



A Tradition of Stewardship
A Commitment to Service

Planning, Building & Environmental Services

1195 Third Street, Suite 210
Napa, CA 94559
www.countyofnapa.org

Brian D. Bordona
Director

To: Nicholas Magnuson, CDFW, 2825 Cordelia Road, Suite 100, Fairfield CA 94534
RSA+, 1515 Fourth Street, Napa CA 94559
State Clearinghouse

From: Donald Barrella

Subject: Response to Comments - Initial Study/ Negative Declaration
Acierno Vineyard Conversion
Agricultural Erosion Control Plan File #P23-00348-ECPA
7070 Silverado Trail, APN 032-070-024
SCH #2024080231

Date: September 13, 2024

Attached is a copy of the Response to Comments for the subject project. The report contains our responses to comments provided on the August 6, 2024, Initial Study/Mitigated Negative Declaration, which can also be accessed at <https://www.countyofnapa.org/2876/Current-Projects-Explorer>

The County could approve the Project on or after **Friday September 13, 2024**.

Should you have any questions, please call Donald Barrella at 707-299-1338 or via e-mail to donald.barrella@countyofnapa.org

Respectfully,

A handwritten signature in blue ink, appearing to read "Donald Barrella".

Donald Barrella
Planner III

cc: Brian Bordona, Director PBES (via email)
Patrick Ryan, Deputy Director PBES (via email)
Dana Morrison, Supervising Planner (via email)
Chris Apallas, Deputy County Counsel (via email)



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Brian D. Bordona
Director

TO: Application File #23-00348-ECPA

FROM: Donald Barrella, Planner III

DATE: September 13, 2024

RE: Response to Comments – Acierno Vineyard Conversion
Agricultural Erosion Control Plan (ECPA) #P22-00143-ECPA
7070 Silverado Trail, Assessor’s Parcel Number 032-070-024
SCH #2024080231

INTRODUCTION

This memorandum has been prepared by the County Conservation Division to respond to comments received by the Napa County Department of Planning, Building and Environmental Services (Napa County) on the Proposed Initial Study/Mitigated Negative Declaration (Proposed IS/MND) for the Acierno Vineyard Conversion #P23-00348-ECPA (proposed project). An IS/MND is an informational document prepared by a Lead Agency, in this case, Napa County, that provides environmental analysis for public review. The agency decision-maker considers it before taking discretionary actions related to any proposed project that may have a significant effect on the environment.

The Proposed IS/MND analyzed the impacts resulting from the proposed project and where applicable, identified mitigation measures to minimize the impacts to less-than-significant levels. This memorandum for the Acierno Vineyard Conversion Agricultural Erosion Control Plan #P23-00348-ECPA Proposed IS/MND, presents the organization commenting on the Proposed IS/MND and responses to the received comments. This memorandum, in combination with the Proposed IS/MND, completes the Final IS/MND.

CEQA PROCESS

In accordance with Section 15073 of the CEQA Guidelines, Napa County submitted the Proposed IS/ND to the State Clearinghouse for a 30-day public review period starting August 6, 2024. In addition, Napa County circulated a Notice of Intent to Adopt the Proposed IS/MND to interested agencies, individuals, and property owners within 1,000 feet of the subject property. The public review period ended on April 8, 2024. During the public review period, Napa County received one comments on the Proposed IS/MND. Table 1 below lists the entities that submitted comments on the Proposed IS/MND. The comment letters are attached as identified in Table 1.

TABLE 1
COMMENTS RECEIVED ON THE PROPOSED IS/MND

Comment Attachment	From	Date Received
1	California Department of Fish and Wildlife (CDFW)	September 3, 2024

In accordance with CEQA Guidelines Section 15074(b), Napa County considers the Proposed IS/MND together with comments received, both during the public review process and before action on the project, prior to adopting the Proposed IS/MND and rendering a decision on the project. The CEQA Guidelines do not require the preparation of a response to comments for negative declarations; however, this memorandum responds to comments received. Based on review of the comments received no new potentially significant impacts beyond those identified in the Proposed IS/MND would occur, no new or additional mitigation measures, or project revisions, must be added to reduce impacts to a less than significant level, and none of the grounds for recirculation of the Proposed IS/MND as specified in State CEQA Guidelines Section 15073.5 have been identified. All potential impacts identified in the Proposed IS/MND were determined to be less-than-significant or less-than-significant with mitigation incorporated.

This Response to Comments Memorandum will also be provided to the owner/Permittee as **notice** of potential Local, State and Federal permits or agreements necessary to implement and/or operate this project, or other CEQA requirements including filing fees, as identified within the attached agency comment letter.

RESPONSE TO COMMENTS

Comment #1 California Department of Fish and Wildlife (CDFW) (Attachment 2)

Response to Comment 1.1:

The recommended bird protection measure requested by CDFW, as identified below, will be included in the conditions of approval for the project.

Bird Protection Condition of Approval

If construction, grading, vegetation removal, or other Project-related activities are scheduled during the avian nesting season, February 1 to August 31, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of Project-related activities. The survey shall cover the entire Project site and a minimum 500-foot buffer around the Project site. If a lapse in Project-related work of seven days or longer occurs, another survey shall be conducted before Project work can be reinitiated. If an active nest is found during surveys, the qualified biologist shall immediately notify the CDFW contact below, or if unavailable another CDFW representative, and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal MBTA. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby Project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project work. Nest monitoring shall continue during Project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified biologist, unless otherwise approved in writing by CDFW.

Response to Comment 1.2:

As disclosed on Page 14 of the Proposed IS/MND there is an ephemeral drainage west of the proposed development area that would be considered a water of the State. This drainage only contains water during storm events, and therefore is classified as a Class III drainage. The drainage is not a USGS blue line drainage but meets the Napa County stream definition pursuant to NCC 18.108.025. A minimum 65-foot stream setback from this

ephemeral drainage and vineyard development and operations has been established in accordance with NCC 18.108.025.

The commentor is correct that there is an ephemeral drainage along the eastern property line of the project site; however, it is over 200-feet at its closet point from the proposed vineyard develop. This drainage is also over 80-feet from existing vineyard to the north/northwest.

It is further disclosed on Page 14 of the Proposed IS/MND that the proposed project has been designed to reduce existing soil loss and runoff as compared to existing conditions; therefore, proposed vineyard development and operations would not result in significant impacts to drainages within close proximity to proposed vineyard development and operations, or from existing vineyards and operations, as they have been designed to a standard resulting in no net increase in soil loss and no net increase in runoff.

The 15 trees removed for the project are located a minimum of 65-feet from vineyard development areas with a majority occurring over 100-feet from these drainages.

For these reasons there would be no significant impacts to these ephemeral drainages because of vineyard development and operations as disclosed in the Proposed IS/MND.

Regarding removal of vineyard developed without an ECPA and associated oak tree replanting, while portions of these project activities may be shown to be immediately adjacent to these ephemeral drainages in the Native Oak Replanting Plan and Project Plans, they will not occur within the beds, banks, or channels of these drainages. Further, Project Plans include the installation of silt fencing a minimum of 10-feet from the top of bank, where feasible, along these drainages so that vineyard removal and restoration activities do not occur or otherwise encroach into the beds, banks, or channels of these drainages. Along the eastern drainage there may be small portions of the existing vineyard to be removed that are closer than 10-feet to top of bank, but as noted do not occur within the bed, bank, or channel of this drainage. Therefore, impacts to the bed, bank, channel or riparian areas are not anticipated because of these project components and activities.

Given the proximity of these drainages to vineyard removal and oak planting activities the owner/Permittee has been advised by the County to notify CDFW pursuant to and Game Code section 1600 prior to initiation of the vineyard removal and oak replanting activities. Further, as stated in the CEQA Process Section above, this Response to Comments Memorandum and CDFW's comments will be provided to the owner/Permittee as **notice** of the potential Local, State and Federal permits or agreements necessary to implement these components of the project.

Response to Comment 1.3:

As stated in the CEQA Process Section above, this Response to Comments Memorandum and CDFW's comments will be provided to the owner/Permittee as **notice** of the CEQA requirements pursuant to Public Resources Code, § 21003(e) to report any special-status species and natural communities detected during Project surveys to the CNDDDB.

Response to Comment 1.4: The CDFW Environmental Filing Fee for a Mitigated Negative Declaration will be paid upon posting of the CEQA Notice of Determination for this project when acted on by the County.

List of Attachments:

Attachment 1 – California Department of Fish and Wildlife letter dated September 3, 2024



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
(707) 428-2002
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



September 3, 2024

Donald Barrella
Napa County
1195 Third Street
Napa, CA 94559
Donald.Barrella@countyofnapa.org

Subject: Acierno Vineyard Conversion ECPA, Initial Study/Mitigated Negative Declaration, SCH No. 2024080231, Napa County

Dear Mr. Barrella:

The California Department of Fish and Wildlife (CDFW) received an Initial Study/Mitigated Negative Declaration (IS/MND) from Napa County (County) for the Acierno Vineyard, Agricultural Erosion Control Plan Application (ECPA) File No. P23-00348-ECPA (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

CDFW is submitting comments on the IS/MND to inform the County, as the Lead Agency, of potentially significant impacts to biological resources associated with the Project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), the Lake or Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Michael A. Acierno

Objective: The Project involves the clearing of vegetation, earthmoving and land contouring, and installation and maintenance of erosion control measures associated with the development of approximately 0.73 gross acre of vineyard (approximately 0.63 net planted acres) on an approximate 40.3-acre property. The Project also includes the removal and restoration/revegetation of an existing vineyard block (Block F, ±0.9 acre), that was developed without an approved ECPA and portions of which are located within

Donald Barrella
Napa County
September 3, 2024
Page 2

stream setbacks and on slopes above 30 percent, and the revegetation of a portion of this area and other areas totaling 0.63-acres that includes the planting of 52 oak (*Quercus* sp.) trees. Fifteen oak trees greater than six-inch diameter at breast height (DBH) were previously removed within the proposed vineyard blocks. Revegetation areas are located near two unnamed tributaries to the Napa River that run along the east and west sides of the Project area, respectively.

Location: The Project is located at 7070 Silverado Trail, Napa, CA 94558, Napa County; APN 032-070-024; and at approximately 38.43121°N and -122.34436°W.

REGULATORY REQUIREMENTS

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et. seq., is required for project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that will substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA notification requirements. **The Project may impact two unnamed tributaries to the Napa River, therefore an LSA Notification may be required as further described below.** CDFW, as a Responsible Agency under CEQA, would consider the CEQA document for the Project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

California Fully Protected Species

California Fully Protected species may not be taken or possessed at any time and no licenses or permits may be issued for their take except as follows:

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

Specified types of infrastructure projects may be eligible for an incidental take permit for unavoidable impacts to fully protected species if certain conditions are met (Fish & G. Code, § 2081.15). Project proponents should consult with CDFW early in the Project

Donald Barrella
Napa County
September 3, 2024
Page 3

planning process. **The Project has the potential to impact nesting white-tailed kite (*Elanus leucurus*), California Fully Protected species.**

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act (MBTA).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the County in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the Project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below and included in **Attachment 1** Draft Mitigation Monitoring and Reporting Program, CDFW concludes that an IS/MND is appropriate for the Project.

- I. Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or U.S. Fish and Wildlife Service (USFWS)?***

Environmental Setting and Related Impact Shortcoming

COMMENT 1: Nesting Bird Surveys

Issue: The IS/MND does not evaluate the potential for nesting birds such as white-tailed kite, a California Fully Protected species, to occur and be impacted by the Project.

Specific impacts and why they may occur and be significant: Human activity and removal of habitat has contributed to the loss of a significant proportion of the total number of birds in the United States and Canada since the 1970s (Rosenburg et al. 2019). Nesting birds such as white-tailed kite, a California Fully Protected species, may be disturbed by Project noise, visual changes, and human presence, which could lead to nest abandonment or reduced health and vigor of young, a potentially significant impact.



Donald Barrella
Napa County
September 3, 2024
Page 4

Recommended Mitigation Measure To reduce impacts to less-than-significant and comply with Fish and Game Code sections 3500 et seq. and the federal MBTA, CDFW recommends including the below mitigation measure.

MM BIO-3: Nesting Bird Surveys. If construction, grading, vegetation removal, or other Project-related activities are scheduled during the avian nesting season, February 1 to August 31, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of Project-related activities. The survey shall cover the entire Project site and a minimum 500-foot buffer around the Project site. If a lapse in Project-related work of seven days or longer occurs, another survey shall be conducted before Project work can be reinitiated. If an active nest is found during surveys, the qualified biologist shall immediately notify the CDFW contact below, or if unavailable another CDFW representative, and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird’s normal behavior to prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal MBTA. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby Project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.

The qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project work. Nest monitoring shall continue during Project work until the young have fully fledged (have completely left the nest site and are no longer being fed by the parents), as determined by the qualified biologist, unless otherwise approved in writing by CDFW.

II. *Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS?*

Environmental Setting and Related Impact Shortcoming

COMMENT 2: Stream Alteration

Issue: Page 26 of the IS/MND states that “The nearest blueline stream is Conn Creek, which is approximately 0.8 mile to the southwest. Therefore, no waterways have the potential to be significantly impacted by the proposed Project.” However, the IS/MND also states that “An ephemeral drainage occurs to the west of the

1.1 Cont.

1.2

Donald Barrella
Napa County
September 3, 2024
Page 5

proposed development area that would be considered a water of the State.” Based on aerial imagery and the California Aquatic Resources Inventory (CARI), it appears there are two streams on the east and west side of the Project area (respectively) The streams are also represented in Plates II and III of the *Native Oak Replanting Plan* (Exhibit B-2). It’s not clear that the Project has considered impacts to the stream and riparian habitat resulting from the Project activities such as the replanting areas. Furthermore, it’s not clear if the removal of the fifteen oak trees on the Project site (IS/MND page 1) resulted in impacts to the stream and riparian habitat. Please be advised that streams and adjoining riparian habitat are subject to Fish and Game Code 1602 et. seq, including ephemeral, intermittent, and perennial streams.

Specific impacts and why they may occur and be significant: Project activities including earthwork, vineyard planting, and native tree replanting can result in impacts to streams and the habitats they support. Impacts could include inputs of deleterious materials, obstructions and diversions, equipment staging and operation, and disturbances to riparian corridors, special-status wildlife and their habitats, and nesting birds. Due to the ecological importance and sensitivity of stream habitat, the above impacts would be potentially significant.

Recommended Mitigation Measure: To reduce impacts to streams to less than significant and comply with Fish and Game Code section 1600 et seq., CDFW recommends including the below mitigation measure.

MM BIO-4: Impacts to Streams and Riparian Areas. Prior to the commencement of Project, activities, the Project shall conduct a thorough assessment for potential impacts to the stream including, but not limited to impacts resulting from tree removal, vineyard development and native vegetation replanting. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall comply with all measures of the LSA, if issued, and shall not commence activities with potential to impact the stream until the LSA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring a minimum 3:1 ratio in area and linear feet for permanent impacts, all temporary impact areas shall be restored, and trees shall be replaced at an appropriate ratio based on size and species, unless otherwise approved in writing by CDFW.

Please be advised that an LSA, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.

1.2 Cont.

Donald Barrella
Napa County
September 3, 2024
Page 6

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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ENVIRONMENTAL DOCUMENT 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. (See Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

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CONCLUSION

CDFW appreciates the opportunity to comment on the IS/MND to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Magnuson, Environmental Scientist, at (707) 815-4166 or Nicholas.Magnuson@wildlife.ca.gov; or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486.
Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Planning and Research, State Clearinghouse No. 2024080231

Donald Barrella
Napa County
September 3, 2024
Page 7

REFERENCES

Rosenburg, Kenneth V.; Dokter, Adriaan M.; Blancher, Peter J.; Sauer, John R.; Smith, Adam C.; Smith, Paul A.; Stanton, Jessica C.; Panjabi, Avrind; Helft, Laura; Parr, Michael; and Marra, Peter P. 2019. Decline of the North American Avifauna. *Science*: 120-124.

Donald Barrella
 Napa County
 September 3, 2024
 Page 8

ATTACHMENT 1

Draft Mitigation Monitoring and Reporting Program (MMRP)

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

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
MM BIO-3	<p><u>MM BIO-3: Nesting Bird Surveys</u>. If construction, grading, vegetation removal, or other Project-related activities are scheduled during the avian nesting season, February 1 to August 31, a qualified biologist shall conduct a survey for active bird nests within 7 days prior to the beginning of Project-related activities. The survey shall cover the entire Project site and a minimum 500-foot buffer around the Project site. If a lapse in Project-related work of seven days or longer occurs, another survey shall be conducted before Project work can be reinitiated. If an active nest is found during surveys, the qualified biologist shall immediately notify the CDFW contact below, or if unavailable another CDFW representative, and establish site- and species-specific no-work buffers to ensure the nest is not disturbed. The buffer distances shall be specified to protect the bird's normal behavior to prevent nesting failure or abandonment and comply with Fish and Game Code section 3500 et seq. and the federal MBTA. Abnormal nesting behaviors which may cause reproductive harm include, but are not limited to, defensive flights/vocalizations directed towards Project personnel, standing up from a brooding position, and flying away from the nest. The qualified biologist shall have authority to order the cessation of all nearby Project activities if the nesting birds exhibit abnormal behavior which may cause reproductive failure (nest abandonment and loss of eggs and/or young) until an appropriate buffer is established.</p> <p>The qualified biologist shall monitor the behavior of the birds (adults and young, when present) at the nest site to ensure that they are not disturbed by Project work. Nest monitoring shall continue during Project work until the young have fully fledged (have completely left the nest site and are no longer</p>	Prior to Ground Disturbance	Project Applicant

Donald Barrella
 Napa County
 September 3, 2024
 Page 9

	<p>being fed by the parents), as determined by the qualified biologist, unless otherwise approved in writing by CDFW.</p>		
<p>MM BIO-4</p>	<p><u>MM BIO-4: Impacts to Streams and Riparian Areas.</u> Prior to the commencement of Project, activities, the Project shall conduct a thorough assessment for potential impacts to the stream including, but not limited to impacts resulting from tree removal, vineyard development and native vegetation replanting. If impacts to the bed, bank, channel, or riparian area of the streams cannot be avoided, the Project shall notify CDFW for potential Project impacts to the streams. More information for the notification process is available at https://wildlife.ca.gov/Conservation/Environmental-Review/LSA. The Project shall comply with all measures of the LSA, if issued, and shall not commence activities with potential to impact the stream until the LSA process has been completed. Impacts to the streams and riparian habitat shall be mitigated by restoring a minimum 3:1 ratio in area and linear feet for permanent impacts, and all temporary impact areas shall be restored, and trees will be replaced to offset the removal of oaks, unless otherwise approved in writing by CDFW.</p> <p>Please be advised that an LSA Agreement, if issued for the Project, would likely include the above recommended mitigation measures, as applicable, and may include additional measures to protect fish and wildlife resources.</p>	<p>Prior to Ground Disturbance and over the course of the Project</p>	<p>Project Applicant</p>