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July 14, 2025

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Subject: Draft Environmental Impact Report for Pure Water Southern California, SCH No. 2022090654; Los Angeles County

Dear Ana Reyes:

The California Department of Fish and Wildlife (CDFW) has reviewed the Draft Environmental Impact Report (DEIR) for the Pure Water Southern California Project (Project), which has been proposed by The Metropolitan Water District of Southern California (Metropolitan; Lead Agency).

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's Role

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

CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as

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proposed may result in “take”, as defined by State law, of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), CDFW recommends Metropolitan obtain appropriate authorization under the Fish and Game Code.

Project Summary

Project Proponent: Metropolitan and the Los Angeles County Sanitation Districts

Objective: According to the DEIR, the proposed Project will likely be implemented in two phases:

Phase 1 would focus on production of up to 115 million gallons a day (MGD) of purified water and would involve construction of the key treatment, conveyance, recharge, and support facilities needed for Pure Water.

Phase 2 would involve expansion and/or addition of treatment facilities to produce another 35 MGD of purified water, bringing the program’s full buildout capacity to 150 MGD.

In summary, the proposed key facilities and components of Pure Water include:

- A new joint treatment site, consisting of a new advanced water purification (AWP) facility, associated improvements to the Warren Facility, and a new workforce training center;
- A new backbone conveyance system, consisting of a backbone pipeline, pump stations, and multiple service connections;
- New groundwater recharge facilities, including spreading facilities and injection wells;
- New direct potable reuse facilities, including associated treatment facilities, pipelines, and pump stations;
- New non-potable water facilities, including smaller pipelines and service connections; and,
- New Los Angeles County Sanitation Districts support facilities, including a warehouse, a grit, screenings, and new sewer cleanings handling station, and a research facility.

Location: According to the DEIR, the proposed Project facilities will extend from the City of Carson, to as far north as the City of Azusa, which are both in Los Angeles County, and as far east as the City of Upland in western San Bernardino County. The proposed AWP facility will be located at 24501 S Figueroa Street, Carson, CA 90745, adjacent to the existing Point Water Pollution Control Plant. The backbone pipeline would be divided into eight segments or reaches extending from the AWP Facility in the City of Carson to the San Gabriel Canyon Spreading Grounds in the City of Azusa. The proposed conveyance systems will potentially pass through the cities of Carson, Long

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Beach, Lakewood, Cerritos, Bellflower, Norwalk, Downey, Santa Fe Springs, Duarte, Pico Rivera, Industry, El Monte, Baldwin Park, Irwindale, Azusa, Glendora, Covina, West Covina, San Dimas, and La Verne.

Biological Setting:

The Project area is largely comprised of developed areas, including residential and commercial development, industrial areas, roadways, ditches and storm drain culverts, and paved lots. This area also contains a wide range of habitats and biological communities, open space areas, Significant Ecological Areas as designated by the County of Los Angeles, and critical habitat for two federally listed animal species and one federally listed plant species.

Biological resources at and downstream of PM-26 (Little Dalton Wash), CENB-48 (San Dimas Wash), and USG-3 (upper reach of San Gabriel River) include disturbed habitat, open water, unvegetated habitat, non-native grassland, non-native vegetation, eucalyptus woodland, mixed chaparral, laurel sumac chaparral, coastal sage scrub, alluvial fan sage scrub, coast live oak woodland, arundo-dominated riparian, mule fat scrub, sycamore woodland, riparian scrub, riparian forest, and riparian woodland. Two sensitive vegetation communities occur within the biological study area (BSA): Goodding's willow – red willow riparian woodland and forest (southern riparian forest) and scale broom scrub (alluvial fan sage scrub), both of which have a State rarity ranking of S3 (vulnerable), and therefore considered sensitive natural communities.

Three special-status plant species were observed within the BSA: Coulter's Matilija poppy (*Romneya coulteri*), San Diego marsh-elder (*Iva hayesiana*), and Torrey pine (*Pinus torreyana* ssp. *torreyana*). However, all individuals of these species were recorded in areas over 100 feet away from the backbone alignment and outside of the limit of the proposed construction areas.

Nineteen special-status animal species have high potential to occur within the BSA include: coastal California gnatcatcher (*Polioptila californica californica*; Endangered Species Act (ESA)-listed threatened and California Species of Special Concern (SSC)), least Bell's vireo (*Vireo bellii pusillus*; ESA- and CESA-listed endangered), southwestern willow flycatcher (*Empidonax traillii extimus*; ESA- and CESA-listed endangered), burrowing owl (*Athene cunicularia*; CESA candidate), Crotch's bumble bee (*Bombus crotchii*; CESA candidate), arroyo chub (*Gila orcuttii*; SSC), Santa Ana speckled dace (*Rhinichthys osculus*; SSC), Coast Range newt (*Taricha torosa*; SSC), Southern California legless lizard (*Anniella stebbinsi*; SSC), two-striped garter snake (*Thamnophis hammondi*; SSC), yellow-breasted chat (*Icteria virens*; SSC), yellow warbler (*Setophaga petechia*; SSC), Costa's hummingbird (*Calypte costae*; U.S. Fish and Wildlife Service (USFWS) Birds of Conservation Concern (BCC)), sharp-shinned hawk (*Accipiter striatus*; CDFW Watch List species (WL)), merlin (*Falco columbarius*; WL), pallid bat (*Antrozous pallidus*; SSC), and western mastiff bat (*Eumops perotis californicus*; SSC), western red bat (*Lasiurus frantzii*; SSC), western yellow bat (*Lasiurus xanthinus*; SSC), and pocketed free-tailed bat (*Nyctinomops femorosaccus*; SSC)

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Potential streams within the area include the following:

- The San Gabriel River;
- An unnamed intermittent drainage that has been channelized as part of flood control conveyance within the Santa Fe Spreading Grounds;
- An unnamed ephemeral drainage that has been channelized as part of flood control conveyance, which is located north of Huntington Drive and east of the San Gabriel River Trail.

Project Timeline: Construction of Phase 1 facilities is anticipated to start in 2027 and be completed by 2035. Construction of Phase 2 facilities is anticipated to start in 2035 and be completed in 2040.

Comments and Recommendations

CDFW offers the comments and recommendations below to assist Metropolitan 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 document.

Comment #1: Least Bell's Vireo (LBVI)

Issue #1: The Project may adversely impact least Bell's Vireo.

Issue #2: The proposed changes in hydrology and water availability may adversely affect habitats that least Bell's vireo depend upon.

Specific impacts: Changes in water quantity and temperature and frequency of water releases at USG-3 have the potential to result in the decline or elimination of wetland and riparian habitats. A reduction or elimination of suitable habitat may result in reduced reproductive capacity, population declines, or local extirpation of least Bell's vireo, a federally and State listed species.

Why impacts would occur: According to the DEIR, over the past 25 years, approximately 30,000 acre-feet per year of imported water has been released by Metropolitan from service connection USG-3 into the San Gabriel River. This modification would reduce total surface flow in the reach between Morris Dam and Santa Fe Dam by an average of 30 percent. A reduction in least Bell's vireo productivity is more likely to occur if riparian habitat is degraded or project-induced stressed as a result of leaf loss or reduced understory growth.

The DEIR states, "[a] total of 13 male LBVIs were detected during the biological surveys in the central portion of the BSA within riparian habitat along the San Gabriel River and San Jose Creek near the Whittier Narrows Recreation/Natural Area and within riparian habitat along the San Gabriel River north of Huntington Drive. In addition, a single LBVI

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pair was detected within riparian habitat along an unnamed tributary to San Gabriel River located between Peck Road and Rose Hills Road to the east of I-605 near the Whittier Narrows Recreation/Natural Area” (p. 5.2-73).

The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-8, and BIO-MM-9) may not (1) provide a sufficiently large buffer to avoid take, (2) commit adequate mitigation for the Project (particularly if take occurs), (3) adopt specific performance standards the mitigation will achieve, and/or (4) identify the type(s) of potential action(s) that can feasibly achieve the performance standard(s) that will be considered, analyzed, and potentially incorporated in the mitigation measure (CEQA Guidelines, § 15126.4).

A reduction in least Bell’s vireo productivity is more likely to occur if riparian habitat is degraded or eliminated. The suspension of water releases and subsequent impacts to wetland and/or riparian habitat on least Bell’s vireo is significant.

Evidence impacts would be significant: CDFW considers adverse impacts to special status species protected by CESA and ESA, for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any State endangered, threatened, candidate species, or listed rare plant species pursuant to the NPPA that results from the Project is prohibited, except as authorized by State law (Fish and Game Code, § 2080, 2085; Cal. Codes Regs., tit. 14, § 786.9). 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”. In addition, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that select sections of BIO-MM-8, and BIO-MM-9 be revised to incorporate the underlined language and omit the language in strikethrough:

BIO-MM-8: Updated Least Bell’s Vireo Surveys. *A qualified biologist shall conduct updated protocol level surveys for least Bell’s vireo no more than one ~~two~~-years prior to construction activities where suitable habitat occurs adjacent to direct impact area(s).*

A qualified biologist shall conduct updated protocol-level surveys for least Bell’s vireo no more than one ~~two~~ years prior to the commencement of construction activities to determine the presence/absence of least Bell’s vireo where suitable habitat occurs adjacent to the direct impact area(s). The surveys shall be conducted in accordance with the current USFWS survey protocol in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments) and where construction is scheduled to occur within one ~~two~~-years. The results of the survey shall be summarized in a survey report and submitted to the USFWS and CDFW within 45 days of completion of the surveys pursuant to survey protocol.

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If least Bell's vireos are found within contiguous suitable habitat that occurs within 500 feet of direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-9 to prevent potential indirect and adverse impacts to nesting/breeding individuals. Metropolitan shall also report the observation to CDFW through an entry in CNDDDB and develop a site-specific plan with CDFW.

BIO-MM-9: Least Bell's Vireo Avoidance. *If least Bell's vireo occurs within 500 feet of direct impact area(s), Metropolitan shall consult with CDFW and USFWS to implement measures to avoid or minimize impacts [...].*

- iv. Indirect and adverse impacts to nesting/breeding least Bell's vireos with the potential to result in take of individuals are not authorized and would require consultation with the USFWS in accordance with Section 7 or Section 10 of the federal Endangered Species Act to obtain take coverage for unavoidable impacts. Metropolitan shall also consult with the CDFW, in accordance with the California Endangered Species Act. If take of least Bell's vireo is expected, no construction activities with the potential to result in direct or indirect adverse impacts on least Bell's vireo shall occur until CDFW has authorized such take through an incidental take permit (ITP) under Section 2081(b) of the California Fish and Game Code for unavoidable impacts. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.

Recommendation #1: Brown-headed Cowbird (*Molothrus ater*) parasitism of least Bell's vireo nests may exceed 42 percent in some locations (Kus 1999). With the project's suspension of water releases and potential impacts to riparian habitat, the potential for increased cowbird parasitism on least Bell's vireo may be significant. CDFW recommends Metropolitan coordinate with USFWS and CDFW to conduct brown-headed cowbird trappings adjacent to the San Gabriel River riparian areas. CDFW recommends the trappings occur for a minimum of 10 years to mitigate for potential impacts to the productivity of least Bell's vireo associated with temporary reductions in habitat quality. Additional cowbird trappings shall be implemented, as necessary and consistent with BIO-MM-1.

Comment #2: Southwestern Willow Flycatcher (SWFL)

Issue #1: The Project may impact southwestern willow flycatcher.

Issue #2: The proposed changes in hydrology and water availability may adversely affect habitats that southwestern willow flycatcher depend upon.

Specific impacts: The Project may potentially result in the loss of foraging and nesting habitat for southwestern willow flycatcher. Project activities may result in a loss of

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refugia, nest abandonment, and/or decreased feeding frequency. This could result in increased nestling mortality, a significant impact on this imperiled species.

Why impacts would occur: According to the DEIR, “[p]otentially suitable breeding habitat for SWFL within the BSA is located along portions of the San Gabriel River and San Jose Creek that support dense riparian habitat” (p. 5.2-73). Project activities include vegetation and tree removal, grading, trenching, construction, and suspension of water releases. Project activities are likely to result in elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-10 and BB-MM-11) may not provide a sufficiently large buffer to avoid take, and/or commit adequate mitigation for the Project (particularly if take occurs) (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: CDFW considers adverse impacts to a species protected by CESA, absent appropriate mitigation, to be significant under CEQA. Under CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9).

CDFW considers impacts to CESA-listed species a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. In addition, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that select sections of BIO-MM-10 and BIO-MM-11 be revised to incorporate the underlined language and omit the language in strikethrough:

BIO-MM-10 Updated Southwestern Willow Flycatcher Surveys. *A qualified biologist shall conduct updated protocol-level surveys for southwestern willow flycatcher no more than one ~~two~~ years prior to construction activities where suitable habitat occurs adjacent to direct impact area(s).*

A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall conduct updated protocol-level surveys for southwestern willow flycatcher no more than one ~~two~~ years prior to the commencement of construction activities to determine the presence/absence of southwestern willow flycatcher where suitable habitat occurs adjacent to direct impact area(s). The surveys shall be conducted in accordance with the current USFWS survey protocol in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments) and where construction is scheduled to occur within one ~~two~~ years. The results of the survey shall be summarized in a survey report and submitted to the

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USFWS and CDFW within 45 days of completion of the surveys pursuant to survey protocol.

If southwestern willow flycatchers are found within contiguous suitable habitat that occurs within 500 feet of direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-11 to prevent potential indirect and adverse impacts to nesting/breeding individuals. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.

BIO-MM-11 Southwestern Willow Flycatcher Avoidance. *If southwestern willow flycatcher occurs within 500 feet of direct impact area(s), Metropolitan shall consult with CDFW and USFWS to implement measures to avoid or minimize impacts.*

If, during the updated protocol-level surveys, southwestern willow flycatcher is found to be nesting/breeding within contiguous habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments), then the following measures shall be implemented:

- iv. Indirect and adverse impacts to nesting/breeding southwestern willow flycatchers with the potential to result in take of individuals are not authorized and would require consultation with the USFWS in accordance with Section 7 or Section 10 of the federal Endangered Species Act to obtain take coverage for unavoidable impacts. Metropolitan shall also consult with the CDFW, in accordance with the California Endangered Species Act. If take of least Bell's vireo is expected, no construction activities with the potential to result in direct or indirect adverse impacts on least Bell's vireo shall occur until CDFW has authorized such take through an ITP under Section 2081(b) of the California Fish and Game Code for unavoidable impacts. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.

Comment #3: Western Burrowing Owl (BUOW)

Issue: The mitigation measure provided in the DEIR may not adequately avoid and minimize Project impacts on western burrowing owl.

Specific impacts: The Project may potentially result in the loss of foraging and nesting habitat for burrowing owl. Project activities may result in a loss of refugia, nest abandonment, and/or decreased feeding frequency. This could result in increased nestling mortality, a significant impact on this imperiled species.

Why impacts would occur: According to the DEIR, "a focused habitat assessment was conducted for BUOW within the BSA to evaluate suitable habitat for potential to

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support the species and document potential burrow locations. Portions of the backbone alignment that contain potentially suitable habitat include non-native grasslands, sparse coastal sage scrub, or other disturbed habitat areas within SCE transmission easement areas. Potential burrows, including rock outcrops, concrete piles, and drainpipes, were documented within these areas. No active BUOW burrows, defined by the CDFW as those where BUOW and/or BUOW sign (pellets, feathers, tracks, whitewash, etc.) have been observed at or near a burrow entrance in the last three years (CDFW 2012), were observed in the BSA” (p. 5.2-75). Project activities include vegetation and tree removal, grading, trenching, construction, and suspension of water releases. Project activities are likely to result in elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-12, BIO-MM-13, and BB-MM-14) may not provide a sufficiently large buffer to avoid take, and/or commit adequate mitigation for the Project (particularly if take occurs) (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: CDFW considers adverse impacts to a species protected by CESA, absent appropriate mitigation, to be significant under CEQA. Under CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9).

CDFW considers impacts to CESA-listed species a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures. In addition, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

Inadequate avoidance and mitigation measures could result in continual substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW or any species identified as a special status species by USFWS.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that select sections of BIO-MM-12, BIO-MM-13, and BB-MM-14 be revised to incorporate the underlined language for burrowing owl and omit the language in strikethrough:

BIO-MM-12: Updated Burrowing Owl Surveys. *A qualified biologist shall conduct updated protocol level surveys for burrowing owl the year prior to construction activities where suitable habitat occurs within or adjacent to the direct impact area(s).*

A qualified biologist shall conduct protocol-level surveys for burrowing owl the year prior to the commencement of construction activities to determine the presence/absence of burrowing owl within or adjacent to direct impact area(s). The surveys shall be

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conducted in accordance with protocols accepted by CDFW (the qualified biologist shall contact CDFW for up-to-date guidance) ~~with current guidelines detailed in the CDFW's 2012 Staff Report on Burrowing Owl Mitigation, or subsequently adopted guidelines,~~ for suitable burrowing owl habitat that occurs within the direct impact area(s) and areas within 500 meters feet that are contiguous with the direct impact area(s) (i.e., the areas are not separated from the direct impact area[s] by developed lands or other habitat that is not suitable for burrowing owl) where construction is scheduled to occur within one year and where an adverse direct indirect impact could occur to the species as a result construction activities, as determined by the qualified biologist. The results of the survey shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to the initiation of construction. If burrowing owl or their signs are observed, Metropolitan shall report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.

BIO-MM-13: Burrowing Owl Avoidance and Agency Consultation. *If active burrowing owl burrows are found to occur in or within 500 meters feet of direct impact area(s), Metropolitan shall consult with CDFW and implement measures to avoid or minimize impacts.*

If, during updated protocol-level surveys, burrowing owl and/or occupied burrowing owl burrows are found to occur within 500 meters feet of direct impact area(s) (i.e., within suitable habitat not separated from direct impact area[s] by existing developments), then the following measures shall be implemented unless otherwise superseded by updated burrowing owl guidelines adopted by CDFW or measures contained in an incidental take permit (ITP) issued by CDFW:

- a. Prior to construction, Metropolitan shall retain a qualified biologist to conduct pre-construction (including nest clearance) surveys for burrowing owl in suitable burrowing owl habitat that occurs within the direct impact area(s) and areas within 500 meters feet that are contiguous with the direct impact areas (i.e., the areas are not separated from the direct impact area[s] by developed lands or other habitat that is not suitable for burrowing owl) where an adverse direct or indirect impact could occur to the species as a result of construction activities, as determined by the qualified biologist. The pre-construction surveys shall include at least two surveys conducted at least seven days apart, with the first survey occurring no more than 14 days prior to initiating construction activities that might result in a direct or indirect impact to burrowing owl and the second survey occurring no more than 48 hours prior to initiating construction activities that might result in a direct or indirect impact to burrowing owl. The surveys shall be conducted using the methods described in protocols accepted by CDFW (the qualified biologist shall contact CDFW for up-to-date guidance). ~~the 2012 CDFW Staff Report on Burrowing Owl Mitigation or subsequently adopted guidelines.~~ If no burrowing owls or occupied burrows are detected during the preconstruction surveys, construction activities shall be allowed to proceed with no additional measures required. If burrowing owls and/or occupied burrowing owl burrows are

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detected during the pre-construction surveys, then the following additional measures shall be implemented.

- b. If burrowing owls and/or occupied burrowing owl burrows are detected during the pre-construction surveys, the results of the survey, including a Burrow Complex Map, shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to initiating construction activities within 500 meters ~~feet~~ of burrowing owl locations and/or occupied burrowing owl burrows. The Burrow Complex Map shall show the locations of all burrowing owl sightings, burrowing owl burrow complex(es), and atypical burrows (i.e., culverts, buckled concrete, etc.), and shall label if the sightings were identified as potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and/or burrowing owl sign. If a lapse in construction activities occurs for 14 days or longer within 500 meters ~~feet~~ of burrowing owl sightings or occupied burrows, Metropolitan shall contact the CDFW to determine if updated pre-construction surveys and an updated Burrow Complex Map are required prior to reinitiating construction activities with potential to disturb burrowing owls;
- c. Construction activities with the potential to result in direct or indirect adverse impacts on burrowing owls shall be avoided within approximately 500 meters ~~feet~~ of burrowing owls and/or occupied burrowing owl burrows during any time of the year to the extent feasible;
- d. If construction activities with the potential to result in direct or indirect adverse impacts on burrowing owl cannot be avoided within 500 meters ~~feet~~ of burrowing owls and/or occupied burrows while burrowing owls are present at any time of the year, the following avoidance measures shall be implemented:
 - i. During the burrowing owl breeding season (February 1 to August 31), an avoidance buffer of approximately 500 meters ~~feet~~ shall be established around all active burrowing owl nesting, roosting, and satellite burrows or the entire burrow complex. The avoidance buffer shall be delineated using stakes, flags, and/or rope or cord. The method of marking the buffer shall be adjusted if corvids, raptors, or other predators are observed perching on marking materials. The avoidance buffer shall be delineated with different materials than those used to delineate the limits of work. All materials used for delineation of the buffer shall be removed and properly disposed of following completion of construction activities, or when burrowing owls are no longer present and/or using the burrow(s). The distance of the avoidance buffer may be reduced where natural (hills, trees) or artificial (buildings, walls) barriers separate the location of construction activities from the active burrowing owl burrows. The final distance of the avoidance buffer shall be at the discretion of a qualified biologist.
 - ii. During the burrowing owl non-breeding season (September 1 to January 31), an avoidance buffer of approximately 50 meters ~~165 feet~~ shall be

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established around all active burrowing owl wintering or roosting burrows or the entire burrow complex. The buffer shall be delineated using stakes, flags, and/or rope or cord. The method of marking the avoidance buffer shall be adjusted if corvids, raptors, or other predators are observed perching on marking materials. The avoidance buffer shall be delineated with different materials than those used to delineate the limits of work. All materials used for delineation of the buffer shall be removed and properly disposed of following completion of construction activities, or when burrowing owls are no longer present and/or using the burrow(s). The distance of the avoidance buffer may be reduced where natural (hills, trees) or artificial (buildings, walls) barriers separate the location of construction activities from the active burrowing owl burrows. The final distance of the avoidance buffer shall be at the discretion of a qualified biologist.

BIO-MM-14 Compensatory Mitigation for Burrowing Owls. *Direct impacts to burrowing owl nest sites shall be mitigated in consultation with CDFW in accordance with the California Endangered Species Act.*

Permanent direct impacts to active burrowing owl nest sites shall be offset through compensatory mitigation, which may include, but is not limited to, onsite and/or offsite preservation of burrowing owl habitat demonstrated to support, at a minimum, the number of active burrowing owl nest sites impacted by construction. Lands to be conserved as mitigation for direct impacts shall include: (1) sufficient acreage to support the number of burrowing owl individuals impacted, including adequate territory size and foraging habitat, with fossorial mammals (e.g., California ground squirrel) present; (2) permanent protection through a conservation easement or similar protective instrument for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; (3) preparation and implementation of a Mitigation Land Management Plan to address long-term ecological sustainability, enhancement of conserved lands, and maintenance of the site for burrowing owls; and (4) funding for the long-term maintenance and management of the mitigation land through the establishment of a long-term funding mechanism, such as an endowment. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.

Comment #4: Crotch's Bumble Bee

Issue: The Project may adversely impact Crotch's bumble bee.

Specific impacts: The Project may potentially result in the loss of foraging and nesting habitat for Crotch's bumble bee. Project activities may result in a loss of refugia, nest abandonment, and/or decreased feeding frequency. This could result in increased nestling mortality, a significant impact on this imperiled species.

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Why impacts would occur: According to the DEIR, “[t]he species was not observed during focused surveys conducted in 2024 but has a high potential to occur within the BSA based on the presence of suitable habitat and reported sightings within the Pure Water area (iNaturalist 2024 and Bumble Bee Watch 2024)” (p. 5.2-74). Project activities include vegetation and tree removal, grading, trenching, construction, and suspension of water releases. Project activities are likely to result in elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-17, BIO-MM-18, and BIO-MM-19) may not provide a sufficiently large buffer to avoid take, and/or commit adequate mitigation for the Project (particularly if take occurs) (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: CDFW considers adverse impacts to a species protected by CESA, absent appropriate mitigation, to be significant under CEQA. Under CESA, take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). In addition, nests of all native bird species are protected under State laws and regulations, including Fish and Game Code, sections 3503 and 3503.5.

Inadequate avoidance and mitigation measures could result in continual substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW or any species identified as a special status species by USFWS.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that select sections of BIO-MM-17, BIO-MM-18, BIO-MM-19 be revised to incorporate the underlined language for Crotch’s bumble bee and omit the language in strikethrough:

BIO-MM-17 Updated Crotch’s Bumble Bee Surveys. If Crotch’s bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, a qualified bee biologist, who possesses a Memorandum of Understanding to perform surveys for Crotch’s bumble bee, shall conduct updated-protocol-level surveys for Crotch’s bumble bee in accordance with CDFW Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023). Surveys shall be conducted during the appropriate flying season no more than two-one years prior to construction activities where suitable habitat occurs in direct impact area(s). Any modification to the Crotch’s bumble bee survey protocol shall be submitted to CDFW for review and approval prior to survey implementation. If the candidate state endangered listing is removed for Crotch’s bumble bee and the species does not become listed as a state threatened or endangered species, then this measure and the additional measures below for CESA compliance (BIO-MM-18 and BIO-MM-19) would no longer be required.

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If Crotch's bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, A qualified biologist, who possesses a Memorandum of Understanding to perform surveys for Crotch's bumble bee, shall conduct protocol-level surveys for Crotch's bumble bee no more than ~~two~~ one years prior to the commencement of construction activities in areas supporting suitable habitat to determine the presence/absence of Crotch's bumble bee in direct impact area(s) where construction may occur within ~~two~~ one years. The surveys shall be conducted in accordance with current CDFW guidelines as detailed in the CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, dated June 6, 2023 ~~(currently the USFWS's protocol for the rusty patched bumble bee dated, April 12, 2019)~~, or subsequently adopted guidelines. The results of the survey shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to initiation of ground disturbing activities.

If Crotch's bumble bee is found to occur and has potential to be directly or indirectly adversely affected by construction, Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-18. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.

BIO-MM-18 Crotch's Bumble Bee Avoidance and Agency Consultation. *If Crotch's bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, and the species is found to occur within the direct impact area(s), Metropolitan shall consult with the CDFW and implement measures to avoid or minimize impacts.*

If Crotch's bumble bee remains a state candidate species for listing or is listed as threatened or endangered under the California Endangered Species Act and is found to occur within the direct impact area(s) during the updated protocol-level surveys, then the following measures shall be implemented:

- a. ~~Prior to initiation of~~ If direct or indirect impacts to Crotch's bumble bee suitable habitat will occur, Metropolitan shall consult with the CDFW ~~in accordance with the California Endangered Species Act. If take of Crotch's bumble bee is expected, no construction activities with the potential to result in direct or indirect adverse impacts on Crotch's bumble bee shall occur until CDFW has authorized such take through an ITP under Section 2081(b) of the California Fish and Game Code for unavoidable impacts. regarding potential effects to the species and, if required by CDFW, obtain take authorization may be recommended through the issuance of an ITP under Section 2081(b) of the California Fish and Game Code for unavoidable impacts.~~ Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over this resource beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant. Unless otherwise directed by the CDFW, the following measures

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shall be implemented:

- b. Removal (i.e., vegetation clearing, crushing, trimming) of Crotch's bumble bee suitable habitat shall be avoided during the species' flight season (February 1 through October 31) to the extent feasible; If construction activities must occur during the flight season, a qualified bee biologist shall conduct a pre-construction (including nest clearance) survey for Crotch's bumble bee queens, gynes, and colonies. The survey shall be conducted no more than 14 days prior to construction during suitable weather conditions in accordance with CDFW's requirements. If the pre-construction survey is negative, no further assessment shall be required, and construction activities shall be allowed to proceed;
- iii. If an active Crotch's bumble bee nest site is detected, an appropriate avoidance buffer of at least 50 feet shall be established by the qualified biologist. Construction activities shall avoid any active nest sites until a qualified biologist has verified that the nesting colony is no longer active.

BIO-MM-19 Compensatory Mitigation for Crotch's Bumble Bee. Direct impacts to Crotch's bumble bee occupied habitat shall be mitigated in consultation with the CDFW in accordance with the California Endangered Species Act.

Direct impacts to Crotch's bumble bee occupied habitat shall be mitigated with a revegetation plan and plant palette of locally native nectar sources that are weed and pest free (e.g., Argentine ants), pathogen-free, and have not been treated with pesticides. at a minimum 1:1 ratio. Mitigation that satisfies the fully mitigated standard may occur through one or more of the following: onsite and/or offsite habitat creation, restoration, and/or enhancement; acquisition and preservation of onsite and/or offsite lands demonstrated to be occupied by the species; ~~and/or purchase of mitigation credits at an approved mitigation bank.~~ Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over this resource beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.

Comment #5: Coastal California Gnatcatcher (CAGN)

Issue: The Project may impact coastal California gnatcatcher.

Specific impacts: Populations of coastal California gnatcatcher have been found to be genetically isolated from other populations within their range. Lack of genetic mixing between other geographical populations is likely due to heightened fragmentation and loss of suitable habitat across their range in southern California (Vandergast 2019). Projects that occur during the breeding and nesting season may also result in the incidental loss of fertile eggs or nestlings.

Why impacts would occur: According to the DEIR, "[t]he species was detected during the protocol-level survey effort in the northern portion of the BSA. Observations included

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two CAGN pairs and three individual male CAGN within coastal sage scrub and alluvial fan sage scrub habitat located along the segment of the San Gabriel River north of I-210. The backbone pipeline would impact coastal sage scrub and alluvial fan sage scrub habitat found to support CAGN in these areas” (p. 5.2-72). The Project area contains suitable habitat and recent documented occurrences of coastal California gnatcatcher. Project activities include vegetation and tree removal, grading, trenching, construction, and suspension of water releases. Project activities are likely to result in elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-5) may not reduce potential impacts to the species to less-than-significant levels (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: CDFW considers adverse impacts to an SSC, absent appropriate mitigation, to be significant under CEQA.

An SSC is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- Extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- Listed as under the Endangered Species Act, but not CESA-, threatened, or endangered; meets the State definition of threatened or endangered but has not formally been listed;
- Experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify the species for State threatened or endangered status; and/or,
- Naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA threatened or endangered status (CDFW 2025).

CEQA provides protection not only for CESA-listed species, but for any species including, but not limited to, SSC's which can be shown to meet the criteria for State listing. SSC's meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of an SSC could require a mandatory finding of significance (CEQA Guidelines, § 15065). Inadequate avoidance and mitigation measures could result in continual substantial adverse direct and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW or any species identified as a special status species by USFWS.

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Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that BIO-MM-5 be revised to incorporate the underlined language for California gnatcatcher and omit the language in strikethrough:

BIO-MM-5: Updated Coastal California Gnatcatcher Surveys. *A qualified biologist shall conduct updated protocol-level surveys for coastal California gnatcatcher no more than ~~two~~ one years prior to construction activities where suitable habitat occurs within or adjacent to direct impact area(s).*

A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall conduct updated protocol-level surveys for coastal California gnatcatcher no more than one ~~two~~ years prior to the commencement of construction activities to determine the presence/absence of coastal California gnatcatcher. The surveys shall be conducted in accordance with the current USFWS survey protocol within the direct impact area(s), in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments), and where construction is scheduled to occur within one ~~two~~ years. In order to inform the quantification of habitat determined to be occupied by nesting/breeding coastal California gnatcatchers, the surveys shall include mapping the location and estimated extent of any coastal California gnatcatcher nests and associated breeding territories found to overlap the direct impact area(s) and contiguous suitable habitat that occurs within 500 feet of direct impact area(s). The results of the survey shall be summarized in a survey report and submitted to the USFWS and CDFW within 45 days of completion of the surveys pursuant to survey protocol.

If coastal California gnatcatchers are found to occur in the direct impact area(s) or within contiguous suitable habitat that occurs within 500 feet of the direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-6 to prevent potential indirect and adverse impacts to nesting/breeding individuals. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database (CNDDDB) and develop a site-specific plan with CDFW.

Comment #6: Nesting Birds

Issue: The Project may potentially result in the loss of foraging and nesting habitat for nesting birds.

Specific impacts: Project activities may result in a loss of refugia, nest abandonment, and/or decreased feeding frequency. This could result in increased nestling mortality, a significant impact on nesting birds.

Why impacts would occur: Project activities include vegetation and tree removal, grading, trenching, construction, and suspension of water releases. Project activities are

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likely to result in elevated levels of noise, human activity, dust, ground vibrations, and vegetation disturbance. These disturbances and stressors occurring near potential nests could cause individuals to abandon their nests, resulting in the loss of fertile eggs or nestlings. The Mitigation Measures proposed in the DEIR (i.e., BIO-EC-2) may not reduce potential impacts to nesting birds to less-than-significant levels (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: A temporary halt of Project activities within buffer zones during nesting season does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat and tree loss. Effective mitigation is necessary to compensate for the long-term and temporal loss of ecological function, including permanent removal of nesting and foraging habitat. To ensure habitat and tree losses are sufficiently offset, mitigation should be designed to replace or enhance habitat of equal or greater ecological value, based on acreage of impact, tree loss, quality and composition of vegetation, and conservation status of the wildlife species affected.

Recommended Potentially Feasible Mitigation Measure(s):

CDFW recommends that BIO-EC-2 be revised to incorporate the underlined language and omit the language in strikethrough:

BIO-EC-2: Nesting Bird and Raptor Avoidance. Trimming, grubbing, and clearing of vegetation shall be avoided during the general avian breeding season (January 15 to July 15 for raptors; February 1 to ~~August 31~~ September 15 for other avian species) to the extent feasible based on schedule considerations and coordination with local agencies. If trimming, grubbing, or clearing of vegetation is proposed during the general avian breeding season, a preconstruction survey shall be conducted by a qualified biologist no more than seven days prior to disturbance of vegetation to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within the survey area, trimming, grubbing, and clearing of vegetation will be allowed to proceed. If active bird nests are confirmed to be present during the pre-construction survey, a buffer zone shall be established by the qualified biologist. All construction personnel (and CDFW for protected species) shall be notified as to the existence of the buffer zone and instructed to avoid entering the buffer zone during the nesting season. Construction activities shall avoid any active nests and buffer zone until a qualified biologist has verified that the young have fledged or the nest has otherwise become inactive. A memorandum shall be prepared at the conclusion of surveys and submitted to CDFW. The memorandum shall include graphics and figures as necessary to support the results of the survey.

Comment #7: Impacts to Wetlands and Riparian Habitats

Issue: It is not clear if purified water or imported water can continue to be released at the USG-3 discharge point. It is also unclear what degree the Project would impact water-dependent wetland and riparian habitats.

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Specific impacts: Changes in the quantity, temperature, and frequency of water releases at USG-3 have the potential to result in the decline or elimination of water-dependent wetland and riparian habitats.

Why impacts would occur: According to the DEIR, “Metropolitan anticipates reducing or suspending these releases and replacing them, either fully or partially, with purified water via spreading basins...” (p. 4-16). This modification would reduce total surface flow in the reach between Morris Dam and Santa Fe Dam by approximately 30 percent. The water releases have greatly contributed to the baseline hydrograph over several decades and have created ecosystem reliance on Metropolitan’s water releases. The proposed changes are likely to adversely impact wetlands and riparian habitats due to the suspension of water deliveries at USG-3 (San Gabriel River: Between Morris Dam and the Santa Fe Dam). The Mitigation Measures proposed in the DEIR (i.e., BIO-MM-1) may not reduce potential impacts to riparian areas to less-than-significant levels (CEQA Guidelines, § 15126.4).

Evidence impacts would be significant: Current baseline conditions include a fluctuating hydrograph with the imported water releases contributing to year-round base flows, especially in September, October, and November. Riparian vegetation, such as willow and cottonwood trees, rely on available water releases which are needed to fulfill key points of the hydrograph that are necessary for recruitment. This area supports wetlands and riparian habitats that are likely supporting the federally and State endangered least Bell’s vireo and southwestern willow flycatcher, as well as other nesting birds such as yellow-breasted chat and yellow warbler. CDFW considers adverse impacts to special status species protected by CESA and the federal Endangered Species Act (ESA; 15 U.S.C. § 1531 et seq.), for the purposes of CEQA, to be significant without mitigation. As for CESA, take of any State endangered, threatened, candidate species, or listed rare plant species pursuant to the NPPA that results from the Project is prohibited, except as authorized by State law (Fish and Game Code, § 2080, 2085; Cal. Codes Regs., tit. 14, § 786.9). 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”.

Recommended Potentially Feasible Mitigation Measure(s):

Recommendation #2: CDFW recommends Metropolitan provide clarification on whether releasing imported or purified water at the USG-3 discharge point is an option if there are adverse impacts to wetlands and riparian habitat. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan and to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.

Recommendation #3: CDFW recommends Metropolitan commit to creating a new discharge point from the San Gabriel Canyon Spreading Grounds into the San Gabriel River if there are adverse impacts to wetlands and riparian habitat. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan

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to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.

Recommendation #4: CDFW recommends Metropolitan coordinate water releases at Morris Dam to mimic historical water deliveries at USG-3. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.

CDFW recommends that BIO-MM-1 be revised to incorporate the underlined language:

BIO-MM-1: Riparian Vegetation Monitoring and Adaptive Management Plan and Water Deliveries Mitigation. Metropolitan shall prepare a Riparian Vegetation Monitoring and Adaptive Management Plan, in coordination with the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) for the reach of the San Gabriel River, between USG-3 and Santa Fe Dam, to monitor potential changes to wetland and riparian communities in response to the suspension of water deliveries at USG-3. The Riparian Vegetation Monitoring and Adaptive Management Plan shall establish the following:

- 1) Baseline conditions;
- 2) Threshold triggers;
- 3) Biostatistical analyses,
- 4) Surveys and methods used to detect significant changes;
- 5) Annual data monitoring, analysis, and reporting; and,
- 6) Course of actions and mitigation measures to be implemented in the event that thresholds are triggered, such as including:
 - a. Releasing additional imported water or purified water at the USG-3 discharge point;
 - b. Providing a new discharge point into the San Gabriel River at the San Gabriel Canyon Spreading Grounds; and/or,
 - c. Coordinating water releases at Morris Dam to mimic historical water deliveries at USG-3.

If the water delivery changes are determined to have resulted in adverse impacts and loss of wetland and riparian habitat along the monitored reach during the monitoring period, additional measures shall be implemented to ensure no net loss of wetland and riparian habitat occurs within the monitoring reach as a result of Pure Water operations. Metropolitan shall prepare and implement a Riparian Vegetation Monitoring and Adaptive Management Plan for the reach of the San Gabriel River between Metropolitan service connection USG-3 and Santa Fe Dam to monitor potential changes to wetland and riparian communities in response to the suspension of water deliveries at USG-3. The monitoring shall also include potential changes to such habitat potentially serving as breeding habitat for the federally and state endangered least Bell's vireo and southwestern willow flycatcher; potential adverse modification of critical habitat for the southwestern willow flycatcher; and potential impacts to habitat for other special-status

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species, as applicable. The plan shall identify the purpose of the monitoring, monitoring period, monitoring protocols, thresholds for determining if the suspension of water deliveries has resulted in an adverse impact to wetland and riparian habitats within the monitoring area, reporting requirements, and subsequent actions to be taken to ensure that no net loss of wetland or riparian habitat occurs within the monitoring reach as a result of Pure Water operations.

If, through implementation of the Riparian Vegetation Monitoring and Adaptive Management Plan, a significant adverse impact on wetland and/or riparian habitat; breeding habitat for the least Bell's vireo and/or southwestern willow flycatcher; critical habitat for southwestern willow flycatcher; and/or habitat for other special-status species is identified, then Metropolitan shall consult with the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), as applicable, to address potential adverse impacts on special-status species and/or adverse modification of critical habitat. Metropolitan shall implement requirements determined through the consultation process which may include obtaining take authorization, which could include adjusting surface flows, as appropriate, and/or compensation at a minimum 1:1 ratio to ensure no net loss or degradation of wetland and/or riparian habitat, breeding habitat for the least Bell's vireo and/or southwestern willow flycatcher, and/or southwestern willow flycatcher critical habitat. This could occur through one or more of the following: onsite and/or offsite establishment, re-establishment, rehabilitation, and/or enhancement; acquisition and preservation of onsite and/or offsite land demonstrated to support the habitat; and/or purchase of mitigation credits at an approved mitigation bank.

ADDITIONAL COMMENTS

Incidental Take Permit and CEQA. CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQ, the Project's CEQA document should fully identify the potential impacts to CESA-listed species and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.

Updated General Field Surveys. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rate plants may be considered valid for a period of up to three years. In addition, it is possible that wildlife not previously observed on site are now residents and/or use the Project site for breeding, nesting, or foraging. For these reasons, CDFW strongly recommends Metropolitan retain a qualified biologist to perform an updated biological survey to account for the current state of the Project site and the inventory of biological

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species that may be present. The survey should be conducted at the appropriate time of the year and time of day when sensitive species are active or otherwise identifiable for both wildlife and plants. Findings from the updated general field surveys should be disclosed in the CEQA document for public review.

Mitigation and Monitoring Reporting Plan. CDFW recommends Metropolitan adopt the mitigation measures and recommendations in this letter into the FEIR. Mitigation measures must be fully enforceable through permit conditions, agreements, or other legally binding instruments [(Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15126.4(a)(2)]. As such, CDFW has provided comments and recommendations to assist Metropolitan in developing mitigation measures that are (1) consistent with CEQA Guidelines, section 15126.4; (2) specific; (3) detailed (i.e., responsible party, timing, specific actions, location), and (4) clear for a measure to be fully enforceable and implemented successfully via mitigation, monitoring, and/or reporting program (Pub. Resources Code, § 21081.6; CEQA Guidelines, § 15097).

Metropolitan 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 Metropolitan with a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation and Monitoring Reporting Plan (MMRP; Attachment 1).

Environmental Data

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database (i.e., California Natural Diversity Database (CNDDDB)) which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, sub. (e)) Accordingly, please report any special status species and natural communities detected during Project surveys to the CNDDDB. The [CNNDDB field survey form](#) can be filled out and submitted online (CDFW 2024). Please visit CDFW online to access [the types of information reported to CNDDDB](#). Information on special status native plant populations and sensitive natural communities, the [Combined Rapid Assessment and Relevé Form](#) should be completed and submitted to CDFW's Vegetation Classification and Mapping Program (CDFW 2025)

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

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(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 Metropolitan in identifying and mitigating Project impacts on biological resources. To ensure significant impacts are adequately mitigated to a level less-than-significant, the feasible mitigation measures described above should be incorporated as enforceable conditions in the final environmental document for the Project. CDFW requests an opportunity to review and comment on any response that Metropolitan has to our comments 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 Mayra Molina, Senior Environmental Scientist (Specialist), at Mayra.Molina@wildlife.ca.gov or (562) 723-8734.

Sincerely,

DocuSigned by:

Baron Barrera

7/14/2025

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Baron Barrera (Senior Environmental Scientist-Supervisory) acting for
Heather A. Pert
Environmental Program Manager
South Coast Region

Attachments

Attachment A: Draft Mitigation and Monitoring Reporting Plan

ec: California Department of Fish and Wildlife
Baron Barrera, Senior Environmental Scientist (Supervisory)
Mary Ngo, Senior Environmental Scientist (Specialist)
Cindy Hailey, Staff Services Analyst
CEQA Program Coordinator – Sacramento

Office of Planning and Research
State Clearinghouse – State.Clearinghouse@opr.ca.gov

References

[CDFW] California Department of Fish and Wildlife. 2025. Species of Special Concern. Available from: <https://wildlife.ca.gov/Conservation/SSC>
[CDFW] California Department of Fish and Wildlife. 2024. [Submitting Data to the CNDDDB](#).

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Kus, B. E. 1999. Impact of brown-headed cowbird parasitism on productivity of the endangered Least Bell's Vireo. *Studies in Avian Biology* 18: 160-166.

Vandergast, A., Kus, B., Preston, K., and Barr, K. 2019. Distinguishing recent dispersal from historical genetic connectivity in the coastal California gnatcatcher. *Scientific Reports* Issue 9, 2019.

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Attachment A: Mitigation and Monitoring Reporting Plan	Timing	Responsible Party
<p>BIO-MM-1: Riparian Vegetation Monitoring and Adaptive Management Plan and Water Deliveries Mitigation. Metropolitan shall prepare a Riparian Vegetation Monitoring and Adaptive Management Plan, in coordination with the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW) for the reach of the San Gabriel River, between USG-3 and Santa Fe Dam, to monitor potential changes to wetland and riparian communities in response to the suspension of water deliveries at USG-3. The Riparian Vegetation Monitoring and Adaptive Management Plan shall establish the following:</p> <ol style="list-style-type: none"> 1. Baseline conditions; 2. Threshold triggers; 3. Biostatistical analyses, 4. Surveys and methods used to detect significant changes; 5. Annual data monitoring, analysis, and reporting; and, 6. Course of actions and mitigation measures to be implemented in the event that thresholds are triggered, such as including: <ol style="list-style-type: none"> a. Releasing additional imported water or purified water at the USG-3 discharge point; b. Providing a new discharge point into the San Gabriel River at the San Gabriel Canyon Spreading Grounds; and/or, c. Coordinating water releases at Morris Dam to mimic historical water deliveries at USG-3. <p>If the water delivery changes are determined to have resulted in adverse impacts and loss of wetland and riparian habitat along the monitored reach during the monitoring period, additional measures shall be implemented to ensure no net loss of wetland and riparian habitat occurs within the monitoring reach as a result of Pure Water operations. Metropolitan shall prepare and implement a Riparian Vegetation Monitoring and Adaptive Management Plan for the reach of the San</p>	<p>Prior to finalizing CEQA document</p> <p>Prior to Project Initiation, During Project Activities, and Post-Project Monitoring Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>Gabriel River between Metropolitan service connection USG-3 and Santa Fe Dam to monitor potential changes to wetland and riparian communities in response to the suspension of water deliveries at USG-3. The monitoring shall also include potential changes to such habitat potentially serving as breeding habitat for the federally and state endangered least Bell’s vireo and southwestern willow flycatcher; potential adverse modification of critical habitat for the southwestern willow flycatcher; and potential impacts to habitat for other special-status species, as applicable. The plan shall identify the purpose of the monitoring, monitoring period, monitoring protocols, thresholds for determining if the suspension of water deliveries has resulted in an adverse impact to wetland and riparian habitats within the monitoring area, reporting requirements, and subsequent actions to be taken to ensure that no net loss of wetland or riparian habitat occurs within the monitoring reach as a result of Pure Water operations.</p> <p>If, through implementation of the Riparian Vegetation Monitoring and Adaptive Management Plan, a significant adverse impact on wetland and/or riparian habitat; breeding habitat for the least Bell’s vireo and/or southwestern willow flycatcher; critical habitat for southwestern willow flycatcher; and/or habitat for other special-status species is identified, then Metropolitan shall consult with the U.S. Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW), as applicable, to address potential adverse impacts on special-status species and/or adverse modification of critical habitat. Metropolitan shall implement requirements determined through the consultation process which may include obtaining take authorization, which could include adjusting surface flows, as appropriate, and/or compensation at a minimum 1:1 ratio to ensure no net loss or degradation of wetland and/or riparian habitat, breeding habitat for the least Bell’s vireo and/or southwestern willow flycatcher, and/or southwestern willow flycatcher critical habitat. This could occur through one or more of the following: onsite and/or offsite establishment, re-establishment, rehabilitation, and/or enhancement; acquisition and preservation of onsite and/or offsite land demonstrated to support the habitat; and/or purchase of mitigation credits at an approved mitigation bank.</p>		
<p>BIO-MM-5: Updated Coastal California Gnatcatcher Surveys. <i>A qualified biologist shall conduct updated protocol-level surveys for coastal California</i></p>		<p>Lead Agency; and,</p>

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<p><i>gnatcatcher no more than one year prior to construction activities where suitable habitat occurs within or adjacent to direct impact area(s).</i></p> <p>A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall conduct updated protocol-level surveys for coastal California gnatcatcher no more than one year prior to the commencement of construction activities to determine the presence/absence of coastal California gnatcatcher. The surveys shall be conducted in accordance with the current USFWS survey protocol within the direct impact area(s), in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments), and where construction is scheduled to occur within one year. In order to inform the quantification of habitat determined to be occupied by nesting/breeding coastal California gnatcatchers, the surveys shall include mapping the location and estimated extent of any coastal California gnatcatcher nests and associated breeding territories found to overlap the direct impact area(s) and contiguous suitable habitat that occurs within 500 feet of direct impact area(s). The results of the survey shall be summarized in a survey report and submitted to the USFWS and CDFW within 45 days of completion of the surveys pursuant to survey protocol.</p> <p>If coastal California gnatcatchers are found to occur in the direct impact area(s) or within contiguous suitable habitat that occurs within 500 feet of the direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-6 to prevent potential indirect and adverse impacts to nesting/breeding individuals. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database (CNDDDB) and develop a site-specific plan with CDFW.</p>	<p>Prior to Project Initiation and During Project Activities</p>	<p>Project Proponent</p>
<p>BIO-MM-8: Updated Least Bell’s Vireo Surveys. <i>A qualified biologist shall conduct updated protocol level surveys for least Bell’s vireo no more than one year prior to construction activities where suitable habitat occurs adjacent to direct impact area(s).</i></p> <p>A qualified biologist shall conduct updated protocol-level surveys for least Bell’s vireo no more than one year prior to the commencement of construction activities to determine the presence/absence of least Bell’s vireo where suitable habitat</p>	<p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>occurs adjacent to the direct impact area(s). The surveys shall be conducted in accordance with the current USFWS survey protocol in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments) and where construction is scheduled to occur within one year. The results of the survey shall be summarized in a survey report and submitted to the USFWS and CDFW within 45 days of completion of the surveys pursuant to survey protocol.</p> <p>If least Bell's vireos are found within contiguous suitable habitat that occurs within 500 feet of direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-9 to prevent potential indirect and adverse impacts to nesting/breeding individuals. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.</p>		
<p>BIO-MM-9: Least Bell's Vireo Avoidance. <i>If least Bell's vireo occurs within 500 feet of direct impact area(s), Metropolitan shall consult with CDFW and USFWS to implement measures to avoid or minimize impacts.</i></p> <p>If, during the updated protocol-level surveys, least Bell's vireo is found to be nesting/breeding within contiguous habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments), then the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. Prior to initiation of construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any least Bell's vireo nests, Metropolitan shall implement the following avoidance and minimization measures to prevent potential indirect and adverse impacts to nesting/breeding individuals: <ul style="list-style-type: none"> i. Construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any least Bell's vireo nests shall not be initiated during the least Bell's vireo breeding 	<p>Prior to finalizing CEQA document;</p> <p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>season (March 15 through September 15) to the extent feasible;</p> <ul style="list-style-type: none">ii. If construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any least Bell's vireo nests must be initiated during the least Bell's vireo breeding season, a qualified biologist shall conduct pre-construction surveys for least Bell's vireo to determine whether nesting/breeding least Bell's vireo are currently present within contiguous habitat that occurs within 500 feet of the direct work areas. Preconstruction surveys shall include a minimum of three surveys, conducted on separate days, beginning no earlier than seven days prior to commencement of construction activities with the last survey being conducted the day immediately prior to initiation of work. If least Bell's vireos are not detected during the pre-construction surveys, construction activities shall be allowed to proceed with no additional measures required, so long as the activities are ongoing and do not stop for more than seven days during the least Bell's vireo breeding season. If construction activities stop for more than seven days during the least Bell's vireo breeding season, Metropolitan shall repeat the pre-construction surveys to confirm the continued absence of nesting/breeding least Bell's vireos;iii. If nesting/breeding least Bell's vireos are found to be present during the preconstruction surveys, Metropolitan shall conduct noise monitoring to ensure that construction noise does not exceed 60 dBA as measured from the location of active nests. If necessary, noise attenuation measures (i.e., noise walls, sound blankets, etc.) shall be implemented and/or construction activities shall be adjusted to ensure that no indirect and adverse impacts to nesting/breeding least Bell's vireos occur. As determined by a qualified biologist, if at any time noise cannot be attenuated or construction activities cannot be adjusted to maintain 60 dBA or less as measured from the location of active nests, the construction activities shall be temporarily halted at the nest locations and an avoidance buffer shall be established by the qualified biologist around the nests until the qualified biologist has determined that nesting activities have ceased (i.e., nestlings have fledged, or the nest is no longer active), or until after September 15;		
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<p>and,</p> <p>iv. Indirect and adverse impacts to nesting/breeding least Bell's vireos with the potential to result in take of individuals are not authorized and would require consultation with the USFWS in accordance with Section 7 or Section 10 of the federal Endangered Species Act to obtain take coverage for unavoidable impacts. Metropolitan shall also consult with the CDFW, in accordance with the California Endangered Species Act. If take of least Bell's vireo is expected, no construction activities with the potential to result in direct or indirect adverse impacts on least Bell's vireo shall occur until CDFW has authorized such take through an incidental take permit (ITP) under Section 2081(b) of the California Fish and Game Code for unavoidable impacts. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.</p>		
<p>BIO-MM-10 Updated Southwestern Willow Flycatcher Surveys. <i>A qualified biologist shall conduct updated protocol-level surveys for southwestern willow flycatcher no more than two years prior to construction activities where suitable habitat occurs adjacent to direct impact area(s).</i></p> <p>A qualified biologist (possessing a valid Endangered Species Act Section 10(a)(1)(A) Recovery Permit) shall conduct updated protocol-level surveys for southwestern willow flycatcher no more than two years prior to the commencement of construction activities to determine the presence/absence of southwestern willow flycatcher where suitable habitat occurs adjacent to direct impact area(s). The surveys shall be conducted in accordance with the current USFWS survey protocol in areas supporting contiguous suitable habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments) and where construction is scheduled to occur within two years. The results of the survey shall</p>	<p>Prior to Project Initiation</p>	<p>Lead Agency</p>

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<p>be summarized in a survey report and submitted to the USFWS within 45 days of completion of the surveys pursuant to survey protocol.</p> <p>If southwestern willow flycatchers are found within contiguous suitable habitat that occurs within 500 feet of direct impact area(s), Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-11 to prevent potential indirect and adverse impacts to nesting/breeding individuals.</p>		
<p>BIO-MM-11 Southwestern Willow Flycatcher Avoidance. <i>If southwestern willow flycatcher occurs within 500 feet of direct impact area(s), Metropolitan shall consult with CDFW and USFWS to implement measures to avoid or minimize impacts.</i></p> <p>If, during the updated protocol-level surveys, southwestern willow flycatcher is found to be nesting/breeding within contiguous habitat that occurs within 500 feet of direct impact area(s) (i.e., within suitable habitat that is not separated from direct impact area[s] by existing developments), then the following measures shall be implemented:</p> <ul style="list-style-type: none"> a. Prior to the initiation of construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any southwestern willow flycatcher nests, Metropolitan shall implement the following avoidance and minimization measures to prevent potential indirect and adverse impacts to nesting/breeding individuals: <ul style="list-style-type: none"> i. Construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any southwestern willow flycatcher nests shall not be initiated during the southwestern willow flycatcher breeding season (May 1 to September 1) to the extent feasible; ii. If construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any southwestern willow flycatcher nests must be initiated during the southwestern willow flycatcher breeding season, a qualified biologist shall conduct pre-construction surveys for southwestern willow flycatcher to determine whether nesting/breeding 	<p>Prior to Project Initiation</p>	<p>Lead Agency</p>

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<p>southwestern willow flycatchers are currently present within contiguous habitat that occurs within 500 feet of the direct work areas. Pre-construction surveys shall include a minimum of three surveys, conducted on separate days, beginning no earlier than seven days prior to commencement of construction activities with the last survey being conducted within 24 hours prior to initiation of work. If southwestern willow flycatchers are not detected during the pre-construction surveys, construction activities shall be allowed to proceed with no additional measures required, so long as the activities are ongoing and do not stop for more than seven days during the southwestern willow flycatcher breeding season. If construction activities stop for more than seven days during the southwestern willow flycatcher breeding season, Metropolitan shall repeat the pre-construction surveys to confirm the continued absence of nesting/breeding southwestern willow flycatchers;</p> <p>iii. If construction activities with the potential to generate noise in excess of 60 dBA as measured from the location of any southwestern willow flycatcher nests must be initiated during the southwestern willow flycatcher breeding season, a qualified biologist shall conduct pre-construction surveys for southwestern willow flycatcher to determine whether nesting/breeding southwestern willow flycatchers are currently present within contiguous habitat that occurs within 500 feet of the direct work areas. Pre-construction surveys shall include a minimum of three surveys, conducted on separate days, beginning no earlier than seven days prior to commencement of construction activities with the last survey being conducted within 24 hours prior to initiation of work. If southwestern willow flycatchers are not detected during the pre-construction surveys, construction activities shall be allowed to proceed with no additional measures required, so long as the activities are ongoing and do not stop for more than seven days during the southwestern willow flycatcher breeding season. If construction activities stop for more than seven days during the southwestern willow flycatcher breeding season, Metropolitan shall</p>		
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<p>repeat the pre-construction surveys to confirm the continued absence of nesting/breeding southwestern willow flycatchers;</p> <p>iv. Indirect and adverse impacts to nesting/breeding southwestern willow flycatchers with the potential to result in take of individuals are not authorized and would require consultation with the USFWS in accordance with Section 7 or Section 10 of the federal Endangered Species Act to obtain take coverage for unavoidable impacts. Metropolitan shall also consult with the CDFW, in accordance with the California Endangered Species Act. If take of least Bell's vireo is expected, no construction activities with the potential to result in direct or indirect adverse impacts on least Bell's vireo shall occur until CDFW has authorized such take through an ITP under Section 2081(b) of the California Fish and Game Code for unavoidable impacts. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.</p>		
<p>BIO-MM-12 Updated Burrowing Owl Surveys. <i>A qualified biologist shall conduct updated protocol level surveys for burrowing owl the year prior to construction activities where suitable habitat occurs within or adjacent to the direct impact area(s).</i></p> <p>A qualified biologist shall conduct protocol-level surveys for burrowing owl the year prior to the commencement of construction activities to determine the presence/absence of burrowing owl within or adjacent to direct impact area(s). The surveys shall be conducted in accordance with protocols accepted by CDFW (the qualified biologist shall contact CDFW for up-to-date guidance); for suitable burrowing owl habitat that occurs within the direct impact area(s) and areas within 500 meters that are contiguous with the direct impact area(s) (i.e., the areas are not separated from the direct impact area[s] by developed lands or other habitat that is not suitable for burrowing owl) where construction is scheduled to occur</p>	<p>Prior to Project Initiation</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>within one year and where an adverse direct indirect impact could occur to the species as a result construction activities, as determined by the qualified biologist. The results of the survey shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to the initiation of construction. If burrowing owl or their signs are observed, Metropolitan shall report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.</p>		
<p>BIO-MM-13 Burrowing Owl Avoidance and Agency Consultation: If active burrowing owl burrows are found to occur in or within 500 meters of direct impact area(s), Metropolitan shall consult with CDFW and implement measures to avoid or minimize impacts.</p> <p>If, during updated protocol-level surveys, burrowing owl and/or occupied burrowing owl burrows are found to occur within 500 meters of direct impact area(s) (i.e., within suitable habitat not separated from direct impact area[s] by existing developments), then the following measures shall be implemented unless otherwise superseded by updated burrowing owl guidelines adopted by CDFW or measures contained in an incidental take permit (ITP) issued by CDFW:</p> <ol style="list-style-type: none"> a. Prior to construction, Metropolitan shall retain a qualified biologist to conduct pre-construction (including nest clearance) surveys for burrowing owl in suitable burrowing owl habitat that occurs within the direct impact area(s) and areas within 500 meters that are contiguous with the direct impact areas (i.e., the areas are not separated from the direct impact area[s] by developed lands or other habitat that is not suitable for burrowing owl) where an adverse direct or indirect impact could occur to the species as a result of construction activities, as determined by the qualified biologist. The pre-construction surveys shall include at least two surveys conducted at least seven days apart, with the first survey occurring no more than 14 days prior to initiating construction activities that might result in a direct or indirect impact to burrowing owl and the second survey occurring no more than 48 hours prior to initiating construction activities that might result in a direct or indirect impact to burrowing owl. The surveys shall be conducted using the methods described in protocols accepted by CDFW (the qualified biologist shall 	<p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>contact CDFW for up-to-date guidance). If no burrowing owls or occupied burrows are detected during the preconstruction surveys, construction activities shall be allowed to proceed with no additional measures required. If burrowing owls and/or occupied burrowing owl burrows are detected during the pre-construction surveys, then the following additional measures shall be implemented.</p> <p>b. If burrowing owls and/or occupied burrowing owl burrows are detected during the pre-construction surveys, the results of the survey, including a Burrow Complex Map, shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to initiating construction activities within 500 meters of burrowing owl locations and/or occupied burrowing owl burrows. The Burrow Complex Map shall show the locations of all burrowing owl sightings, burrowing owl burrow complex(es), and atypical burrows (i.e., culverts, buckled concrete, etc.), and shall label if the sightings were identified as potential burrows, occupied burrows, satellite burrows, areas of concentrated burrows, and/or burrowing owl sign. If a lapse in construction activities occurs for 14 days or longer within 500 meters of burrowing owl sightings or occupied burrows, Metropolitan shall contact the CDFW to determine if updated pre-construction surveys and an updated Burrow Complex Map are required prior to reinitiating construction activities with potential to disturb burrowing owls;</p> <p>c. Construction activities with the potential to result in direct or indirect adverse impacts on burrowing owls shall be avoided within approximately 500 meters of burrowing owls and/or occupied burrowing owl burrows during any time of the year to the extent feasible;</p> <p>d. If construction activities with the potential to result in direct or indirect adverse impacts on burrowing owl cannot be avoided within 500 meters of burrowing owls and/or occupied burrows while burrowing owls are present at any time of the year, the following avoidance measures shall be implemented:</p> <p>i. During the burrowing owl breeding season (February 1 to August 31), an avoidance buffer of approximately 500 meters shall be established around all active burrowing owl nesting, roosting, and</p>		
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<p>satellite burrows or the entire burrow complex. The avoidance buffer shall be delineated using stakes, flags, and/or rope or cord. The method of marking the buffer shall be adjusted if corvids, raptors, or other predators are observed perching on marking materials. The avoidance buffer shall be delineated with different materials than those used to delineate the limits of work. All materials used for delineation of the buffer shall be removed and properly disposed of following completion of construction activities, or when burrowing owls are no longer present and/or using the burrow(s). The distance of the avoidance buffer may be reduced where natural (hills, trees) or artificial (buildings, walls) barriers separate the location of construction activities from the active burrowing owl burrows. The final distance of the avoidance buffer shall be at the discretion of a qualified biologist.</p> <p>ii. During the burrowing owl non-breeding season (September 1 to January 31), an avoidance buffer of approximately 50 meters shall be established around all active burrowing owl wintering or roosting burrows or the entire burrow complex. The buffer shall be delineated using stakes, flags, and/or rope or cord. The method of marking the avoidance buffer shall be adjusted if corvids, raptors, or other predators are observed perching on marking materials. The avoidance buffer shall be delineated with different materials than those used to delineate the limits of work. All materials used for delineation of the buffer shall be removed and properly disposed of following completion of construction activities, or when burrowing owls are no longer present and/or using the burrow(s). The distance of the avoidance buffer may be reduced where natural (hills, trees) or artificial (buildings, walls) barriers separate the location of construction activities from the active burrowing owl burrows. The final distance of the avoidance buffer shall be at the discretion of a qualified biologist.</p> <p>e. If occupied and/or potentially suitable burrowing owl burrows occur within the direct impact area(s) and cannot be avoided by construction activities,</p>		
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<p>the following measures shall be implemented:</p> <ul style="list-style-type: none">i. Construction activities shall avoid direct physical impacts to active burrowing owl nesting, roosting, and satellite burrows or the entire burrow complex during the burrowing owl breeding season (February 1 to August 31), or until a qualified biologist determined that nesting activities have ceased (i.e., nestlings have fully fledged, are feeding independently and are no longer dependent on the nesting burrow).ii. Burrowing owl exclusion and excavation of suitable burrowing owl burrows present within the direct impact area(s) may be conducted with approval of the CDFW once the burrow or burrow complex has been determined to be inactive, during the burrowing owl non-breeding season (September 1 to January 31), or if conducted during the burrowing owl breeding season (February 1 to August 31), only after the nestlings have fully fledged, are feeding independently, and are no longer dependent on the nesting burrow. Methods of burrow exclusion and excavation shall be determined in consultation with CDFW and may include such methods as: burrow monitoring to confirm status; burrow inspection through the use of camera scoping, trail camera, or alternative methods approved by CDFW; installation of one-way doors at the entrance of burrows to allow burrowing owl and other wildlife to vacate the burrows unharmed; or collapsing of vacated burrows. <p>If direct or indirect adverse impacts cannot be avoided during the review period for burrowing owl as a candidate state endangered species or if burrowing owl is listed as a state endangered species, then Metropolitan shall implement the additional measures below in compliance with the California Endangered Species Act. If the candidate state endangered listing is removed for the burrowing owl and the species does not become listed as a state endangered species, then the additional measures below for the California Endangered Species Act compliance would no longer be required.</p> <ul style="list-style-type: none">f. Prior to the initiation of construction activities that could result in direct or indirect adverse impacts on burrowing owl, Metropolitan shall consult with CDFW in accordance with the California Endangered Species Act. If take		
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<p>of burrowing owl is expected, no construction activities with the potential to result in direct or indirect adverse impacts on burrowing owl shall occur until CDFW has authorized such take through an incidental take permit (ITP), as applicable. Metropolitan shall implement any required avoidance, minimization, and mitigation measures prescribed in the ITP, as applicable beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.</p> <p>g. Prior to the initiation of construction activities that could result in direct physical impacts to active burrowing owl burrows and nest sites (i.e., destruction of burrows determined to be occupied by wintering, roosting, or nesting burrowing owl), a qualified biologist approved by CDFW shall be retained to help facilitate avoidance and minimization actions during project construction to ensure that burrowing owls are not harmed. The qualified biologist, in coordination with CDFW, shall assist with the implementation of measures to prevent direct take of burrowing owl individuals during construction. The CDFW-approved measures for ensuring the burrows do not support an active nest and individual owls are not entrapped within burrows that occur within the approved construction work areas shall include, at a minimum: burrow monitoring to confirm nesting status; burrow inspection through the use of camera scoping, trail camera, or alternative methods approved by CDFW; installation of one-way doors at the entrance of burrows to allow burrowing owl and other wildlife to vacate the burrows unharmed; collapsing of vacated burrows; inspection, removal, and/or concealment of pipes, debris/rock piles, and other areas that could attract burrowing owl onto the approved construction work areas; monitoring construction activities; and weekly reporting to CDFW.</p>		
<p>BIO-MM-14 Compensatory Mitigation for Burrowing Owls. <i>Direct impacts to burrowing owl nest sites shall be mitigated in consultation with CDFW in accordance with the California Endangered Species Act.</i></p> <p>Permanent direct impacts to active burrowing owl nest sites shall be offset through compensatory mitigation, which may include, but is not limited to, onsite and/or offsite preservation of burrowing owl habitat demonstrated to support, at a</p>	<p>Prior to finalizing CEQA document;</p> <p>Prior to Project Initiation</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>minimum, the number of active burrowing owl nest sites impacted by construction. Lands to be conserved as mitigation for direct impacts shall include: (1) sufficient acreage to support the number of burrowing owl individuals impacted, including adequate territory size and foraging habitat, with fossorial mammals (e.g., California ground squirrel) present; (2) permanent protection through a conservation easement or similar protective instrument for the purpose of conserving burrowing owl habitat and prohibiting activities incompatible with burrowing owl use; (3) preparation and implementation of a Mitigation Land Management Plan to address long-term ecological sustainability, enhancement of conserved lands, and maintenance of the site for burrowing owls; and (4) funding for the long-term maintenance and management of the mitigation land through the establishment of a long-term funding mechanism, such as an endowment. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over these resources beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.</p>		
<p>BIO-MM-17 Updated Crotch’s Bumble Bee Surveys. If Crotch’s bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, a qualified bee biologist, who possesses a Memorandum of Understanding to perform surveys for Crotch’s bumble bee, shall conduct protocol-level surveys for Crotch’s bumble bee in accordance with CDFW Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023). Surveys shall be conducted during the appropriate flying season no more than one years prior to construction activities where suitable habitat occurs in direct impact area(s). Any modification to the Crotch’s bumble bee survey protocol shall be submitted to CDFW for review and approval prior to survey implementation. If the candidate state endangered listing is removed for Crotch’s bumble bee and the species does not become listed as a state threatened or endangered species, then this measure and the additional measures below for CESA compliance (BIO-MM-18 and BIO-MM-19) would no longer be required.</p> <p>If Crotch’s bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, A qualified biologist, who possesses a Memorandum of Understanding to perform</p>	<p>Prior to finalizing CEQA document;</p> <p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>surveys for Crotch's bumble bee, shall conduct protocol-level surveys for Crotch's bumble bee no more than one years prior to the commencement of construction activities in areas supporting suitable habitat to determine the presence/absence of Crotch's bumble bee in direct impact area(s) where construction may occur within one years. The surveys shall be conducted in accordance with current CDFW guidelines as detailed in the CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species, dated June 6, 2023, or subsequently adopted guidelines. The results of the survey shall be summarized in a survey report and submitted to Metropolitan and CDFW prior to initiation of ground disturbing activities.</p> <p>If Crotch's bumble bee is found to occur and has potential to be directly or indirectly adversely affected by construction, Metropolitan shall implement the avoidance and minimization measures described in mitigation measure BIO-MM-18. Metropolitan shall also report the observation to CDFW through an entry in California Natural Diversity Database and develop a site-specific plan with CDFW.</p>		
<p>BIO-MM-18 Crotch's Bumble Bee Avoidance and Agency Consultation. <i>If Crotch's bumble bee remains a candidate species or its status becomes elevated to a listed species under the California Endangered Species Act, and the species is found to occur within the direct impact area(s), Metropolitan shall consult with the CDFW and implement measures to avoid or minimize impacts.</i></p> <p>If Crotch's bumble bee remains a state candidate species for listing or is listed as threatened or endangered under the California Endangered Species Act and is found to occur within the direct impact area(s) during the updated protocol-level surveys, then the following measures shall be implemented:</p> <ol style="list-style-type: none"> a. If direct or indirect impacts to Crotch's bumble bee suitable habitat will occur, Metropolitan shall consult with the CDFW. If take of Crotch's bumble bee is expected, no construction activities with the potential to result in direct or indirect adverse impacts on Crotch's bumble bee shall occur until CDFW has authorized such take through an ITP under Section 2081(b) of the California Fish and Game Code for unavoidable impacts.-Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over this resource beyond what is being 	<p>Prior to finalizing CEQA document;</p> <p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>proposed under this CEQA analysis to reduce the impact to less than significant. Unless otherwise directed by the CDFW, the following measures shall be implemented:</p> <ul style="list-style-type: none">i. Removal (i.e., vegetation clearing, crushing, trimming) of Crotch's bumble bee suitable habitat shall be avoided during the species' flight season (February 1 through October 31) to the extent feasible; If construction activities must occur during the flight season, a qualified bee biologist shall conduct a pre-construction-(including nest clearance) survey for Crotch's bumble bee queens, gynes, and colonies. The survey shall be conducted no more than 14 days prior to construction during suitable weather conditions in accordance with CDFW's requirements. If the pre-construction survey is negative, no further assessment shall be required, and construction activities shall be allowed to proceed;ii. If construction activities must occur during the flight season, a qualified biologist shall conduct a pre-construction survey for Crotch's bumble bee queens, gynes, and colonies. The survey shall be conducted no more than 14 days prior to construction during suitable weather conditions in accordance with CDFW's requirements. If the pre-construction survey is negative, no further assessment shall be required, and construction activities shall be allowed to proceed;iii. If an active Crotch's bumble bee nest site is detected, an appropriate avoidance buffer of at least 50 feet shall be established by the qualified biologist. Construction activities shall avoid any active nest sites until a qualified biologist has verified that the nesting colony is no longer active; andiv. If Crotch's bumble bee is detected but no active nest sites are found, a qualified biological monitor shall be present during vegetation removal activities that are scheduled to occur during the queen flight period (February through March), colony active period (March through September), and/or gyne flight period (September through October). If Crotch's bumble bee is observed within the direct impact		
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<p>area during construction activities, the biological monitor shall immediately stop work activities within the area until the bumble bee freely moves away from the work area.</p>		
<p>BIO-MM-19 Compensatory Mitigation for Crotch’s Bumble Bee. Direct impacts to Crotch’s bumble bee occupied habitat shall be mitigated in consultation with the CDFW in accordance with the California Endangered Species Act.</p> <p>Direct impacts to Crotch’s bumble bee occupied habitat shall be mitigated with a revegetation plan and plant palette of locally native nectar sources that are weed and pest free (e.g., Argentine ants), pathogen-free, and have not been treated with pesticides. Mitigation that satisfies the fully mitigated standard may occur through one or more of the following: onsite and/or offsite habitat creation, restoration, and/or enhancement; acquisition and preservation of onsite and/or offsite lands demonstrated to be occupied by the species. Metropolitan shall comply with any additional measures (e.g., avoidance, conservation) incorporated into any permits or authorizations issued by the regulatory agencies with jurisdiction over this resource beyond what is being proposed under this CEQA analysis to reduce the impact to less than significant.</p>	<p>Prior to finalizing CEQA document;</p> <p>Prior to Project Initiation</p>	<p>Lead Agency; and, Project Proponent</p>
<p>BIO-EC-2: Nesting Bird and Raptor Avoidance. Trimming, grubbing, and clearing of vegetation shall be avoided during the general avian breeding season (January 15 to July 15 for raptors; February 1 to September 15 for other avian species) to the extent feasible based on schedule considerations and coordination with local agencies. If trimming, grubbing, or clearing of vegetation is proposed during the general avian breeding season, a preconstruction survey shall be conducted by a qualified biologist no more than seven days prior to disturbance of vegetation to determine if active bird nests are present in the affected areas. If there are no nesting birds (includes nest building or other breeding/nesting behavior) within the survey area, trimming, grubbing, and clearing of vegetation will be allowed to proceed. If active bird nests are confirmed to be present during the pre-construction survey, a buffer zone shall be established by the qualified biologist. All construction personnel (and CDFW for protected species) shall be notified as to the existence of the buffer zone and instructed to avoid entering the buffer zone during the nesting season. Construction activities shall avoid any active nests and buffer zone until a qualified biologist has verified that the young</p>	<p>Prior to Project Initiation and During Project Activities</p>	<p>Lead Agency; and, Project Proponent</p>

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<p>have fledged or the nest has otherwise become inactive. A memorandum shall be prepared at the conclusion of surveys and submitted to CDFW. The memorandum shall include graphics and figures as necessary to support the results of the survey.</p>		
<p>Recommendation #1: Brown-headed Cowbird (<i>Molothrus ater</i>) parasitism of least Bell's vireo nests may exceed 42 percent in some locations (Kus 1999). With the project's suspension of water releases and potential impacts to riparian habitat, the potential for increased cowbird parasitism on least Bell's vireo may be significant. CDFW recommends Metropolitan coordinate with USFWS and CDFW to conduct brown-headed cowbird trappings adjacent to the San Gabriel River riparian areas. CDFW recommends the trappings occur for a minimum of 10 years to mitigate for potential impacts to the productivity of least Bell's vireo associated with temporary reductions in habitat quality. Additional cowbird trappings shall be implemented, as necessary and consistent with BIO-MM-1.</p>	<p>Prior to finalizing CEQA document Prior to Project Initiation, During Project Activities, and Post-Project Monitoring Activities</p>	<p>Lead Agency; and, Project Proponent</p>
<p>Recommendation #2: CDFW recommends Metropolitan provide clarification on whether releasing imported or purified water at the USG-3 discharge point is an option if there are adverse impacts to wetlands and riparian habitat. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan and to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.</p>	<p>Prior to finalizing CEQA document;</p>	<p>Lead Agency; and, Project Proponent</p>
<p>Recommendation #3: CDFW recommends Metropolitan commit to creating a new discharge point from the San Gabriel Canyon Spreading Grounds into the San Gabriel River if there are adverse impacts to wetlands and riparian habitat. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.</p>	<p>Prior to finalizing CEQA document</p>	<p>Lead Agency; and, Project Proponent</p>
<p>Recommendation #4: CDFW recommends Metropolitan coordinate water releases at Morris Dam to mimic historical water deliveries at USG-3. This information will be useful to inform the Riparian Vegetation Monitoring and Adaptive Management Plan to establish baseline conditions and measures to ensure a no net loss of wetland and riparian habitats.</p>	<p>Prior to finalizing CEQA document</p>	<p>Lead Agency; and, Project Proponent</p>