Ridgway's rail	<i>Rallus obsoletus levipes</i>	ESA and CESA endangered, FP
yellow warbler	<i>Setophaga petechia</i>	SSC

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California least tern	<i>Sternula antillarum brown</i>	ESA and CESA endangered, FP
least Bell's vireo	<i>Vireo bellii pusillus</i>	ESA and CESA endangered, critical habitat present in Project area
pallid bat	<i>Antrozous pallidus</i>	SSC
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	SSC
western mastiff bat	<i>Eumops perotis californicus</i>	SSC
western red bad	<i>Lasiurus frantzii</i>	SSC
San Diego desert woodrat	<i>Neotoma lepida intermedia</i>	SSC
Tulare grasshopper mouse	<i>Onychomys torridus tularensis</i>	SSC
American badger	<i>Taxidea taxus</i>	SSC
San Joaquin kit fox	<i>Vulpes macrotis mutica</i>	ESA endangered, CESA threatened

Project History: CDFW commented on the Project’s Notice of Preparation document on June 28, 2024.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Santa Barbara County Association of Governments (SBCAG) in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Additional comments or other suggestions may also be included to improve the document.

Recommended Potentially Feasible Mitigation Measure(s)

COMMENT # 1: Impacts of noise and vibration

Issue: Construction will increase noise and vibration, which may cause adverse impacts to special-status species.

Specific impact: Project activities including horizontal directional drilling (HDD), trenching, and the operation of heavy equipment will increase noise and vibration in the Project area. This may alter wildlife behavior, including disrupting communication and decreasing breeding success.

Why impact would occur: HDD, trenching, and the operation of heavy equipment will increase noise and vibration in the Project area. Heavy equipment that will be used in the Project includes, but is not limited to, boring rigs, bulldozers, excavators, rollers, and

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back hoes (page 4.6-14, pages 2-23 to 2-24). The PEIR identifies much of this equipment as having “high noise-level characteristics” (page 4.6-14) and does address how Project-induced noise and vibration may impact humans and structures (ES-32). However, the PEIR does not address the impacts that noise and vibration may have on wildlife. The maximum noise level produced by the equipment used for the Project will be 80 to 90 A-weighted decibels (dBA, page 4.6-14), and terrestrial wildlife begins to respond to noise levels of approximately 40 dBA (Shannon et al., 2016). Therefore, the PEIR should disclose, analyze, minimize and/or mitigate for impacts to wildlife may be caused by noise created by the Project.

Increased noise has been documented to decrease immune responses (Kight and Swaddle, 2011) and decrease reproductive success (Tennesen et al., 2014). Acoustic pollution can also cause wildlife to reduce foraging behaviors (Shannon et al., 2016) and negatively impact intraspecific communication for birds, bats, and frogs (Shannon et al., 2016; Sun and Narins, 2005; Patricelli and Blickley, 2006; Gillam and McCracken, 2007; Slabbekoorn and Ripmeester, 2008). Arroyo toad, foothill yellow-legged frog, California red-legged frog, western spadefoot, tricolored blackbird, grasshopper sparrow, golden eagle, burrowing owl, western snowy plover, white-tailed kite, southwestern willow flycatcher, bald eagle, Belding's savannah sparrow, light-footed Ridgway's rail, yellow warbler, California least tern, least Bell's vireo, pallid bat, Townsend's big-eared bat, western mastiff bat, and western red bat are special-status species that may be present in the Project area and therefore may be subject to effects of noise pollution, such as decreased immune response, decreased reproductive success, and communication disruption.

Amphibians in the Project area may also be negatively impacted by substrate-borne vibrations created by HDD and other construction activities. Substrate-borne vibrations can reduce anuran call rate, resulting in decreased reproductive success (Caorsi et al., 2019). This may affect several special-status species in the Project area, such as arroyo toad, foothill yellow-legged frog, California red-legged frog, and western spadefoot.

Evidence impact may be significant: The Project area supports a variety of special status species, including CESA-listed species, ESA-listed species, and SSC. The Project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or United States Fish and Wildlife Service (USFWS).

Impacts to special-status species should be considered significant. CDFW considers impacts to CESA-listed species and species which are candidates for CESA-listing under CEQA significant unless they are clearly mitigated below a level of significance. CEQA provides protection not only for ESA and 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). Furthermore, take of any endangered,

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threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish and Game Code, §§ 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, title 14, § 786.9). Accordingly, the Project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or United States Fish and Wildlife Service (USFWS).

In addition, 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.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Seasonal Avian Work Windows. In areas identified as suitable habitat for the light-footed Ridgway's rail, SBCAG shall limit all project activities to September 1 to January 31. In areas identified as suitable habitat for the southwestern shallow flycatcher, SBCAG shall limit all project activities to September 1 to March 1. In areas identified as suitable habitat for the western snowy plover, SBCAG shall limit all project activities to September 1 to February 28.

Mitigation Measure #2: California Tiger Salamander and Western Spadefoot Habitat Work Windows. Depending on the type of suitable habitat identified during habitat assessments, SBCAG shall apply the following seasonal work windows.

- All construction activities in areas identified as suitable upland and aquatic habitat, excluding vernal pools, seasonal wetlands, or swales, for California tiger salamander or western spadefoot during habitat assessments be limited to May 1 to October 31.
- All construction activities within 250 feet of identified suitable vernal pool and seasonal wetland/swale habitat for California tiger salamander or western spadefoot during the habitat assessments and/or pre-construction California tiger salamander and western spadefoot habitat surveys shall be limited to June 1 to October 15. Within this work window, work is only allowed if vernal pools remain dry for 72 hours consistent with Rain Limitations as defined in Mitigation Measure 29.

Mitigation Measure #3: Western Snowy Plover Surveys. A qualified biologist shall conduct surveys within all suitable wintering habitat for western snowy plover in the project footprint and within a 50-foot buffer around the project footprint no more than 7 days prior to proposed work activities. If no plovers are detected, work shall proceed without restrictions. Surveys shall be conducted weekly thereafter, and work may

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proceed without restrictions if plovers are not detected. If one or more plovers are detected during a weekly survey, daily pre-activity plover surveys shall be started. If no plovers are detected during a daily pre-work survey, work may proceed without restrictions during that day. If plovers are detected, work shall stop immediately and not begin again until a qualified biologist has determined that the plovers have vacated the survey area. If no plovers are detected for seven consecutive days, daily surveys shall be replaced by weekly surveys until plovers are detected again.

Mitigation Measure #4: California Light-footed Ridgway's Rail Monitoring. A qualified biologist shall be present for all activities and conduct daily pre-construction surveys for light-footed Ridgway's rail, and when work occurs within suitable habitat during the non-breeding season (September 1 to January 31).

Mitigation Measure #5: California Light-footed Ridgway's Rail Surveys. A qualified biologist shall conduct a pre-construction survey for suitable light-footed Ridgway's rail habitat within seven days prior to the commencement of construction activities.

Mitigation Measure #6: Least Bell's Vireo Nest Buffers. A qualified biologist shall establish a minimum buffer distance of 500 feet around least Bell's vireo nests.

Mitigation Measure #7: Noise-Reducing Features. Between February 15 and October 1, all heavy equipment shall have installed and maintained mufflers or other noise-reducing features when working adjacent to riparian vegetated areas.

COMMENT # 2: Wildlife connectivity

Issue: Installation of fiber optic cable and construction of broadband facilities may increase barriers to wildlife connectivity.

Specific impact: Project activities may impede the movement of special-status species, including coast live newt, California tiger salamander, southwestern pond turtle.

Why impact would occur: The PEIR states that the Project could interfere substantially with wildlife connectivity (pages 4.2-118 and 119). While fiber optic cable installation will usually be installed in previously disturbed areas and avoid drainages and sensitive habitats, SBCAG has not yet determined specific locations and designs for all future broadband facilities (page 4.2-119). Therefore, the construction and operation of the Project could negatively impact wildlife corridors (page 4.2-119). The PEIR states that these impacts will be less than significant with the mitigation measures described in the PEIR (page 4.2-120) and with site-specific environmental review for future projects (page 4.2-121). CDFW appreciates the opportunity to make recommendations at this point in Project design to circumvent potential connectivity issues prior the determination of specific locations and designs for future broadband facilities.

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The PEIR identifies two essential connectivity areas within the County: one near the coastline in the western portion of the County from south of Guadalupe to south of Lompoc and one over a large area of the mountainous regions in the southern portion of the County (page 4.2-55). The PEIR also identifies three movement corridors in the Project area. These movement corridors are in the western part of the County and are associated with the Santa Ynez River, San Antonio Creek/Purissima Hills and along the south coast near Gaviota (Penrod et al. 2001; page 4.2-55). Two Priority Areas overlap with these movement corridors. Therefore, construction in these areas may temporarily impede wildlife movement during construction. The Highway 246 Corridor Priority Area overlaps the Santa Ynez River movement corridor (CDFW, 2024). This is a riparian corridor and a point of constriction; it is essential to maintaining connectivity. The Refugio Canyon Priority Area overlaps the Gaviota Coast movement corridor (CDFW, 2024), which is also a point of constriction in the Project area. Temporary disruption of wildlife movement could substantially reduce connectivity in the Project area.

During construction, the Project may impede the movement of coast live newt, California tiger salamander, and southwestern pond turtle, all of which perform breeding or nesting migrations (Thomson et al., 2016; Zeiner et al., eds. 1988-1990). Limiting movement of these species can lead to the reduction of genetic fitness in populations, making them more vulnerable to changing or extreme conditions (CDFW, 2009; Haddad et al., 2015). Limiting movement can also lead to the inability of populations to recolonize habitat after disturbance events such as fires, floods, and droughts, and it can lead to the loss of resident wildlife populations by altered community structure (e.g. species composition, distribution), and/or partial or complete loss of populations of migrant species due to blocked access to critical habitats (Haddad et al., 2015).

Evidence impact would be significant: Habitat conversion and fragmentation force many California species to migrate in search of replacement habitat, and it also risks continued survival of species by compromising genetic diversity, among other things. (Fish & G. Code, § 1955 (b).) California wildlife is losing the ability to move as habitat conversion and built infrastructure disrupt species habitat and cut off migration corridors (Fish & G. Code, § 1955 (c).) Habitat connectivity and wildlife migratory corridors are essential to the continued survival of many California species. (Fish & G. Code, § 1955 (d).) 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 (Fish & G. Code, § 711.7.)

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #8: Consultation with CDFW. [CDFW's Restoring California's Wildlife Connectivity report](#)³ highlighted several roadway segments in Santa Barbara County where CDFW and the California Department of Transportation will improve

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=204648&inline>

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wildlife connectivity. SBCAG shall consult with CDFW when adding any permanent structures or temporarily or permanently altering the habitat at these locations:

- Highway 1 Vandenberg to Burton Mesa post-miles (PM) 23.7 to 27.40
- Highway 1 Vandenberg Road PMs 29.9 to 36.10
- State Route 246 Purisima Hills to Santa Rosa Hills PMs 18 to 24
- Highway 154 PMs 10 to 24.5
- Gaviota Pass PMs 44.8 to 51.1

Mitigation Measure #9: Nighttime construction. Nighttime construction in areas important to wildlife connectivity should be avoided to minimize the indirect impacts of increased activity and noise levels during the hours that wildlife are more active and more likely to traverse the Project site and/or roadway.

COMMENT # 3: Revised and additional protection measures for fish and wildlife

Issue: Proposed avoidance and minimization measures do not provide adequate protections for existing and potential fish and wildlife resources.

Specific impact: Without comprehensive avoidance and minimization measures, fish and wildlife resources, including special-status species, may be impacted.

Why impact would occur: Appendix C of the PEIR acknowledges the presence of several special-status species in the Project area and Table ES-1 in the PEIR proposes avoidance and minimization measures to protect biological resources. However, the proposed measures do not meet CDFW's standards for protection of fish and wildlife resources. Additionally, while the PEIR stated that the following special-status species have a moderate to high likelihood of occurring in the Project area, the PEIR does not propose avoidance minimization measures for these species: San Joaquin kit fox, light-footed Ridgway's rail, California red-legged frog, arroyo toad, California tiger salamander, western spadefoot, Kern primrose sphinx moth, and Vandenberg monkey flower. Furthermore, the PEIR does not propose avoidance and minimization measures which specify pre-construction surveys, habitat buffers, and relocation plans for some of the wildlife in the Project area. Without these additional measures, wildlife may experience direct impacts such as injury and mortality and/or indirect impacts through habitat disturbance. These impacts may occur during construction if Project activities do not avoid key habitat areas or sensitive time periods.

CDFW is available to meet with SBCAG ahead of the preparation of tiered CEQA documents for this Project to discuss potential impacts and possible mitigation measures, including site specific impacts and mitigation measures, for some or all the resources that may be analyzed in the tiered CEQA documents.

Evidence impact may be significant: The Project area supports a variety of special status species, including CESA-listed species, ESA-listed species, and SSC. The Project may have a substantial adverse effect, either directly or through habitat

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modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or United States Fish and Wildlife Service (USFWS). The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of several special-status species. The Project may also reduce the number and range of the species without considering the likelihood that special-status species on adjacent and nearby natural lands may rely upon the habitat that occurs in the Project area.

Impacts to special-status species should be considered significant. CDFW considers impacts to CESA-listed species and species which are candidates for CESA-listed under CEQA significant unless they are clearly mitigated below a level of significance. CEQA provides protection not only for ESA and 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). Furthermore, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish and Game Code, §§ 86, 2062, 2067, 2068, 2080, 2085; California Code of Regulations, title 14, § 786.9). Accordingly, the Project may have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the CDFW or United States Fish and Wildlife Service (USFWS).

In addition, 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.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #10: Construction Worker Environmental Awareness Program. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:

If any sensitive biological resources (i.e., special-status species with a moderate to high potential to occur, sensitive natural communities, or aquatic resources) are determined to be present within or near construction areas during the Habitat Assessment, the Project Applicant shall retain a qualified biologist to conduct a pre-construction WEAP training for all personnel ~~working at the construction site~~ entering the Project area where sensitive habitats and/or species may be present. The WEAP should inform workers in recognizing special-status species, their habitat, and regulated biological resources known to occur or potentially occur on the site, ~~and~~ avoidance buffers and measures

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necessary to avoid and/or minimize potential impacts to biological resources, and what to do if the species is observed.

- All personnel associated with Project construction should attend the WEAP training prior to initiation of Project construction activities (including, but not limited to, site preparation, staging and mobilization, vegetation clearance/mowing/trimming, grading, and excavation). The training should include information about the special-status species potentially occurring within the Project Site, identification of special-status species and their habitats, a description of the regulatory status and general ecological characteristics of special-status species, and a review of the limits of construction and measures required to avoid and/or minimize impacts to biological resources within the work area. A fact sheet conveying this information and pertinent Project contacts should also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the Project.
- Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on-site.
- All employees working at the Project Site shall be required to sign a form provided by the qualified biologist documenting they have attended the WEAP and understand the information presented to them. The signed form should be provided to the Project Applicant as documentation of training completion. The crew foreman should be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species and other regulated biological resources. If new personnel are brought onto the Project after completion of the initial WEAP training, the training should be conducted for all new personnel before they ~~can participate in construction activities~~ enter the Project area where sensitive habitats and/or species may be present.

Mitigation Measure #11: Invasive Plant Species Control Measures. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language:

The Project Applicant shall conduct Project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes (e.g., algae, fungi, parasites, bacteria, etc.), from one Project site and/or watershed to another. Prevention BMPs and guidelines for invasive plants can be found on the [California Invasive Plant Council's website](https://www.cal-ipc.org/)⁴ and for invasive mussels and aquatic species can be found at the [Stop Aquatic Hitchhikers website](https://stopaquatic Hitchhikers website)⁵. If any sensitive biological resources (i.e., special-status species with a moderate to high potential to occur, sensitive natural communities, or aquatic resources) are determined to be

⁴ <https://www.cal-ipc.org/>

⁵ <https://stopaquatic Hitchhikers.org/>

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present within or near construction areas during the Habitat Assessment, the Project Applicant shall require construction contractors to ensure that equipment is free of invasive plant seeds, propagules, and any material which may contain them (e.g., soil). For purposes of this mitigation measure, invasive plant species should include all species with a Cal-IPC rating of moderate or high. Prior to entering the construction site, equipment should be inspected to confirm it is free of mud, dirt, and debris. For larger sites that would be accessed via non-paved roads, tire track stations should be installed at the construction site entrances and exits, where appropriate. Staging areas and access routes should avoid weed infestations, and infestations within the work area(s) should be flagged and avoided to the maximum extent feasible. Only certified weed-free materials (e.g., fiber rolls, straw, and fill) should be used during construction of future broadband facilities.

Mitigation Measure #12: General Construction Best Management Practices. CDFW recommends SBCAG revise the following section of Mitigation Measure BIO-06: General Construction Best Management Practices by adding the underlined language:

Any worker who inadvertently injures or kills a special-status species or finds one dead, injured, or entrapped shall immediately report the incident to the construction foreman or biological monitor (recommended under Mitigation Measure BIO-01: Habitat Assessment). The construction foreman or biological monitor shall immediately notify the Project Applicant, who then shall immediately inform CDFW.

Mitigation Measure #13: Nesting Birds. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:

If the results of the Habitat Assessment, completed as required by Mitigation Measure BIO-01: Habitat Assessment, determine that suitable habitat for nesting birds is identified at future broadband facility sites and construction is scheduled to commence during the avian nesting season (February 1–August 31 for songbirds, and January 15 to August 31 for raptors), a qualified biologist shall conduct two ~~a~~ nesting bird surveys ~~within 7 days of the anticipated start date~~ to identify any active nests within 500 feet of the Project Site. The first survey shall occur during the one week period prior to initiation of Project activities and vegetation disturbance, and the second survey occur no more than 72 hours prior to Project activities. Surveys shall be conducted at the appropriate time of day during appropriate weather conditions within and adjacent to the Project site.

Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of area subject to this Agreement; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior

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(e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors).

If a nest is suspected, but not confirmed, the qualified biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. The qualified biologist shall not risk failure of the nest to determine the exact location or status of the nest and will make every effort to limit potential predation as a result of the survey/monitoring efforts (e.g., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, immediately depart nest area if indicators of stress or agitation are displayed). If a nest is observed, but thought to be inactive, the qualified biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The qualified biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.

If an active nest is detected, a suitable avoidance buffer shall be established by the qualified biologist in the field. Construction activities shall not occur within the buffer until a qualified biologist determines that the nest is no longer active (e.g., chicks have fledged). Appropriate buffer distances are generally 300 feet for passerine species and up to 500 feet for raptors; however, these may be reduced at the discretion of the qualified biologist depending on site-specific factors such as the location of the nest, species tolerance to human presence, and the types of construction-related noises, vibrations, and human activities that are expected occur. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a manner that it attracts predators. Once the buffer is established, the qualified biologist shall document baseline behavior, stage of reproduction, expected fledge date, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. The qualified biologist shall monitor the nest daily at the onset of Project activities, and at the onset of any changes in Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist shall adjust the buffer accordingly.

The qualified biologist shall document the status of all existing nests, including the stage of reproduction and the expected fledge date. If a nest is suspected to have been abandoned or failed, the qualified biologist shall monitor the nest for a minimum of one hour (four hours for raptors), uninterrupted, during favorable field conditions. If no activity is observed during that time, the qualified biologist may approach the nest to assess the status. The Project Applicant under the direction of the qualified biologist, may also take steps to discourage nesting on the Project site, including moving equipment and materials daily, covering material with tarps or fabric, and securing all

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open pipes and construction materials. The qualified biologist shall ensure that none of the deterrent materials pose an entanglement risk to birds or other species.

If construction temporarily ceases for a period greater than 7 days, and activities expect to recommence during the avian nesting season, the Project Site (including surrounding 500 feet) shall be resurveyed. If nesting birds are present within 500 feet of the Project Site, construction WEAP training shall be implemented by the qualified biologist during construction activities to avoid or minimize potential impacts to nesting birds (see Mitigation Measure BIO- 03: Construction Worker Environmental Awareness Program) and monitoring may be recommended for any work in the vicinity of nest avoidance buffers if determined necessary by the qualified biologist (per Mitigation Measure BIO-04: Qualified Biological Monitor).

Mitigation Measure #14: Bats. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:

If the results of the Habitat Assessment, completed as required by Mitigation Measure BIO-01: Habitat Assessment, determine that suitable habitat may be present for special-status bat species, then, prior to construction within 500 feet of areas that could support bat species, the following measures shall be applicable to the future broadband network facilities:

- To determine if daytime, nighttime, wintering (hibernacula), and maternity roost sites are present ~~A~~ a qualified CDFW-approved biologist shall conduct presence/absence surveys for bats during each season within 30 days ~~prior to the start of construction. Surveys shall be conducted during favorable weather conditions at each season to understand the extent of bat usage. Each survey shall consist of one dusk emergence survey (start one hour before sunset and last for three hours) and one daytime visual inspection of all potential roosting habitat on the Project site. Visual inspections shall focus on the identification of bat sign (i.e., individuals, guano, urine staining, corpses, feeding remains, scratch marks and bats squeaking and chattering).~~ Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. Bat detectors, bat call analysis, and visual observation shall be used during all dusk emergence surveys.
- ~~If active roosts are located, the roost shall be avoided and Project construction activities shall be conducted as recommended by the biologist to avoid the area, which may include temporary postponement of activities or provision of a suitable buffer (of no less than 100 feet) around the roost until roosting activities cease. If active hibernacula or maternity roosts are identified in the work area or 500 feet extending from the work area, for maternity roosts, Project construction will only occur between September 1 and March 31, outside of the maternity roosting season when young bats are present but are not yet ready to fly out of the roost. Maternity roosts shall not be evicted, excluded, removed, or disturbed. A~~

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minimum 500-foot no-work buffer shall be provided around hibernacula. Buffers shall be left in place until the end of Project construction and activities or until a qualified bat biologist determines that the hibernacula are no longer active. Project-related construction and activities shall not occur between 30 minutes before sunset and 30 minutes after sunrise. Hibernacula roosts shall not be evicted, excluded, removed, or disturbed. Exclusion devices such as netting may be installed to discourage bats from occupying the site outside of maternity season in consultation with the CDFW. Netting shall not be used as exclusion material. If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the Project Site prior to installing exclusion devices. The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.

- Exclusion devices shall be designed not to entrap birds or bats and allow exit from, but not entry to, the exclusion. Exclusion devices shall be installed between September 30 and February 1 and removed at the end of construction. A qualified bat biologist shall be present upon exclusion installation and repair to survey for and ensure that birds and bats are not trapped behind devices.
- Exclusion monitoring shall occur daily by a qualified biologist to determine effectiveness of devices. Any exclusion repair must be completed within 3 days of observation under supervision of a qualified bat biologist to ensure bat entrapment does not occur.
- If night work is necessary, it shall be limited, and light shall be shielded from the bat roosts, hibernacula, and adjacent habitat. Lighting shall be directed away from non-active work areas.

Mitigation Measure #15: San Joaquin Kit Fox Protection. The Project shall avoid suitable San Joaquin kit fox habitat, burrow complexes, and dens. A qualified biologist shall establish the following exclusion buffers around dens: 50 feet for potential dens, 100 feet for known dens, 200 feet for natal dens.

Mitigation Measure #16: Work Periods and Avoidance Buffer for Light-footed Ridgway's Rail Habitat. SBCAG shall not perform project activities within 700 feet of a tidal marsh area, or activities in or adjacent to suitable light-footed Ridgway's rail habitat year-round within two hours before or after high tides, defined as 6.5 feet or above measured at the nearest tide gauge and adjusted to the timing of local high tides.

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Current and predicted tides and currents measured at the nearest monitoring station can be accessed via [CO-OPS Map - NOAA Tides & Currents](#)⁶.

Mitigation Measure #17: Habitat Assessments and Species-Specific Surveys. SBCAG shall conduct habitat assessments and species-specific surveys for California tiger salamander, red-legged frog, arroyo toad, and western spadefoot. These surveys shall occur during the appropriate season prior to construction. If special-status species are detected, SBCAG shall consult with CDFW on appropriate measures to avoid impacts and/or apply for permits as appropriate.

Mitigation Measure #18: California Red-Legged Frog Work Windows. SBCAG shall limit all activities to May 1 – October 31 in areas identified as suitable habitat for California red-legged frog.

Mitigation Measure #19: California Tiger Salamander and Arroyo Toad Habitat Avoidance. SBCAG shall require construction activities within 250 feet of intermittent or perennial waterways to occur only in compacted soils immediately adjacent to the roadway (e.g., shoulder) which contain no burrow openings. Construction activities in suitable California tiger salamander or arroyo toad habitat shall not disturb substrate (e.g., trenching in pavement, HDD, etc.).

Mitigation Measure #20: California Tiger Salamander and Western Spadefoot Vernal Pool Surveys. A qualified biologist shall conduct a pre-construction survey along the project alignment plus a 250-foot radius if access is available prior to the date of initial ground disturbance and vegetation clearing. The qualified biologist shall assess all potential aquatic features identified during habitat assessments and species-specific surveys of Priority Areas. Potential vernal pools and seasonal wetlands shall be assumed present unless appropriate surveys during the wet season (i.e., when ponding is most likely to be evident) or other evidence demonstrates the aquatic feature is not present.

Mitigation Measure #21: California Tiger Salamander and Western Spadefoot Avoidance Buffer. To limit impacts to suitable vernal pools and seasonal wetland/swale habitat, a qualified biologist shall delineate a 250-foot avoidance buffer as an environmentally sensitive area on plans and in the field and monitor these buffers, as necessary. No work shall occur within the avoidance buffers.

Mitigation Measure #22: Kern Primrose Sphinx Moth Protection. In areas identified as habitat for Kern primrose sphinx moth, all activities shall be limited to May 1 to January 15.

⁶ <https://tidesandcurrents.noaa.gov/map/index.shtml?lat=36.37410569300005&lng=-%20119.27022999999997&zoom=10>

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Mitigation Measure #23: Protection of Vandenberg Monkeyflower. To protect Vandenberg monkeyflower when working on SR-1 near Vandenberg Air Force Base, all work will occur within the pavement or east of SR-1.

Mitigation Measure #24: Qualified Biologist. A qualified biologist shall be onsite during all ground-disturbing and vegetation removal activities. The qualified biologist shall conduct daily clearance surveys at the beginning of each day and regularly throughout the workday, and during ground disturbing activities. The qualified biologist shall conduct daily clearance surveys of all equipment, vehicles, and stockpiled materials at the beginning of each day and regularly throughout the workday when construction activities are occurring. The qualified biologist shall monitor any implemented exclusion buffers and check potential, atypical, and known burrows/burrow complexes/dens every two weeks when construction activities are occurring in suitable habitat for special-status species.

Mitigation Measure #25: Wildlife Exclusion Fencing. SBCAG shall install wildlife exclusion fencing in stationary work areas where special-status species are present and construction activities or materials staging is anticipated to occur for greater than 72 hours, including trenchless/horizontal directional drilling (HDD) locations and jack and drill pits. Fencing shall be buried two feet underground in areas where the qualified biologist deems necessary. The qualified biologist shall inspect the fencing before the start of each workday. The fencing shall be maintained until the completion of the activity and shall be removed upon completion of the activity. To prevent species from becoming entangled, trapped, or injured, plastic mono-filament netting, jute netting, and any material with cross joints in the netting that are bound or stitched shall not be used for wildlife fencing.

Mitigation Measure #26: Rain Limitations. SBCAG shall cease project activities on days with rainfall equal to or greater than 0.5 inch during a 24-hour period, or a forecast predicting this level of rain within areas identified as habitat for special-status species. Construction activities halted due to precipitation may resume when precipitation ceases, and when the National Weather Service 72- hour weather forecast indicates less than a 50 percent chance of 0.5 inch of rain or less during a 24-hour period. Before construction activities resume, the qualified biologist shall inspect the project area and all equipment/materials for the presence of special-status species.

Mitigation Measure #27: Pre-Construction Mammalian Surveys. No more than seven days prior to the date of initial ground disturbance and vegetation clearing, a qualified biologist shall conduct a pre-construction survey, pedestrian and/or visual surveys as appropriate, for mammalian species suitable habitat and potential burrows/burrow complexes/dens along the project footprint, plus a 200-foot radius if access is available.

Mitigation Measure #28: Pre-Construction Amphibian Surveys. A qualified biologist shall conduct a pre-construction survey for amphibians within the project footprint no more than seven days prior to the date of initial ground disturbance and vegetation

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clearing. This includes a thorough investigation of burrows, rocks, soil cracks, vegetation, logs, and any other debris or other species-appropriate habitat features that could serve as potential refuge habitat. If potential aestivation burrows are discovered, the qualified biologist shall monitor burrows during all project activities.

Mitigation Measure #29: Plant Surveys During Blooming Period. A qualified biologist shall conduct pre-construction surveys for special-status plant species in areas identified as habitat for these plants during appropriate blooming periods. Surveys for La Graciosa thistle shall occur between May and August. Surveys for Vandenberg monkeyflower shall occur between April and June. Surveys for Ventura marsh milk-vetch shall occur between August and October.

Mitigation Measure #30: Fish Aquatic Habitat Avoidance Buffer. SBCAG shall avoid suitable habitat for special-status fish determined during habitat assessments. A qualified biologist shall designate a 250-foot buffer around these areas as environmentally sensitive areas. A qualified biologist shall delineate these environmentally sensitive areas in the field and shall monitor these areas to limit disturbance to upland habitat adjacent to or over aquatic features.

Mitigation Measure #31: Avoidance Buffer of Special-Status Plants. If surveys confirm the presence of special-status plants, then a qualified biologist shall establish a minimum 50-foot avoidance buffer around all special-status plant occurrences or their suitable habitat. Any vegetation clearing or ground disturbance within the avoidance buffer and/or their suitable habitat shall be minimal and only conducted under the observation of a qualified biologist. Direct disturbance to individual plants or seedbanks, and/or permanent alterations or degradation of habitat shall not occur. The upper four inches of topsoil during excavations shall be stockpiled separately and used to restore the disturbed areas. Actions shall be taken to ensure seedbank protection and topsoil remains viable for plant propagation (i.e., return to area in same season as removed, height of stockpiles kept as low as possible, protect stockpiles from wind erosion or other damage, soil not treated with pesticides, and/or any cover, if added, would not result in soil sterilization).

Mitigation Measure #32: Amphibian Aquatic Habitat Buffer. To avoid impacts to suitable aquatic breeding habitat for special-status amphibians, SBCAG shall designate a 250-foot avoidance buffer of these areas as an environmentally sensitive area on plans and in the field. The qualified biologist shall establish these buffers in the field and SBCAG shall not conduct construction activities within these buffers.

ADDITIONAL COMMENTS

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, §

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15097; Pub. Resources Code, § 21081.6). The Lead Agency 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 a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

CEQA Document Tiering. The draft PEIR states that specific locations of future broadband facility installations are not known at the time of document circulation (page ES-5), and future facilities could be built on currently undeveloped land and therefore may impact special-status plants or wildlife (page 4.2-82). Therefore, all Project impacts cannot be completely and accurately assessed using the draft PEIR. CDFW recommends that, for individual Projects nested under the proposed Project, the development of detailed site-specific information be deferred until a until SBCAG prepares future environmental document for those undefined projects (see CEQA Guidelines § 15151). CDFW recommends that SBCAG follow CEQA Guidelines sections 15162 and 15163 when preparing Subsequent or supplemental CEQA documents CEQA Guidelines sections 15162 and 15163. In addition to this recommendation, CDFW would appreciate the opportunity to review and comment on CEQA addendums associated with this draft PEIR.

Survey Results. CDFW requests that the Project Proponent provide CDFW with the results of all pre-construction biological surveys conducted for the Project prior to Project initiation.

ENVIRONMENTAL 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).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The [CNDDDB website](#)⁷ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)⁸.

SBCAG should ensure data collected for the preparation of the draft PEIR is properly submitted.

⁷ <https://wildlife.ca.gov/Data/CNDDDB>

⁸ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order 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

CDFW appreciates the opportunity to comment on the draft PEIR to assist SBCAG in identifying and mitigating Project impacts on biological resources. CDFW is available to consult with SBCAG on wildlife connectivity, species impacts, and other topics related to the Project. CDFW welcomes the opportunity to discuss these matters further before SBCAG finalizes the PEIR. CDFW requests an opportunity to review and comment on any response that the SBCAG has to our comments prior to adoption of the PEIR and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to Victor Torres⁹, Environmental Scientist.

Sincerely,

DocuSigned by:

Heather A. Pert

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Heather A. Pert
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Heather A. Pert, Environmental Program Manager
Jennifer Turner, Senior Environmental Scientist (Supervisory)
Erika Cleugh, Senior Environmental Scientist (Supervisory)

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ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	Timing	Responsible Party
<p>Mitigation Measure #1: Seasonal Avian Work Windows. In areas identified as suitable habitat for the light-footed Ridgway’s rail, SBCAG shall limit all project activities to September 1 to January 31. In areas identified as suitable habitat for the southwestern shallow flycatcher, SBCAG shall limit all project activities to September 1 to March 1. In areas identified as suitable habitat for the western snowy plover, SBCAG shall limit all project activities to September 1 to February 28.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #2: California Tiger Salamander and Western Spadefoot Habitat Work Windows. Depending on the type of suitable habitat identified during habitat assessments, SBCAG shall apply the following seasonal work windows.</p> <ul style="list-style-type: none"> • All construction activities in areas identified as suitable upland and aquatic habitat, excluding vernal pools, seasonal wetlands, or swales, for California tiger salamander or western spadefoot during habitat assessments be limited to May 1 to October 31. • All construction activities within 250 feet of identified suitable vernal pool and seasonal wetland/swale habitat for California tiger salamander or western spadefoot during the habitat assessments and/or pre-construction California tiger salamander and western spadefoot habitat surveys shall be limited to June 1 to October 15. Within this work window, work is only 	<p>During Project Construction</p>	<p>Lead Agency</p>

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Mitigation Measure	Timing	Responsible Party
<p>allowed if vernal pools remain dry for 72 hours consistent with Rain Limitations as defined in Mitigation Measure 29.</p>		
<p>Mitigation Measure #3: Western Snowy Plover Surveys. A qualified biologist shall conduct surveys within all suitable wintering habitat for western snowy plover in the project footprint and within a 50-foot buffer around the project footprint no more than 7 days prior to proposed work activities. If no plovers are detected, work shall proceed without restrictions. Surveys shall be conducted weekly thereafter, and work may proceed without restrictions if plovers are not detected. If one or more plovers are detected during a weekly survey, daily pre-activity plover surveys shall be started. If no plovers are detected during a daily pre-work survey, work may proceed without restrictions during that day. If plovers are detected, work shall stop immediately and not begin again until a qualified biologist has determined that the plovers have vacated the survey area. If no plovers are detected for seven consecutive days, daily surveys shall be replaced by weekly surveys until plovers are detected again.</p>	<p>Prior to Project Initiation</p>	<p>Lead Agency</p>
<p>Mitigation Measure #4: California Light-footed Ridgway’s Rail Monitoring. A qualified biologist shall be present for all activities and conduct daily pre-construction surveys for light-footed Ridgway’s rail, and when work occurs within suitable habitat during the non-breeding season (September 1 to January 31).</p>	<p>During Project Construction</p>	<p>Qualified Biologist</p>

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Mitigation Measure	Timing	Responsible Party
<p>Mitigation Measure #5: California Light-footed Ridgway’s Rail Surveys. A qualified biologist shall conduct a pre-construction survey for suitable light-footed Ridgway’s rail habitat within seven days prior to the commencement of construction activities.</p>	<p>Prior to Project Construction</p>	<p>Qualified Biologist</p>
<p>Mitigation Measure #6: Least Bell’s Vireo Nest Buffers. A qualified biologist shall establish a minimum buffer distance of 500 feet around least Bell’s vireo nests.</p>	<p>Prior to Project Construction</p>	<p>Qualified Biologist</p>
<p>Mitigation Measure #7: Noise-Reducing Features. Between February 15 and October 1, all heavy equipment shall have installed and maintained mufflers or other noise-reducing features when working adjacent to riparian vegetated areas.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #8: Consultation with CDFW. CDFW’s Restoring California’s Wildlife Connectivity report¹⁰ highlighted several roadway segments in Santa Barbara County where CDFW and the California Department of Transportation will improve wildlife connectivity. SBCAG shall consult with CDFW when adding any permanent structures or temporarily or permanently altering the habitat at these locations:</p> <ul style="list-style-type: none"> • Highway 1 Vandenberg to Burton Mesa post-mile (PM) 23.7-27.40 	<p>Prior to Project Initiation</p>	<p>Lead Agency</p>

¹⁰ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=204648&inline>

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Mitigation Measure	Timing	Responsible Party
<ul style="list-style-type: none"> • Highway 1 Vandenberg Road PM 29.9-36.10 • State Route 246 Purisima Hills to Santa Rosa Hills PM 18-24 • Highway 154 PM 10-24.5 • Gaviota Pass PM 44.8-51.1 		
<p>Mitigation Measure #9: Nighttime construction. Nighttime construction in areas important to wildlife connectivity should be avoided to minimize the indirect impacts of increased activity and noise levels during the hours that wildlife are more active and more likely to traverse the Project site and/or roadway.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #10: Construction Worker Environmental Awareness Program. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:</p> <p>If any sensitive biological resources (i.e., special-status species with a moderate to high potential to occur, sensitive natural communities, or aquatic resources) are determined to be present within or near construction areas during the Habitat Assessment, the Project Applicant shall retain a qualified biologist to conduct a pre-construction WEAP training for all personnel <u>entering the Project area where sensitive habitats and/or species may be present.</u> working at the construction site The WEAP should inform workers in recognizing special-status species, <u>their habitat,</u> and regulated biological resources known to occur or potentially occur on</p>	<p>Prior to Finalizing CEQA document</p>	<p>Lead Agency</p>

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<p>the site, and avoidance buffers and measures necessary to avoid and/or minimize potential impacts to biological resources, <u>and what to do if the species is observed.</u></p> <ul style="list-style-type: none"> • All personnel associated with Project construction should attend the WEAP training prior to initiation of Project construction activities (including, but not limited to, site preparation, staging and mobilization, vegetation clearance/mowing/trimming, grading, and excavation). The training should include information about the special-status species potentially occurring within the Project Site, identification of special-status species and their habitats, a description of the regulatory status and general ecological characteristics of special-status species, and a review of the limits of construction and measures required to avoid and/or minimize impacts to biological resources within the work area. A fact sheet conveying this information <u>and pertinent Project contacts</u> should also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the Project. • <u>Interpretation shall be provided for non-English speaking workers, and the same instruction shall be provided for any new workers prior to their performing work on-site.</u> • All employees working at the Project Site shall be required to sign a form provided by the qualified biologist documenting they have attended the WEAP and understand the information presented to them. The signed form should be provided to the Project Applicant as documentation of training completion. The crew foreman should be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species and other regulated biological resources. If new personnel are brought onto the Project after completion of the initial WEAP training, the training should be conducted for all new personnel 		

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<p><u>before they can participate in construction activities enter the Project area where sensitive habitats and/or species may be present.</u></p>		
<p>Mitigation Measure #11: Invasive Plant Species Control Measures. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language:</p> <p><u>The Project Applicant shall conduct Project activities in a manner that prevents the introduction, transfer, and spread of invasive species, including plants, animals, and microbes (e.g., algae, fungi, parasites, bacteria, etc.), from one Project site and/or watershed to another. Prevention BMPs and guidelines for invasive plants can be found on the California Invasive Plant Council's website¹¹ and for invasive mussels and aquatic species can be found at the Stop Aquatic Hitchhikers website¹². If any sensitive biological resources (i.e., special-status species with a moderate to high potential to occur, sensitive natural communities, or aquatic resources) are determined to be present within or near construction areas during the Habitat Assessment, the Project Applicant shall require construction contractors to ensure that equipment is free of invasive plant seeds, propagules, and any material which may contain them (e.g., soil). For purposes of this mitigation measure, invasive plant species should include all species with a Cal-IPC rating of moderate or high. Prior to entering the construction site, equipment should be inspected to confirm it is free of mud, dirt, and debris. For larger sites that would be accessed via non-paved roads, tire track stations should be installed at the construction site entrances and exits, where appropriate. Staging areas and</u></p>	<p>Prior to Finalizing CEQA document</p>	<p>Lead Agency</p>

¹¹ <https://www.cal-ipc.org/>

¹² <https://stopaquaticitchhikers.org/>

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Mitigation Measure	Timing	Responsible Party
<p>access routes should avoid weed infestations, and infestations within the work area(s) should be flagged and avoided to the maximum extent feasible. Only certified weed-free materials (e.g., fiber rolls, straw, and fill) should be used during construction of future broadband facilities.</p>		
<p>Mitigation Measure #12: General Construction Best Management Practices. CDFW recommends SBCAG revise the following section of Mitigation Measure BIO-06: General Construction Best Management Practices by adding the underlined language:</p> <p>Any worker who inadvertently injures or kills a special-status species or finds one dead, injured, or entrapped shall immediately report the incident to the construction foreman or biological monitor (recommended under Mitigation Measure BIO-01: Habitat Assessment). The construction foreman or biological monitor shall immediately notify the Project Applicant, <u>who then shall immediately inform CDFW.</u></p>	<p>Prior to Finalizing CEQA document</p>	<p>Lead Agency</p>
<p>Mitigation Measure #13: Nesting Birds. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:</p> <p>If the results of the Habitat Assessment, completed as required by Mitigation Measure BIO-01: Habitat Assessment, determine that suitable habitat for nesting birds is identified at future broadband facility sites and construction is scheduled to commence during the avian nesting season (February 1–August 31 for songbirds,</p>	<p>Prior to Finalizing CEQA document</p>	<p>Lead Agency</p>

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Mitigation Measure	Timing	Responsible Party
<p>and January 15 to August 31 for raptors), a qualified biologist shall conduct <u>two</u> a nesting bird surveys within 7 days of the anticipated start date to identify any active nests within 500 feet of the Project Site. <u>The first survey shall occur during the one week period prior to initiation Project activities and vegetation disturbance, and the second survey occur no more than 72 hours prior to Project activities. Surveys shall be conducted at the appropriate time of day during appropriate weather conditions within and adjacent to the Project site.</u></p> <p><u>Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of area subject to this Agreement; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors).</u></p> <p><u>If a nest is suspected, but not confirmed, the qualified biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. The qualified biologist shall not risk failure of the nest to determine the exact location or status of the nest and will make every effort to limit potential predation as a result of the survey/monitoring efforts (e.g., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, immediately depart nest area if indicators of stress or agitation are displayed). If a nest is observed, but thought to be inactive, the qualified biologist shall monitor the nest for one hour (four hours</u></p>		

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Mitigation Measure	Timing	Responsible Party
<p><u>for raptors during the non-breeding season) prior to approaching the nest to determine status. The qualified biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.</u></p> <p>If an active nest is detected, a suitable avoidance buffer shall be established by the qualified biologist in the field. Construction activities shall not occur within the buffer until a qualified biologist determines that the nest is no longer active (e.g., chicks have fledged). Appropriate buffer distances are generally 300 feet for passerine species and up to 500 feet for raptors; however, these may be reduced at the discretion of the qualified biologist depending on site-specific factors such as the location of the nest, species tolerance to human presence, and the types of construction-related noises, vibrations, and human activities that are expected occur. <u>The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a manner that it attracts predators. Once the buffer is established, the qualified biologist shall document baseline behavior, stage of reproduction, expected fledge date, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. The qualified biologist shall monitor the nest daily at the onset of Project activities, and at the onset of any changes in Project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist shall adjust the buffer accordingly.</u></p> <p><u>The qualified biologist shall document the status of all existing nests, including the stage of reproduction and the expected fledge date. If a nest is suspected to have been abandoned or failed, the qualified biologist shall monitor the nest for a</u></p>		

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Mitigation Measure	Timing	Responsible Party
<p><u>minimum of one hour (four hours for raptors), uninterrupted, during favorable field conditions. If no activity is observed during that time, the qualified biologist may approach the nest to assess the status. The Project Applicant under the direction of the qualified biologist, may also take steps to discourage nesting on the Project site, including moving equipment and materials daily, covering material with tarps or fabric, and securing all open pipes and construction materials. The qualified biologist shall ensure that none of the deterrent materials pose an entanglement risk to birds or other species.</u></p> <p>If construction temporarily ceases for a period greater than 7 days, and activities expect to recommence during the avian nesting season, the Project Site (including surrounding 500 feet) shall be resurveyed. If nesting birds are present within 500 feet of the Project Site, construction WEAP training shall be implemented by the qualified biologist during construction activities to avoid or minimize potential impacts to nesting birds (see Mitigation Measure BIO- 03: Construction Worker Environmental Awareness Program) and monitoring may be recommended for any work in the vicinity of nest avoidance buffers if determined necessary by the qualified biologist (per Mitigation Measure BIO-04: Qualified Biological Monitor).</p>		
<p>Mitigation Measure #14: Bats. CDFW recommends SBCAG revise the following mitigation measure by adding the underlined language and removing the language in strikethrough:</p> <p>If the results of the Habitat Assessment, completed as required by Mitigation Measure BIO-01: Habitat Assessment, determine that suitable habitat may be present for special-status bat species, then, prior to construction within 500 feet of</p>	<p>Prior to Finalizing CEQA document</p>	<p>Lead Agency</p>

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Mitigation Measure	Timing	Responsible Party
<p>areas that could support bat species, the following measures shall be applicable to the future broadband network facilities:</p> <ul style="list-style-type: none"> • <u>To determine if daytime, nighttime, wintering (hibernacula), and maternity roost sites are present</u> A <u>a qualified CDFW-approved biologist shall conduct presence/absence surveys for bats during each season within 30 days prior to the start of construction. Surveys shall be conducted during favorable weather conditions at each season to understand the extent of bat usage. Each survey shall consist of one dusk emergence survey (start one hour before sunset and last for three hours) and one daytime visual inspection of all potential roosting habitat on the Project site. Visual inspections shall focus on the identification of bat sign (i.e., individuals, guano, urine staining, corpses, feeding remains, scratch marks and bats squeaking and chattering).</u> Surveys shall be conducted using acoustic detectors and by searching tree cavities, crevices, and other areas where bats may roost. <u>Bat detectors, bat call analysis, and visual observation shall be used during all dusk emergence surveys.</u> • If active roosts are located, the roost shall be avoided and Project construction activities shall be conducted as recommended by the biologist to avoid the area, which may include temporary postponement of activities or provision of a suitable buffer (of no less than 100 feet) around the roost until roosting activities cease. <u>If active hibernacula or maternity roosts are identified in the work area or 500 feet extending from the work area, for maternity roosts, Project construction will only occur between September 1 and March 31, outside of the maternity roosting season when young bats are present but are not yet ready to fly out of the roost. Maternity roosts shall not be evicted, excluded, removed, or disturbed. A minimum 500-foot no-work buffer shall be provided around hibernacula. Buffers shall be left in</u> 		

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Mitigation Measure	Timing	Responsible Party
<p><u>place until the end of Project construction and activities or until a qualified bat biologist determines that the hibernacula are no longer active. Project-related construction and activities shall not occur between 30 minutes before sunset and 30 minutes after sunrise. Hibernacula roosts shall not be evicted, excluded, removed, or disturbed. Exclusion devices such as netting may be installed to discourage bats from occupying the site outside of maternity season in consultation with the CDFW. Netting shall not be used as exclusion material.</u> If a roost is determined by a qualified biologist to be used by a large number of bats (large hibernaculum), bat boxes shall be installed near the Project Site <u>prior to installing exclusion devices.</u> The number of bat boxes installed will depend on the size of the hibernaculum and shall be determined through consultations with the CDFW. If a maternity colony has become established, all construction activities shall be postponed within a 500-foot buffer around the maternity colony until it is determined by a qualified biologist that the young have dispersed. Once it has been determined that the roost is clear of bats, the roost shall be removed immediately.</p> <ul style="list-style-type: none"> • <u>Exclusion devices shall be designed not to entrap birds or bats and allow exit from, but not entry to, the exclusion. Exclusion devices shall be installed between September 30 and February 1 and removed at the end of construction. A qualified bat biologist shall be present upon exclusion installation and repair to survey for and ensure that birds and bats are not trapped behind devices.</u> • <u>Exclusion monitoring shall occur daily by a qualified biologist to determine effectiveness of devices. Any exclusion repair must be completed within 3 days of observation under supervision of a qualified bat biologist to ensure bat entrapment does not occur.</u> 		

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Mitigation Measure	Timing	Responsible Party
<ul style="list-style-type: none"> <u>If night work is necessary, it shall be limited, and light shall be shielded from the bat roosts, hibernacula, and adjacent habitat. Lighting shall be directed away from non-active work areas.</u> 		
<p>Mitigation Measure #15: San Joaquin Kit Fox Protection. The Project shall avoid suitable San Joaquin kit fox habitat, burrow complexes, and dens. A qualified biologist shall establish the following exclusion buffers around dens: 50 feet for potential dens, 100 feet for known dens, 200 feet for natal dens.</p>	<p>Prior to Project Initiation/During Project Construction</p>	<p>Lead Agency/Qualified Biologist</p>
<p>Mitigation Measure #16: Work Periods and Avoidance Buffer for Light-footed Ridgway’s Rail Habitat. SBCAG shall not perform project activities within 700 feet of a tidal marsh area, or activities in or adjacent to suitable light-footed Ridgway’s rail habitat year-round within two hours before or after high tides, defined as 6.5 feet or above measured at the nearest tide gauge and adjusted to the timing of local high tides. Current and predicted tides and currents measured at the nearest monitoring station can be accessed via CO-OPS Map - NOAA Tides & Currents¹³</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #17: Habitat Assessments and Species-Specific Surveys. SBCAG shall conduct habitat assessments and species-specific surveys for California tiger salamander, red-legged frog, arroyo toad, and western spadefoot. These surveys shall occur during the appropriate season prior to construction. If</p>	<p>Prior to Project Initiation</p>	<p>Qualified Biologist</p>

¹³ <https://tidesandcurrents.noaa.gov/map/index.shtml?lat=36.37410569300005&lng=-%20119.27022999999997&zoom=10>

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Mitigation Measure	Timing	Responsible Party
special-status species are detected, SBCAG shall consult with CDFW on appropriate measures to avoid impacts and/or apply for permits as appropriate.		
Mitigation Measure #18: California Red-Legged Frog Work Windows. SBCAG shall limit all activities to May 1 – October 31 in areas identified as suitable habitat for California red-legged frog.	During Construction	Qualified Biologist
Mitigation Measure #19: California Tiger Salamander and Arroyo Toad Habitat Avoidance. SBCAG shall require construction activities within 250 feet of intermittent or perennial waterways to occur only in compacted soils immediately adjacent to the roadway (e.g., shoulder) which contain no burrow openings. Construction activities in suitable California tiger salamander or arroyo toad habitat shall not disturb substrate (e.g., trenching in pavement, HDD, etc.).	During Construction	Lead Agency
Mitigation Measure #20: California Tiger Salamander and Western Spadefoot Vernal Pool Surveys. A qualified biologist shall conduct a pre-construction survey along the project alignment plus a 250-foot radius if access is available prior to the date of initial ground disturbance and vegetation clearing. The qualified biologist shall assess all potential aquatic features identified during habitat assessments and species-specific surveys of Priority Areas. Potential vernal pools and seasonal wetlands shall be assumed present unless appropriate surveys during the wet	Prior to Project Initiation	Qualified Biologist

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Mitigation Measure	Timing	Responsible Party
<p>season (i.e., when ponding is most likely to be evident) or other evidence demonstrates the aquatic feature is not present.</p>		
<p>Mitigation Measure #21: California Tiger Salamander and Western Spadefoot Avoidance Buffer. To limit impacts to suitable vernal pools and seasonal wetland/swale habitat, a qualified biologist shall delineate a 250-foot avoidance buffer as an environmentally sensitive area on plans and in the field and monitor these buffers, as necessary. Vegetation shall be cleared by hand and monitored by a qualified biologist when within the aquatic habitat avoidance buffer.</p>	<p>During Project Construction</p>	<p>Qualified Biologist</p>
<p>Mitigation Measure #22: Kern Primrose Sphinx Moth Protection. In areas identified as habitat for Kern primrose sphinx moth, all activities shall be limited to May 1 to January 15.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #23: Protection of Vandenberg Monkeyflower. To protect Vandenberg monkeyflower when working on SR-1 near Vandenberg Air Force Base, all work will occur within the pavement or east of SR-1.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #24: Qualified Biologist. A qualified biologist shall be onsite during all ground-disturbing and vegetation removal activities. The qualified biologist shall conduct daily clearance surveys at the beginning of each day and regularly throughout the workday, and during ground disturbing activities. The qualified biologist shall conduct daily clearance surveys of all equipment, vehicles,</p>	<p>During Project Construction</p>	<p>Qualified Biologist</p>

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Mitigation Measure	Timing	Responsible Party
<p>and stockpiled materials at the beginning of each day and regularly throughout the workday when construction activities are occurring. The qualified biologist shall monitor any implemented exclusion buffers and check potential, atypical, and known burrows/burrow complexes/dens every two weeks when construction activities are occurring in suitable habitat for special-status species.</p>		
<p>Mitigation Measure #25: Wildlife Exclusion Fencing. SBCAG shall install wildlife exclusion fencing in stationary work areas where special-status species are present and construction activities or materials staging is anticipated to occur for greater than 72 hours, including trenchless/horizontal directional drilling (HDD) locations and jack and drill pits. Fencing shall be buried two feet underground in areas where the qualified biologist deems necessary. The qualified biologist shall inspect the fencing before the start of each workday. The fencing shall be maintained until the completion of the activity and shall be removed upon completion of the activity. To prevent species from becoming entangled, trapped, or injured, plastic mono-filament netting, jute netting, and any material with cross joints in the netting that are bound or stitched shall not be used for wildlife fencing.</p>	<p>During Project Construction</p>	<p>Lead Agency</p>
<p>Mitigation Measure #26: Rain Limitations. SBCAG shall cease project activities on days with rainfall equal to or greater than 0.5 inch during a 24-hour period, or a forecast predicting this level of rain within areas identified as habitat for special-status species. Construction activities halted due to precipitation may resume when precipitation ceases, and when the National Weather Service 72- hour weather forecast indicates less than a 50 percent chance of 0.5 inch of rain or less during a 24-hour period. Before construction activities resume, the qualified</p>	<p>During Project Construction</p>	<p>Lead Agency</p>

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Mitigation Measure	Timing	Responsible Party
biologist shall inspect the project area and all equipment/materials for the presence of special-status species.		
Mitigation Measure #27: Pre-Construction Mammalian Surveys. No more than seven days prior to the date of initial ground disturbance and vegetation clearing, a qualified biologist shall conduct a pre-construction survey, pedestrian and/or visual surveys as appropriate, for mammalian species suitable habitat and potential burrows/burrow complexes/dens along the project footprint, plus a 200-foot radius if access is available.	Prior to Project Initiation	Qualified Biologist
Mitigation Measure #28: Pre-Construction Amphibian Surveys. A qualified biologist shall conduct a pre-construction survey for amphibians within the project footprint no more than seven days prior to the date of initial ground disturbance and vegetation clearing. This includes a thorough investigation of burrows, rocks, soil cracks, vegetation, logs, and any other debris or other species-appropriate habitat features that could serve as potential refuge habitat. If potential aestivation burrows are discovered, the qualified biologist shall monitor burrows during all project activities.	Prior to Project Initiation	Qualified Biologist
Mitigation Measure #29: Plant Surveys During Blooming Period. A qualified biologist shall conduct pre-construction surveys for special-status plant species in areas identified as habitat for these plants during appropriate blooming periods. Surveys for La Graciosa thistle shall occur between May and August. Surveys for	Prior to Project Initiation	Qualified Biologist

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Mitigation Measure	Timing	Responsible Party
<p>Vandenberg monkeyflower shall occur between April and June. Surveys for Ventura marsh milk-vetch shall occur between August and October.</p>		
<p>Mitigation Measure #30: Fish Aquatic Habitat Avoidance Buffer. SBCAG shall avoid suitable habitat for special-status fish determined during habitat assessments. A qualified biologist shall designate a 250-foot buffer around these areas as environmentally sensitive areas. A qualified biologist shall delineate these environmentally sensitive areas in the field and shall monitor these areas to limit disturbance to upland habitat adjacent to or over aquatic features.</p>	<p>Prior to Project Initiation</p>	<p>Lead Agency/Qualified Biologist</p>
<p>Mitigation Measure #31: Avoidance Buffer of Special-Status Plants. If surveys confirm the presence of special-status plants, then a qualified biologist shall establish a minimum 50-foot avoidance buffer around all special-status plant occurrences or their suitable habitat. Any vegetation clearing or ground disturbance within the avoidance buffer and/or their suitable habitat shall be minimal and only conducted under the observation of a qualified biologist. Direct disturbance to individual plants or seedbanks, and/or permanent alterations or degradation of habitat shall not occur. The upper four inches of topsoil during excavations shall be stockpiled separately and used to restore the disturbed areas. Actions shall be taken to ensure seedbank protection and topsoil remains viable for plant propagation (i.e., return to area in same season as removed, height of stockpiles kept as low as possible, protect stockpiles from wind erosion or other</p>	<p>During Project Construction</p>	<p>Qualified Biologist</p>

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Mitigation Measure	Timing	Responsible Party
damage, soil not treated with pesticides, and/or any cover, if added, would not result in soil sterilization).		
<p>Mitigation Measure #32: Amphibian Aquatic Habitat Buffer. To avoid impacts to suitable aquatic breeding habitat for special-status amphibians, SBCAG shall designate a 250-foot avoidance buffer of these areas as an environmentally sensitive area on plans and in the field. The qualified biologist shall establish these buffers in the field and SBCAG shall not conduct construction activities within these buffers.</p>	During Project Construction	Lead Agency/ Qualified Biologist