Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
wildlife.ca.gov

October 28, 2026

Craig Spencer, Director
County of Monterey
Housing and Community Development
1441 Schilling Place South, 2nd Floor
Salinas, California 93901
(831) 755-5025
CEQAcomments@countyofmonterey.gov

Subject: Charolais Ranch Subdivision (Project)
Draft Environmental Impact Report (DEIR)
State Clearinghouse No.: 2022080684

Dear Craig Spencer:

The California Department of Fish and Wildlife (CDFW) received a DEIR from Monterey County (County) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

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. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

[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.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. 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 law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Fully Protected Species: CDFW has jurisdiction over fully protected species of birds, mammals, amphibians and reptiles, and fish, pursuant to Fish and Game Code sections 3511, 4700, 5050, and 5515. Fully protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

- Take is for necessary scientific research;
- Efforts to recover a fully protected, endangered, or threatened species, live capture, and relocation of a bird species for the protection of livestock; or
- They are a covered species whose conservation and management is provided for in a Natural Community Conservation Plan (Fish & G. Code, §§ 3511, 4700, 5050, & 5515).
- It is an eligible infrastructure project as identified in Fish and Game Code section 2081.15.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their nests, and eggs include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds of prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

Unlisted Species: Species of plants and animals need not be officially listed as endangered, rare, or threatened on any State or federal list pursuant to CESA and/or the federal Endangered Species Act to be considered endangered, rare, or threatened under CEQA. If a species can be shown to meet the criteria specified in the CEQA Guidelines (Cal. Code Regs., tit. 14, Chapter 3, § 15380), it should be fully considered in the environmental analysis for the Project.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Water Rights: The capture of unallocated stream flows to artificially recharge groundwater aquifers is subject to appropriation and approval by the State Water Resources Control Board (SWRCB) pursuant to Water Code section 1200 et seq. CDFW, as Trustee Agency, is consulted by SWRCB during the water rights process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Certain fish and wildlife are reliant upon aquatic and riparian ecosystems, which in turn are reliant upon adequate flows of water. CDFW, therefore, has a material interest in assuring that adequate water flows within streams for the protection, maintenance, and proper stewardship of those resources. CDFW provides, as available, biological expertise to review and comment on environmental documents and impacts arising from Project activities.

PROJECT DESCRIPTION SUMMARY

Proponent: Donald D. Chapin Jr.

Objective: The proposed Project is a standard subdivision that would create 29 parcels including 26 residential parcels and three separate open space areas. The Project would require a Combined Development Permit, which would include the following:

1. Standard Subdivision Vesting Tentative Map for the division of a 130.8-acre parcel into 29 parcels that would include 26 residential parcels (Lots 1 to 26, ranging in size from 1.4 acres to 3.7 acres, with an average lot area of 2.2 acres) and three separate open space areas totaling 73.2 acres;
2. Use Permit for development on slopes over 30 percent; and
3. Use Permit to allow the removal of 215 coast live oak (*Quercus agrifolia*) trees for the construction of roads on the Project site.

Future development of residential lots would require additional permits, such as grading and building permits. Additional trees may be impacted with future development of each individual lot, which may require additional Use Permits.

Location: The Project site is located at Pesante Road, south of the intersection of Pesante Road and Eagle Way, east of the intersection of Cross Road and Pesante Road in the census-designated place of Prunedale in northern Monterey County. The Project site is comprised of Assessor's Parcel Number 125-051-012.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the DEIR prepared for the Project. CDFW previously commented on the Notice of Preparation (NOP) for the Project in a letter dated October 5, 2022 (**Attachment 1**).

Special-Status Species

The Biological Resources section of the DEIR states, "The analysis presented herein is based on a Biological Resources Assessment (BRA) (Zander Associates, Inc. 2006, 2007, 2013, 2016), and a Forest Management Plan (Staub Forestry and Environmental Consulting 2007, Vaughan Forestry and Land Management 2016). A field reconnaissance survey of the project site to confirm the results of the BRA was conducted by a Rincon biologist on September 2, 2022."

The DEIR uses information from the BRA and the 2022 reconnaissance survey to evaluate the potential for several special-status species to occur in the Project site and proposes mitigation measures to reduce impacts to certain special-status species to less than significant. CDFW has concerns about the ability of some of the proposed mitigation measures to reduce potential impacts to less than significant and avoid unauthorized take of special-status species, including, but not limited to the species identified in **Attachment 2** of this letter.

California Tiger Salamander

The DEIR states, "There is a known occurrence of CTS [California tiger salamander (*Ambystoma californiense*)] in a stock pond approximately one mile southeast of the project site. However, the ruggedness of the terrain (rocky outcrops and steep slopes) within and adjacent to the project site, as well as the housing developments to the south, west, and north are likely substantial barriers for movement and the site does not contain suitable aquatic habitat. Therefore, this species is not expected to occur in the project site." CDFW does not concur with this conclusion for the following reasons.

An individual CTS was documented approximately 0.5 miles northeast of the Project site in a rural residential area and the nearest known potential breeding pond at the time was about 1 mile south of this occurrence (approximately 1 mile east of the Project site) (CDFW 2026). Within 1 mile of this pond are two other potential breeding ponds located approximately 0.5 miles southeast and 0.8 miles east of the Project site, respectively. Given that the nearest known potential breeding pond and other potential breeding ponds are located approximately 1.2 miles south of the occurrence record, this supports

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

the conclusion that CTS are potentially dispersing north and northeast of these ponds across terrain and development that is similar to the terrain and development within and/or adjacent to the Project site. While the DEIR states that the Project site does not contain suitable aquatic habitat, CTS are known to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011). Although the terrain within and adjacent to the Project site may appear difficult for CTS to traverse, the DEIR did not provide evidence to support that the terrain and development would definitively act as a barrier to CTS dispersal from known and potential breeding ponds east and southeast of the Project site.

Additionally, the DEIR states, "Two swales occur in the center of the project site, where surface flows from ridgetops along the east side of the site flow to the west. Below the swales, flows from Pesante Canyon under US 101, into Merritt Lake, Tembladero Slough, and ultimately the Pacific Ocean. Water was observed flowing in the swales in April 2006 and soil saturation was observed in June 2006 (Zander 2016). No flows or saturation were observed in September 2022. A natural seep with hydrophytic vegetation was also mapped at an existing wellhead near the entrance to the property at Pesante Road (Zander 2016). The swales are mapped in the USFWS [U.S. Fish and Wildlife Service] National Wetlands Inventory (NWI) as a seasonally flooded, intermittent streams, and associated freshwater emergent wetlands. […] The seep at the property entrance is likely an isolated wetland, under the jurisdiction of the RWQCB." The DEIR acknowledges that the Project site contains wetlands; however, it does not provide evidence to support the conclusion that no suitable aquatic breeding habitat for CTS exists within the Project site. CDFW recommends these wetlands be evaluated for their potential to serve as breeding habitat for CTS and that the results of this analysis be included in the DEIR. Additionally, since the Project proposes to construct two above-ground detention ponds that could potentially serve as aquatic breeding habitat for amphibians, CDFW also recommends that the design and management of any stormwater ponds be conducted in consultation with CDFW to assist with the implementation of appropriate Best Management Practices (BMPs) to avoid facilitating the movement and proliferation of non-native invasive species within the Project site and vicinity, which could negatively impact CTS and other native wildlife.

CDFW previously recommended that potential Project-related impacts to CTS be evaluated by a qualified biologist using the Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS 2003). Based on the information provided in the BRA and DEIR, focused surveys were not conducted for this species. The DEIR states that CTS is not expected to occur in the Project site and therefore impacts to CTS would be less than significant. Consequently, the DEIR does not provide mitigation measures for potentially significant impacts to this species. CDFW does not concur with this conclusion and continues to have concerns that Project-related impacts to CTS could occur and recommends appropriate avoidance, minimization, and mitigation measures be

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

implemented. As such, CDFW recommends the following mitigation measures be incorporated within the DIER and prior to the initiation of any Project activities:

Recommended Mitigation Measure 1: CTS Protocol-Level Surveys

CDFW recommends that a qualified biologist conduct protocol-level surveys in accordance with the USFWS Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level surveys include a 100-foot buffer around the Project site in all areas of wetland and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

Recommended Mitigation Measure 2: CTS No-Disturbance Buffer

If CTS protocol-level surveys as described in Recommended Mitigation Measure 1 are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project site. Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project site be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland breeding no-disturbance buffers are intended to minimize impacts to CTS habitat and avoid take of individuals. In the absence of protocol surveys, the applicant can assume presence of CTS within the Project site and obtain an Incidental Take Permit (ITP) from CDFW.

Recommended Mitigation Measure 3: CTS Take Authorization

If through surveys it is determined that CTS are occupying or have the potential to occupy the Project site, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Golden Eagle and White-tailed Kite

The DEIR states, "[…] golden eagle [*Aquila chrysaetos*; GOEA] were evaluated to have a low potential to occur on the project site while foraging but are not expected to nest on

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

site due to the level of disturbance from grazing, lack of suitable burrows and tall nest trees, and proximity to residential development." CDFW does not concur with this conclusion, as large trees are present within and adjacent to the Project site, as stated in the BRA, "Potential nesting sites for raptors and other migratory birds exist in the eucalyptus grove, the coast live oak woodlands, and in the large individual oak trees that are scattered throughout the property." Additionally, the BRA states that white-tailed kite (*Elanus leucurus*; WTKI) could establish nests in the Project site. CDFW concurs with the BRA regarding potential nesting sites for raptors as GOEA (one adult near a nest site) and WTKI (two adults and one juvenile) have been observed within 3 miles of the Project site within similar rangeland habitat (CDFW 2026). Based on the information provided in the BRA and DEIR, focused surveys were not conducted for either of these species and potential impacts to WTKI are not discussed in the DEIR.

The DEIR provides mitigation measure BIO-1(f), which would require general pre-construction nesting bird surveys for all migratory birds, including GOEA and WTKI. Surveys conducted under this measure would include the disturbance area plus a 500-foot buffer for raptors. BIO-1(f) states, "If active nests are located, an appropriate avoidance buffer shall be established within which no work activity will be allowed which would impact these nests. The avoidance buffer would be established by the qualified biologist on a case-by-case basis based on the species and site conditions. In no cases shall the buffer be smaller than 50 feet for non-raptor bird species or 200 feet for raptor species." CDFW is concerned that Project activities could significantly impact GOEA and WTKI if they are near or within the site and appropriate buffers are not implemented. As such, CDFW recommends the following GOEA- and WTKI-specific mitigation measures be incorporated within the DEIR and implemented prior to the initiation of any Project activities:

Recommended Mitigation Measure 4: GOEA and WTKI Pre-Activity Surveys

CDFW recommends that a qualified biologist conduct focused GOEA surveys following the Interim Golden Eagle Inventory and Monitoring Protocols; and Other Recommendations (Pagel et al. 2010) and focused WTKI surveys the survey season immediately prior to any vegetation- or ground-disturbing activities. CDFW recommends that these surveys occur within the Project site and a 0.5-mile buffer of the Project site.

Recommended Mitigation Measure 5: GOEA and WTKI No-Disturbance Buffer

If any GOEA or WTKI nest is found prior to or during surveys or Project activities, CDFW recommends implementing a minimum 0.5-mile no-disturbance buffer around the nest. CDFW advises that this buffer remain in place until the breeding season has ended or until a qualified biologist has determined that nesting has

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

ceased, and the birds have fledged and are no longer reliant upon parental care for survival. If a GOEA nest is detected during surveys, and a 0.5- mile no-disturbance buffer is not feasible, consultation with CDFW is recommended.

Western Burrowing Owl

The DEIR notes that western burrowing owl (*Athene cunicularia hypugaea*; BUOW), "[…] were evaluated to have a low potential to occur on the project site while foraging but are not expected to nest on site due to the level of disturbance from grazing, lack of suitable burrows and tall nest trees, and proximity to residential development. However, the BRA states, "The grasslands on the property could provide potential habitat for this species, however, there were no signs of burrowing owls or burrowing owl activity, such as mounded or decorated burrow entrances, observed during our surveys." The BRA also states, "While we did not observe burrowing owls or signs of owls in 2006, appropriately-timed surveys would be prudent to confirm their continued absence on the site." CDFW concurs that BUOW surveys should be conducted to assess presence prior to initiating Project activities.

The DEIR provides mitigation measure BIO-1(f), which would require general pre-construction nesting bird surveys for all migratory birds, including BUOW. Surveys conducted under this measure would include the disturbance area plus a 500-foot buffer for raptors. BIO-1(f) states, "If active nests are located, an appropriate avoidance buffer shall be established within which no work activity will be allowed which would impact these nests. The avoidance buffer would be established by the qualified biologist on a case-by-case basis based on the species and site conditions. In no cases shall the buffer be smaller than 50 feet for non-raptor bird species or 200 feet for raptor species." CDFW is concerned that Project activities could significantly impact BUOW if they are near or within the site and appropriate buffers are not implemented. As such, CDFW recommends the following BUOW-specific mitigation measures be incorporated within the DEIR and prior to the initiation of any Project activities:

Recommended Mitigation Measure 6: BUOW Pre-Activity Surveys

CDFW recommends that focused surveys, following the 2012 Staff Report on Burrowing Owl Mitigation (2012 Staff Report; CDFG 2012), be conducted the survey season immediately prior to any vegetation- or ground-disturbing activities. Please note that the 2012 Staff Report necessitates multiple surveys prior to the initiation of Project activities.

Recommended Mitigation Measure 7: BUOW No-Disturbance Buffer

If any BUOW or known BUOW den (active or inactive) is detected during pre-activity surveys or Project activities, CDFW recommends delineating and

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

maintaining no-disturbance buffers, as outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012), prior to and during any Project activities. CDFW advises that these no-disturbance buffers be implemented for both wintering and breeding BUOW.

Recommended Mitigation Measure 8: BUOW Take Authorization

If any BUOW or known BUOW den (active or inactive) is detected during pre-activity surveys or Project activities, and the no-disturbance buffers outlined in the 2012 Staff Report on Burrowing Owl Mitigation (CDFG 2012) are not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Crotch's Bumble Bee

The DEIR states that Crotch's bumble bee (*Bombus crotchii*; CBB) has a moderate potential to occur on the Project site and provides mitigation measure BIO-1(d) to avoid and minimize impacts to CBB. BIO-1(d) requires a habitat assessment, surveys, and avoidance of CBB nests. CDFW concurs with BIO-1(d); however, to ensure the habitat assessment and surveys provide adequate information for assessing potential impacts to CBB from Project activities and that these impacts are adequately mitigated to less than significant, CDFW recommends modifying BIO-1(d) of the DEIR to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 9: CBB Habitat Assessment

CDFW recommends that a habitat assessment, following the Survey Considerations for California Endangered Species Act Bumble Bee Species (CDFW 2023), be conducted by a qualified biologist/entomologist familiar with the species behavior and life history of CBB the survey season immediately prior to any vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 10: CBB Pre-Activity Surveys

CDFW recommends that a qualified biologist conduct focused surveys for CBB, and their requisite habitat features, following the methodology outlined in the Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023) the survey season immediately prior to any vegetation- or ground-disturbing activities.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 11: CBB Avoidance and Take Authorization

If any CBB are detected, CDFW recommends that all small mammal burrows, thatched/bunch grasses, and any other potential nesting resources be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If any vegetation- or ground-disturbing activities would occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take. Any detection of CBB prior to or during Project implementation warrants consultation with CDFW to discuss how to avoid take. If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

American Badger

The Project site is within the range of American badger (*Taxidea taxus*; AMBA) and CDFW is aware of an occurrence approximately 6 miles northeast of the Project site. Based on aerial imagery, the Project site provides potentially suitable habitat for AMBA. The DEIR does not assess potentially significant impacts to AMBA and CDFW is concerned that Project activities could significantly impact AMBA if they are near or within the site and adequate mitigation measures are not implemented. As such, CDFW recommends the following measures be incorporated within the DEIR and prior to the initiation of any Project activities:

Recommended Mitigation Measure 12: AMBA Pre-Activity Surveys

CDFW recommends that a qualified biologist conduct focused surveys for AMBA prior to the start of any vegetation- or ground-disturbing activities.

Recommended Mitigation Measure 13: AMBA No-Disturbance Buffer

If any AMBA burrow/den is present within or immediately adjacent to the Project site, CDFW recommends establishing and maintaining a minimum 100-foot no-disturbance buffer around the burrow/den. CDFW also advises that any individuals observed be allowed to leave the Project site of their own volition.

Special-Status Bats

The DEIR states that there is suitable roosting habitat for special-status bats, such as Townsend's big-eared bat *(Corynorhinus townsendii),* pallid bat *(Antrozous pallidus),* western mastiff bat *(Eumops perotis californicus),* and long-legged myotis *(Myotis volans),* and provides mitigation measure BIO-1(e) which requires pre-construction bat

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

emergence surveys and relocation of roosts. CDFW concurs with conducting bat emergence surveys but has concerns regarding relocation of roosts as it could result in potentially significant impacts to maternity roosts. As such, CDFW recommends modifying BIO-1(e) of the DEIR to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 14: Special-Status Bat Roost No-Disturbance Buffer

If bats are present, CDFW recommends that a 100-foot no-disturbance buffer be placed around the roost and installing new roost sites to be in place prior to the initiation of Project related activities to allow enough time for bats to relocate. If a bat roost is identified and work is planned to occur during the breeding season, CDFW recommends that no disturbance to maternity roosts occur and that CDFW be consulted to determine measures to prevent breeding disruption or failure.

Northwestern Pond Turtle

The Project site is within the geographic range of northwestern pond turtle (*Actinemys marmorata*; NPT) and there are several occurrences within 3 miles of the Project site (CDFW 2026). The BRA states that no suitable habitat such as ponded waters/aquatic habitat for NPT is present within or adjacent to the Project site. However, the BRA nor the DEIR provide evidence to support the conclusion that no suitable habitat for NPT exists within or adjacent to the Project site. CDFW recommends that the various wetlands and upland habitat within and adjacent to the Project site be evaluated for their potential to serve as suitable habitat for NPT and that the results of this analysis be included in the DEIR.

Vegetation- and ground-disturbing activities associated with the Project have the potential to significantly impact NPT populations. Without appropriate avoidance and minimization measures for NPT, potentially significant impacts associated with Project activities could include nest reduction, inadvertent entrapment, reduced reproductive success, reduction in health or vigor of eggs and/or young, and direct mortality. As such, if the updated analysis determines that suitable NPT habitat is present within the Project site or vicinity, CDFW recommends the following measures be incorporated within the DEIR and implemented prior to the initiation of any Project activities:

Recommended Mitigation Measure 15: NPT Habitat Assessment

Prior to initiating any vegetation- or ground-disturbing activities, CDFW recommends that a qualified biologist conduct a habitat assessment to determine if the Project site and its immediate surrounding vicinity contain habitat suitable to support NPT.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 16: NPT Pre-Activity Surveys

If suitable habitat is present within or adjacent to the Project site, CDFW recommends that a qualified biologist conduct focused surveys for NPT and their requisite habitat features prior to the start of any vegetation- or ground-disturbing activities. CDFW also recommends that focused surveys for NPT nests occur during the egg-laying season of March through August.

Recommended Mitigation Measure 17: NPT No-Disturbance Buffer

Avoidance whenever possible is encouraged via delineation and observance of a 100-foot no-disturbance buffer around NPT and their associated habitat areas. CDFW also recommends that if NPT are found, Project activities in their immediate vicinity cease, allowing individuals to leave the Project site on their own accord. Furthermore, CDFW recommends that any NPT nests that are discovered remain undisturbed with a no-disturbance buffer maintained around the nest until the eggs have hatched and neonates are no longer in the nest or Project site.

California Red-Legged Frog

The Project site is within the geographic range of California red-legged frog (*Rana draytonii*; CRLF) and there is a known occurrence of this species located approximately 0.5 miles west of the Project site. The DEIR states that CRLF are not expected to occur in the Project site. CDFW does not concur with this conclusion as there appears to be suitable dispersal and upland habitat within the Project site. Based on aerial imagery, it appears that ephemeral ponding occurs at least seasonally which may facilitate dispersal. As the DEIR states, CRLF have been documented making far-ranging movements of up to 1.7 miles, and while CRLF primarily inhabit ponds, they will also breed in ephemeral waters (Thomson et al. 2016). Since the DEIR does not include any mitigation measures for CRLF, CDFW has concerns that potentially significant impacts to CRLF could occur. As such, CDFW recommends the following measures be incorporated within the DEIR and prior to the initiation of Project activities:

Recommended Mitigation Measure 18: CRLF Pre-Activity Surveys

CDFW recommends that a qualified biologist conduct focused surveys for CRLF within areas of suitable habitat adjacent to or within the Project site prior to initiating any vegetation- or ground-disturbing activities in accordance with the Revised Guidance on Site Assessment and Field Surveys for the California Red-legged Frog (USFWS 2005) to determine if CRLF are within or adjacent to the Project site.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 19: CRLF No-Disturbance Buffer

If any CRLF are found during surveys or at any time during Project activities, CDFW recommends avoidance whenever possible via delineation and observance of a 50-foot no-disturbance buffer around CRLF and their burrows. If CRLF are observed on the Project site, CDFW also recommends that Project activities in the immediate vicinity cease, allowing individuals to leave the Project site on their own accord. Finally, CDFW recommends that initial ground-disturbing activities be timed to avoid the period when CRLF are most likely to be moving through upland areas (November 1 and March 31). When ground-disturbing activities must take place between November 1 and March 31, CDFW recommends a qualified biologist monitor construction activity daily for CRLF.

Monterey Dusky-Footed Woodrat

The DEIR states, "Monterey dusky-footed woodrat [*Neotoma macrotis luciana*; MDFW] is commonly found in oak woodlands throughout Monterey County, and woodrat middens (nests) were observed in oak woodland communities throughout the project site." The DEIR provides mitigation measure BIO-1(e) which requires pre-construction surveys for woodrats and avoidance or dismantling of middens prior to the start of Project activities. CDFW concurs with this measure and would like to note that for the purposes of CEQA, MDFW was removed as a species of special concern during CDFW's 2026 annual review of the State Wildlife Action Plan. However, MDFW is still noted as a special animal on CDFW's Special Animals List.

Special-Status Plants and Sensitive Natural Communities

The BRA states "Zander Associates developed a target list of special-status plant and animal species that we evaluated for their potential to occur on the Charolais Ranch property […]. Directed surveys for special-status plant species were conducted in April and June of 2006. […] There are 23 special-status plant species that have documented locations within the vicinity of the Charolais Ranch property. While there is potential habitat on the property for 22 of those species, only 5 were observed during our surveys. These include Yadon's piperia [*Platanthera yadonii*], Monterey spineflower [*Chorizanthe pungens* var. *pungens*], Hooker's manzanita [*Arctostaphylos hookeri* ssp. *hookeri*], Pajaro manzanita [*Arctostaphylos pajaroensis*] and Eastwood's goldenbush [*Ericameria fasciculata*]." The BRA also includes Table 2 which is a plant list compiled for Charolais Ranch from site visits conducted in April and June of 2006. Based on the information provided in the BRA, it is unclear whether the surveys were floristic in nature, meaning every plant taxon within the Project site was identified to the taxonomic level necessary to determine rarity and listing status. It is also unclear whether the surveys were conducted over the entire Project site, including areas that would be directly or indirectly impacted by the Project. If the April and June 2006 surveys were

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

not floristic in nature, the survey results may be inadequate for assessing all potentially significant impacts to special-status plant species. Additionally, please note that habitats such as grasslands that have annual plants as major floristic components may require multiple annual surveys to adequately capture baseline conditions. Regarding sensitive natural communities, the DEIR states, "The BRA did not evaluate the presence of sensitive natural communities; however, Central Maritime Chaparral (G2/S2.2), consistent with the maritime chaparral documented in the project site, would be considered sensitive." Based on the information provided in the BRA, the April and June 2006 surveys appear to be inadequate for assessing potentially significant impacts to sensitive natural communities. As such, CDFW recommends conducting updated surveys in accordance with the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (Protocol; CDFW 2018) to inform the DEIR and produce reliable information and maximize the potential for locating special-status plants and sensitive natural communities.

The DEIR provides mitigation measure BIO-1(a) which states, "Prior to issuance of grading permits for construction of the initial on-site roadways and infrastructure, surveys for special-status plants shall be completed in all natural vegetation communities and in undeveloped areas (including ruderal and non-native habitats)." Please note that BIO-1(a) does not state exactly where the surveys would be required within the Project site. This information is necessary to determine the adequacy of the mitigation measure. Because the Project proposes to preserve portions of the Project site to mitigate for impacts to special-status plants and sensitive natural communities, CDFW recommends modifying BIO-1(a) to state that surveys shall be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. CDFW also recommends surveying adjoining properties where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology to ensure that potential impacts are mitigated to less than significant.

BIO-1(a) of the DEIR also states that special-status plant surveys "[…] shall be conducted by a qualified biologist during the blooming season, seasonally timed to coincide with the target species identified in the project-specific biological analysis and prior to any ground disturbance." CDFW recommends modifying BIO-1(a) to specify that surveys shall be conducted in accordance with the Protocol, which states "[…] surveys should be floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status." Please note "focused surveys" that are restricted to lists of likely potential special-status plants, such as the types of surveys described in BIO-1(a) of the DEIR, are not considered floristic in nature and are not adequate to identify all plants in a project site to the level necessary to determine if they are special-status plants. Although the Protocol recommends developing a list of special-status plants with the potential to occur within the project area, the Protocol states, "Resulting lists should only be used as

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

a tool to facilitate the use of reference sites, with the understanding that special-status plants and sensitive natural communities in a project area may not be limited to those on the list. Botanical field surveys and subsequent reporting should be comprehensive and floristic in nature and not restricted to or focused only on a list."

BIO-1(a) also states, "Rare plant surveys do not need to be repeated when construction begins within two (2) years of the survey's completion." CDFW does not concur with allowing a set number of years to elapse between the last survey conducted and the initiation of construction as this may allow changes in vegetation or plant distribution such as those related to fluctuations in abundance and seed bank dynamics or other factors to go undocumented prior to the initiation of Project activities. As such, CDFW recommends special-status plant surveys be considered in more than one year to increase the likelihood of detecting special-status plants and to establish baseline conditions. CDFW also recommends that special-status plant surveys be completed the survey season immediately prior to any vegetation- or ground-disturbing activities.

BIO-1(b) states, "If federally and/or State listed or CRPR List 1B or 2 species are found during special-status plant surveys (pursuant to Mitigation Measure BIO-1[a]), and listed species would be directly and/or indirectly impacted, or there would be a population-level impact to non-listed species, then the building envelope shall be re-aligned within the parcel to avoid impacting those plant species where and if feasible." CDFW does not concur that this mitigation measure would reduce impacts to non-listed, special-status plant species to less than significant. A population-level impact is difficult to define and measure on a single project site. Special-status plants often exist in small, isolated patches, making a localized impact highly significant even if it does not trigger a local or regional population collapse. To ensure clear and consistent guidelines for all special-status plants, CDFW recommends modifying BIO-1(b) to require avoidance whenever possible if the Project, as described, would directly and/or indirectly impact any non-listed, special-status plants. CDFW recommends making similar modifications to BIO-1(c), as applicable.

BIO-1(b) also states, "Listed and other special-status plant occurrences that are not within the immediate disturbance footprint but are located within 50 feet of disturbance limits shall be demarcated as an Environmentally Sensitive Area (ESA) and shall have bright orange protective fencing installed a minimum of 30 feet beyond their extent prior to and during construction activities. Reduction of avoidance buffer distance must be approved by a County-approved biologist. […] If significant impacts to special-status plants cannot be avoided, Mitigation Measure BIO-1(c) shall be implemented." Please note that a minimum 30-foot buffer may not be adequate for avoiding and/or minimizing impacts to special-status plants. CDFW recommends adjusting this buffer to at least 50 feet in accordance with Recommended Mitigation Measure 21 below. Additionally, CDFW recommends modifying BIO-1(b) to state that if <u>any</u> impacts to special-status plants cannot be avoided, then additional mitigation measures shall be implemented to

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

reduce impacts to less than significant, as this would ensure clear and consistent guidelines for all special-status plants.

BIO-1(c) states, "If federally and/or State listed plants or non-listed special-status plant populations (or sensitive natural communities [including maritime chaparral or oak woodlands] or waters of the U.S. and/or State; see Mitigation Measures BIO-2[b] and BIO-3[b], respectively) cannot be avoided and will be impacted by development of any phase of the proposed project, all impacts shall be mitigated at a minimum ratio of 1:1 for occupied habitat area as a component of habitat restoration or through compensatory mitigation." Please note that a minimum ratio of 1:1 may not be adequate for reducing impacts to less than significant. If any impacts to special-status plants and/or sensitive natural communities cannot be avoided, consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plants and sensitive natural communities.

The DEIR acknowledges that sensitive natural communities exist within the Project site and provides BIO-2(a) to mitigate impacts to sensitive natural communities which states, "A qualified (County-approved) biologist shall prepare a project-specific Biological Resources Mitigation and Management Plan (BMMP) prior to issuance of initial grading permits to compensate for direct and indirect impacts to maritime chaparral resulting from residential construction and operation, including wildfire management activities." The DEIR does not specify how BIO-2(a) would mitigate all potentially significant impacts to sensitive natural communities that would be directly and/or indirectly impacted by the Project. Since the BRA did not evaluate the presence of sensitive natural communities and no formal subsequent surveys have been conducted since June 2006, CDFW recommends that BIO-2(a) be modified to state that the BMMP shall be prepared to compensate for any direct and indirect impacts (e.g., habitat degradation within open space parcels and residential lots) to sensitive natural communities using information gathered during special-status plant and sensitive natural community surveys conducted in accordance with Recommended Mitigation Measure 20 and consultation with CDFW would be conducted in accordance with Recommended Mitigation Measure 21.

Given the above, CDFW recommends modifying BIO-1(a), -1(b), and -1(c) to reflect the following recommendations and that these measures be incorporated prior to the initiation of any Project activities:

Recommended Mitigation Measure 20: Special-Status Plant and Sensitive Natural Community Pre-Activity Surveys

CDFW recommends that a qualified botanist complete comprehensive surveys of the entire Project site, including areas that will be directly or indirectly impacted by the Project, for special-status plants and sensitive natural communities

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

following the Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018) for a sufficient number of years, including the survey season immediately prior to vegetation- or ground-disturbing activities, to detect plants that are not evident and identifiable every year (e.g., geophytes, annuals, and some short-lived plants), produce reliable information, and maximize the potential for locating special-status plants and sensitive natural communities.

Recommended Mitigation Measure 21: Special-Status Plant and Sensitive Natural Community Avoidance, Minimization, Mitigation, and Take Authorization

CDFW recommends special-status plant species and sensitive natural communities shall be avoided whenever possible by delineating and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s), specific habitat type(s) required by special-status plants species, and sensitive natural communities. If buffers cannot be maintained, consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plants and sensitive natural communities and/or how to implement the Project to avoid take of State-listed plants. If State endangered, threatened, or rare plants are identified during special-status plant surveys and take cannot be avoided, then to ensure compliance with CESA and the Native Plant Protection Act (NPPA), consultation with CDFW for acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) and/or California Code of Regulations, Title 14, section 786.9, subdivision (b), is necessary to comply with CESA and the NPPA.

Editorial Comments and/or Suggestions

Project Site: The Biological Resources section of the DEIR states, "The project site evaluated for this EIR is approximately 27.45 acres of the 131-acre parcel, which excludes the proposed open space areas." It is unclear what portions of the Project site the DEIR applies to, which may result in inadequate disclosure of the Project's potentially significant impacts to biological resources. Therefore, CDFW recommends the County evaluate the biological resource impacts described in the DEIR to determine whether all potentially significant impacts are adequately addressed in the context of the proposed Project footprint and associated Project activities described in the DEIR. Additionally, if the open space areas are proposed for preservation to mitigate impacts to biological resources, CDFW recommends the DEIR document the conditions within the open space areas to assess whether the proposed mitigation would reduce impacts to biological resources to less than significant.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Lake and Streambed Alteration: Based on a review of current and historical aerial imagery, the Project site contains a variety of streams and associated hydrologic features. The construction of stormwater detention areas, as proposed by the Project, could have the potential to result in substantial alteration of the hydrologic features described above; these activities may be subject to CDFW's regulatory authority pursuant to Fish and Game Code section 1600 et seq.

Please be advised that Fish and Game Code section 1602 requires project proponents to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent as well as those that are perennial in nature.

Please be advised that CDFW is required to comply with CEQA in the issuance of a Lake or Streambed Alteration (LSA) Agreement; therefore, if the CEQA document approved for the Project does not adequately describe the Project and its impacts on lakes or streams, a subsequent CEQA analysis may be necessary for issuance of a Final LSA Agreement. Furthermore, please note that CDFW has an obligation to ensure LSA Agreements have protections for all fish and wildlife (including State species of special concern and State special animals) and that Project activities fully avoid impacts to State-listed species, except in instances where an ITP has been acquired for the specific species in question. For information on notification requirements, please refer to CDFW's website (https://wildlife.ca.gov/Conservation/LSA) or contact CDFW staff in the Central Region Lake and Streambed Alteration Program at (559) 243-4593, or R4LSA@wildlife.ca.gov.

Sustainable Groundwater Management Act (SGMA), Interconnected Surface Waters, and Groundwater Dependent Ecosystems: A Groundwater Sustainability Plan (GSP) was prepared for the Salinas Valley Groundwater Basin – Langley Area Subbasin (Langley Subbasin GSP). The Langley Subbasin (Subbasin No. 3-004.09) of the Salinas Valley Groundwater Basin is designated as a high-priority subbasin by the Department of Water Resources (DWR). SGMA defines sustainable groundwater management as, "management and use of groundwater in a manner that can be maintained during the planning and implementation horizon without causing undesirable results (Water Code, § 10721 (v))."

Table 4.8-2 of the DEIR, addresses several SGMA undesirable results to GSP criteria resulting from the Project, including lowering of groundwater levels and depletions of interconnected surface waters (ISWs) that have significant and unreasonable adverse impacts on beneficial uses of the surface water. Groundwater dependent ecosystems (GDEs) are considered environmental beneficial users of ISWs and decrease in aquifer

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

levels can impact the wetted root zone for GDEs. The DEIR did not address potential impacts to GDEs.

CDFW recommends that the DEIR include an analysis of Project-related activities in relation to the Langley Subbasin GSP, including an analysis of potential undesirable results and adverse impacts to ISWs and GDEs. CDFW recommends a hydrologic study or other information that identifies and analyzes the impacts to GDEs and other fish and wildlife environmental beneficial uses that may result from Project implementation. CDFW recommends that the DEIR include specific triggers for evaluating changes to surface and groundwater levels and monitoring wetland and riparian habitats that would be affected by these changes.

Water Rights: The BRA notes that there are two large east-west trending swales that slope to the west. The southernmost swale is in the upper reaches of the watershed for the Tembladero Slough Drainage. The Hydrogeologic Evaluation (Appendix G of the DEIR) states the property generally has two ridge lines that start on the eastern side of the property with one ridge trending and sloping to the northwest and the other trending and sloping to southwest creating a subtle drainage between them which drains to the west-southwest. This drainage eventually intersects Pesante Creek before reaching the southerly flowing San Miguel Canyon Creek which eventually drains to Tembladero Slough. Precipitation falling north of the northwesterly trending ridge line will drain to Pesante Creek and follow the same path described above to Tembladero Slough. Whereas, precipitation falling south of the southwesterly ridge line will drain south to an incised drainage (headwaters of Tembladero Slough) which occupies the southern 1/8 of the property.

The DEIR did not address water rights related to the surface flow of unnamed drainages and swales, including the drainages intersected by Pesante Creek and Tembladero Slough headwaters. As stated previously, the capture of unallocated stream flows to artificially recharge groundwater aquifers is subject to appropriation and approval by the SWRCB pursuant to Water Code section 1200 et seq. CDFW recommends that the DEIR include a detailed description of the water rights and water entitlements that would pertain specifically to the Project and address any applications or change petitions that may be filed. CDFW, as Trustee Agency, is consulted by the SWRCB during the water rights process to provide terms and conditions designed to protect fish and wildlife prior to appropriation of the State's water resources. Given the potential for impacts to special-status species and their habitats, it is advised that required consultation with CDFW occur well in advance of the SWRCB water right application process.

Nesting Birds: CDFW encourages that vegetation- or ground-disturbing activities occur during the bird non-nesting season; however, if vegetation- or ground-disturbing activities must occur during the nesting season (February 1 through September 15), the Project applicant is responsible for ensuring that implementation of the Project does not

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Code sections as referenced above.

The DEIR provides mitigation measure BIO-1(f) which requires pre-construction nesting bird surveys for nesting bird species, including the species identified in Attachment 2. CDFW further recommends modifying BIO-1(f) to require that a qualified biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of vegetation- or ground-disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends modifying BIO-1(f) to require that surveys cover a sufficient area around the Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e., nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project-specific activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the activities. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

Mitigation Measure BIO-1(f) of the DEIR requires a qualified biologist to implement a minimum 50-foot no-disturbance buffer around active nests of non-raptor species and a minimum 200-foot no-disturbance buffer around active nests of raptor species. CDFW recommends these buffer distances be adjusted to a minimum 250-foot no-disturbance buffer around active nests of non-listed bird species and a minimum 500-foot no-disturbance buffer around active nests of non-listed raptors if continuous monitoring is infeasible. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when Project activities would be concealed from a nest site by topography. CDFW recommends that a qualified biologist assess the site-specific circumstances, provide a biological or ecological justification to support a variance, if possible, and notify CDFW.

Cumulative Impacts: Currently, the DEIR has a very broad analysis of cumulative impacts to biological resources and does not adequately evaluate impacts to specific resources. The cumulative impact analysis acknowledges that impacts such as degradation of wildlife habitat, disruption of wildlife utilization of biological resources, and loss of sensitive natural communities and special-status plants would occur due to cumulative projects in the vicinity of the Project site. The analysis notes that impacts to biological resources would be analyzed and mitigated on a project-by-project basis, and that permanent losses of sensitive habitats, including sensitive natural communities and

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

listed species, associated with cumulative development would be mitigated to a less than significant level. However, the DEIR does not provide supporting evidence to conclude that cumulative impacts would be less than significant with mitigation incorporated.

CDFW has concerns that the broad analysis does not adequately evaluate impacts to specific biological resources. As such, the conclusions reached in the cumulative impacts analysis are not supported by substantial evidence, and the analysis lacks sufficient rigor and transparency to adequately develop reasonable and feasible measures to reduce harm to specific biological resources. To address this, CDFW recommends that the DEIR conduct a cumulative impact analysis for all specific biological resources that would either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and would be impacted by the Project, even if those impacts are relatively small (i.e., less than significant). The analysis should also include the long-term impacts of the Project, such as the creation of detention ponds, which, if not managed for the benefit of local native wildlife, could result in long-term impacts by facilitating the movement and proliferation of non-native invasive species such as American bullfrogs (*Lithobates catesbeianus*), which are known to predate on invertebrates, birds, bats, rodents, frogs, newts, lizards, snakes, and turtles. CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the projects. An appropriate resource study area should be identified and mapped for each resource being analyzed and utilized for this analysis. CDFW staff are available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

California Natural Diversity Database (CNDDB): Please note that the CNDDB is populated by voluntary submission records of species detections. As a result, species may be present in locations not depicted in the CNDDB, but where there is suitable habitat and features capable of supporting species. A lack of an occurrence record, or lack of recent occurrence records, in the CNDDB does not mean a species is not present. In order to adequately assess any potential Project-related impacts to biological resources, surveys conducted by a qualified biologist/botanist during the appropriate survey period(s) and using the appropriate protocol survey methodology are warranted in order to determine whether or not any special-status species are present at or near the Project site.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

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 CNDDB. The CNNDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

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 DEIR to assist the County in identifying and mitigating Project impacts on biological resources. More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (https://www.wildlife.ca.gov/Conservation/Survey-Protocols).

Please see the enclosed, **Attachment 3**, Mitigation Monitoring and Reporting Program (MMRP) table, which corresponds with recommended mitigation measures in this comment letter. If you have any questions regarding this letter or further coordination, please contact Stephanie Manzo, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 578-0409, or by electronic mail at Stephanie.Manzo@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 1: CDFW NOP Comment Letter October 5, 2022
Attachment 2: Special-Status Species List
Attachment 3: Mitigation Monitoring and Reporting Program

ec: State Clearinghouse
Governor's Office of Land Use and Climate Innovation
state.clearinghouse@lci.ca.gov

Mark Ogonowski
U.S. Fish and Wildlife Service
Mark_Ogonowski@fws.gov

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

REFERENCES

California Department of Fish and Game. 2012. Staff report on burrowing owl mitigation. California Department of Fish and Game, Sacramento, California, USA.

California Department of Fish and Wildlife. 2018. Protocols for surveying and evaluating impacts to special-status native plant populations and sensitive natural communities. California Department of Fish and Wildlife, Sacramento, California, USA.

California Department of Fish and Wildlife. 2023. Survey considerations for California Endangered Species Act (CESA) candidate bumble bee species. California Department of Fish and Wildlife, Sacramento, California, USA.

California Department of Fish and Wildlife. 2026. Biogeographic information and observation system (BIOS). https://www.wildlife.ca.gov/Data/BIOS Accessed 26 October 2026.

Pagel, J. E., D. M. Whittington, and G. T. Allen. 2010. Interim Golden Eagle inventory and monitoring protocols; and other recommendations. Division of Migratory Bird Management, U.S. Fish and Wildlife Service.

Searcy, C.A. and H.B. Shaffer. 2011. Determining the migration distance of a vagile vernal pool specialist: How much land is required for conservation of California tiger salamanders? California State University, Chico, California, USA.

Thomson, R. C., A. N. Wright, and H. B. Shaffer. 2016. California amphibian and reptile species of special concern. California Department of Fish and Wildlife. Oakland, California, USA.

U.S. Fish and Wildlife Service. 2003. Interim guidance on site assessment and field surveys for determining presence or a negative finding of the California tiger salamander. Sacramento, California, USA.

U.S. Fish and Wildlife Services. 2005. Revised guidance on site assessment and field surveys for the California red-legged frog. Sacramento, California, USA.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 1

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

October 5, 2022

Phil Angelo, Associate Planner
County of Monterey Housing and Community Development
1441 Schilling Place, South 2nd Floor
Salinas, California 93901
angelop@co.monterey.ca.us

Subject: Charolais Ranch Subdivision (Project)
Notice of Preparation (NOP) of an Environmental Impact Report (EIR)
State Clearinghouse No.: 2022080684

Dear Mr. Angelo:

The California Department of Fish and Wildlife (CDFW) received a NOP from the County of Monterey Housing and Community Development (County) for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.[1]

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through exercise of our own regulatory authority under the Fish and Game Code. While the comment period may have ended, CDFW would appreciate if you will still consider our comments.

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 the trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

[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.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by 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 law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, eggs and nests include, sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: Donald D. Chapin Jr.

Objective: The proposed Project is a standard subdivision resulting in the creation of 29 parcels that would include 26 residential parcels and three separate open space areas. The Project requires a Combined Development Permit, which would include the following:

1) Standard Subdivision Vesting Tentative Map for the division of a 130.8-acre parcel into 29 parcels that include 26 residential parcels (Lots 1 to 26, ranging in size from 1.4 acres to 3.7 acres, with an average lot area of 2.2 acres) and three separate open space areas totaling 73.2 acres;
2) Use Permit for development on slopes over 30 percent; and
3) Use Permit to allow the removal of 215 coast live oak trees for the construction of roads and future development of residences on the Project site.

The Project may additionally include a zoning amendment to add a building site-8 (B-8) zoning overlay district to ensure that the property is not further subdivided and to restrict the potential for intensification of uses beyond the first single family dwelling on the proposed 26 residential lots. Future development of residential lots would require additional permits, such as grading and building permits.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Location: The Project site is located at Pesante Road, south of the intersection of Pesante Road and Eagle Way, east of the intersection of Cross Road and Pesante Road in the Census-designated place of Prunedale in northern Monterey County.

Timeframe: N/A.

COMMENTS AND RECOMMENDATIONS

California tiger salamander (CTS): The State-listed threatened CTS have the potential to be present in the Project site, and CDFW has jurisdiction over this species under CESA. Aerial photographs show that suitable upland refugia exists within the Project site. The California Natural Diversity Database (CNDDB) has multiple CTS occurrence records located within a 1-mile radius from the Project site (CDFW 2022). CDFW believes this species could be potentially impacted if ground disturbance such as discing, ripping, or grading were to occur and the appropriate avoidance, minimization, and mitigation measures are not implemented.

Prior to **any** ground-disturbing activities and as part of the biological studies conducted in support of the CEQA document, CDFW requests potential Project-related impacts to this species in and surrounding the Project footprint be evaluated by a qualified biologist using the *Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander,* which were issued by CDFW and the USFWS in 2003. Protocol surveys should be conducted for this project and the protocol requires that surveys be conducted during at least two seasons, with sufficient precipitation, to be considered complete. If CTS are found on the Project site, “take” authorization would occur through the issuance of an Incidental Take Permit (ITP), pursuant to Fish and Game Code Section 2081(b). In the absence of protocol surveys, the applicant can assume presence of CTS within the Project area and immediately focus on obtaining an ITP. For information regarding ITPs, please see the following link: https://www.wildlife.ca.gov/Conservation/CESA. Included in the ITP would be measures required to avoid and/or minimize direct “take” of CTS on the Project site, as well as measures to fully mitigate the impact of the “take.”

Listed and Rare Plants: State-listed and State Rare plants have the potential to occur in the vicinity of the Site. CDFW recommends the Project site be surveyed by a qualified botanist following the *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (March 20, 2018). This protocol, which is intended to maximize detectability, includes the identification of reference populations to facilitate the likelihood of field investigations occurring during the appropriate floristic period. In the absence of protocol-level surveys being performed, additional surveys may be necessary. Further, CDFW advises special-status plant species be avoided whenever possible by delineation and observing a no-disturbance buffer of at least 50 feet from the outer edge of the plant population(s) or specific habitat

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

type(s) required by special-status plant species. If buffers cannot be maintained, then consultation with CDFW is warranted to determine appropriate minimization and mitigation measures for impacts to special-status plant species or to determine if the acquisition of an ITP is necessary prior to conducting ground-disturbing activities.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

Project Alternatives Analysis: CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analysis conducted in support of the project's CEQA document be used to develop and modify the project's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. When efforts to avoid and minimize have been exhausted, remaining impacts to sensitive biological resources should be mitigated to reduce impacts to a less than significant level, if feasible.

Nesting Birds: CDFW encourages implementation of Project construction activities during the bird non-nesting season. However, if ground-disturbing activities must occur during the breeding season (i.e., February through mid-September), CDFW recommends pre-construction surveys for nesting birds and an appropriate no-disturbance buffer be implemented around active nests. The Project proponent is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

Oak Woodlands: CEQA was amended to include Public Resources Code Section 21083.4, which states that a County shall determine whether a project within its jurisdiction may result in a conversion of oak woodlands that will have a significant effect on the environment. If a County determines that there may be a significant effect to oak woodlands, the County shall require appropriate oak woodlands mitigation alternatives to mitigate the significant effect of the conversion of oak woodlands. CDFW considers the removal of oaks in the Project area as significant. However, CDFW recommends the County require oak mitigation as required by CEQA Section 21083.4 since the Project, as proposed, will remove high quality oak woodlands as part of this future development.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

In addition to the mitigation required by CEQA Section 21083.4, retaining large oak trees (greater than 12 inches in diameter as measured at breast height) on the Project site to the maximum extent possible is recommended during any construction activities. Large, acorn-bearing oak trees are a critical source of food for wintering deer and other wildlife, including migratory and resident birds. Location and routing of access roads, utility connections, septic systems and building sites where they will require the minimum amount of disturbance to large oak trees is advised.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CTS. Take under the Federal Endangered Species Act (FESA) is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground disturbing activities.

CDFW is available to meet with you to discuss potential impacts and possible mitigation measures for biological resources. If you have any questions, please contact Jim Vang, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3203, or by electronic mail at Jim.Vang@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Julie Vance
FA83F09FE08945A...

Julie A. Vance
Regional Manager

Enclosure

ec: United States Fish and Wildlife Service
Patricia Cole; patricia_cole@fws.gov

California Department of Fish and Wildlife
Jeff Cann; Jeff.Cann@wildlife.ca.gov

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

REFERENCES

CDFW. 2022. Biogeographic Information and Observation System (BIOS). https://www.wildlife.ca.gov/Data/BIOS.

United States Fish and Wildlife Service (USFWS). 2003. Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander, October 2003.

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 2

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 2

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
SPECIAL-STATUS SPECIES TABLE

PROJECT: Charolais Ranch Subdivision

SCH No.: 2022080684

Common Name	Scientific Name	Status	
		State	Federal
California tiger salamander - central California Distinct Population Segment (DPS)	*Ambystoma californiense* pop. 1	T	T
Golden eagle	*Aquila chrysaetos*	FP	None
White-tailed kite	*Elanus leucurus*	FP	None
Western burrowing owl	*Athene cunicularia hypugaea*	C	None
Crotch's bumble bee	*Bombus crotchii*	C	None
American badger	*Taxidea taxus*	SSC	None
Pallid bat	*Antrozous pallidus*	SSC	None
Townsend's big-eared bat	*Corynorhinus townsendii*	SSC	None
Western mastiff bat	*Eumops perotis californicus*	SSC	None
Grasshopper sparrow	*Ammodramus savannarum*	SSC	None
Loggerhead shrike	*Lanius ludovicianus*	SSC	None
Long-billed curlew	*Numenius americanus*	SSC	None
Northwestern pond turtle	*Actinemys marmorata*	SSC	PT
California red-legged frog	*Rana draytonii*	SSC	T
Hoary bat	*Lasiurus cinereus*	SSA	None
Long-legged myotis	*Myotis volans*	SSA	None
Monterey dusky-footed woodrat	*Neotoma macrotis luciana*	SSA	None
American peregrine falcon	*Falco peregrinus anatum*	SSA	None
California horned lark	*Eremophila alpestris actia*	SSA	None
Cooper's hawk	*Astur cooperii*	SSA	None
Ferruginous hawk	*Buteo regalis*	SSA	None
Merlin	*Falco columbarius*	SSA	None
Sharp-shinned hawk	*Accipiter striatus*	SSA	None
San Francisco popcornflower	*Plagiobothrys diffusus*	E	None
Santa Cruz tarplant	*Holocarpha macradenia*	E	T
Seaside bird's-beak	*Cordylanthus rigidus* ssp. *littoralis*	E	None

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Monterey gilia	*Gilia tenuiflora* ssp. *arenaria*	T	E
Congdon's tarplant	*Centromadia parryi* ssp. *congdonii*	1B.1	None
Contra Costa goldfields	*Lasthenia conjugens*	1B.1	E
Eastwood's goldenbush	*Ericameria fasciculata*	1B.1	None
Kellogg's horkelia	*Horkelia cuneata* var. *sericea*	1B.1	None
Pajaro manzanita	*Arctostaphylos pajaroensis*	1B.1	None
Robust spineflower	*Chorizanthe robusta* var. *robusta*	1B.1	E
Santa Cruz clover	*Trifolium buckwestiorum*	1B.1	None
Yadon's rein orchid	*Platanthera yadonii*	1B.1	E
Alkali milk-vetch	*Astragalus tener* var. *tener*	1B.2	None
Choris' popcornflower	*Plagiobothrys chorisianus* var. *chorisianus*	1B.2	None
Fragrant fritillary	*Fritillaria liliacea*	1B.2	None
Hickman's onion	*Allium hickmanii*	1B.2	None
Hooker's manzanita	*Arctostaphylos hookeri* ssp. *hookeri*	1B.2	None
Monterey spineflower	*Chorizanthe pungens* var. *pungens*	1B.2	T
Sand-loving wallflower	*Erysimum ammophilum*	1B.2	None
Sandmat manzanita	*Arctostaphylos pumila*	1B.2	None
Toro manzanita	*Arctostaphylos montereyensis*	1B.2	None
Woodland woollythreads	*Monolopia gracilens*	1B.2	None
Pinnacle's buckwheat	*Eriogonum nortonii*	1B.3	None
Monterey ceanothus	*Ceanothus rigidus*	4.2	None
Small-leaved lomatium	*Lomatium parvifolium*	4.2	None
E= Endangered, T= Threatened, C= Candidate for listing as Threatened and/or Endangered, FP= Fully Protected, SSC= Species of Special Concern, SSA= State Special Animal, PT= Proposed Threatened, 1B.1, 1B.2, 1B.3, and 4.2 = California Rare Plant Ranking			

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 3

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Attachment 3

CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PROJECT: Charolais Ranch Subdivision

SCH No.: 2022080684

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
Before Disturbing Soil or Vegetation	
California Tiger Salamander (CTS)	
Recommended Mitigation Measure 1: CTS Protocol-Level Surveys	
Recommended Mitigation Measure 2: CTS No-Disturbance Buffer	
Recommended Mitigation Measure 3: CTS Take Authorization	
Golden eagle (GOEA) and white-tailed kite (WTKI)	
Recommended Mitigation Measure 4: GOEA and WTKI Pre-Activity Surveys	
Recommended Mitigation Measure 5: GOEA and WTKI No-Disturbance Buffer	
Western burrowing owl (BUOW)	
Recommended Mitigation Measure 6: BUOW Pre-Activity Surveys	
Recommended Mitigation Measure 7: BUOW No-Disturbance Buffer	
Recommended Mitigation Measure 8: BUOW Take Authorization	
Crotch's bumble bee (CBB)	
Recommended Mitigation Measure 9: CBB Habitat Assessment	
Recommended Mitigation Measure 10: CBB Pre-Activity Surveys	
Recommended Mitigation Measure 11: CBB Avoidance and Take Authorization	
American badger (AMBA)	

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 12: AMBA Pre-Activity Surveys	
Recommended Mitigation Measure 13: AMBA No-Disturbance Buffer	
Special-Status Bats	
Recommended Mitigation Measure 14: Special-Status Bat Roost No-Disturbance Buffer	
Northwestern pond turtle (NPT)	
Recommended Mitigation Measure 15: NPT Habitat Assessment	
Recommended Mitigation Measure 16: NPT Pre-Activity Surveys	
Recommended Mitigation Measure 17: NPT No-Disturbance Buffer	
California red-legged frog (CRLF)	
Recommended Mitigation Measure 18: CRLF Pre-Activity Surveys	
Recommended Mitigation Measure 19: CRLF No-Disturbance Buffer	
Special-Status Plants and Sensitive Natural Communities	
Recommended Mitigation Measure 20: Special-Status Plant and Sensitive Natural Community Pre-Activity Surveys	
Recommended Mitigation Measure 21: Special-Status Plant and Sensitive Natural Community Avoidance, Minimization, Mitigation, and Take Authorization	
During Construction	
California tiger salamander (CTS)	
Recommended Mitigation Measure 2: CTS No-Disturbance Buffer	
Recommended Mitigation Measure 3: CTS Take Authorization	
Golden eagle (GOEA) and white-tailed kite (WTKI)	
Recommended Mitigation Measure 4: GOEA and WTKI Pre-Activity Surveys	

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 5: GOEA and WTKI No-Disturbance Buffer	
Western burrowing owl (BUOW)	
Recommended Mitigation Measure 6: BUOW Pre-Activity Surveys	
Recommended Mitigation Measure 7: BUOW No-Disturbance Buffer	
Recommended Mitigation Measure 8: BUOW Take Authorization	
Crotch's bumble bee (CBB)	
Recommended Mitigation Measure 9: CBB Habitat Assessment	
Recommended Mitigation Measure 10: CBB Pre-Activity Surveys	
Recommended Mitigation Measure 11: CBB Avoidance and Take Authorization	
American badger (AMBA)	
Recommended Mitigation Measure 12: AMBA Pre-Activity Surveys	
Recommended Mitigation Measure 13: AMBA No-Disturbance Buffer	
Special-Status Bats	
Recommended Mitigation Measure 14: Special-Status Bat Roost No-Disturbance Buffer	
Northwestern pond turtle (NPT)	
Recommended Mitigation Measure 15: NPT Habitat Assessment	
Recommended Mitigation Measure 16: NPT Pre-Activity Surveys	
Recommended Mitigation Measure 17: NPT No-Disturbance Buffer	
California red-legged frog (CRLF)	
Recommended Mitigation Measure 18: CRLF Pre-Activity Surveys	
Recommended Mitigation Measure 19: CRLF No-Disturbance Buffer	
Special-Status Plants and Sensitive Natural Communities	

Docusign Envelope ID: 45D8E37B-54D2-8272-837F-CFD89FDBF216

Recommended Mitigation Measure 20: Special-Status Plant and Sensitive Natural Community Pre-Activity Surveys	
Recommended Mitigation Measure 21: Special-Status Plant and Sensitive Natural Community Avoidance, Minimization, Mitigation, and Take Authorization	