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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

December 26, 2025

Charmaine Yambao
City of Agoura Hills
30001 Ladyface Court
Agoura Hills, CA 93101
cyambao@agourahillscity.gov

Subject: Draft Environmental Impact Report for the Agoura Hills Bicycle Master Plan, SCH No. 2025010338, Los Angeles County, CA

Dear Charmaine Yambao:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Environmental Impact Report (DEIR) from City of Agoura Hills for the Agoura Hills Bicycle Master Plan (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

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

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for

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

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example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law[2] of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Agoura Hills (City)

Objective: The objective of the Project is to create a network of bike corridors, as well as support facilities and programs to link local and regional destinations and make biking more practical and desirable for a broader range of people. Components of the proposed Project include the Bicycle Master Plan, the Vehicle Miles Traveled Mitigation Exchange and Banking Program, and General Plan Amendments. The Bicycle Master Plan proposes 30.1 miles of new bikeways to build upon the City's existing 1.3 miles of bicycle routes and 9.2 miles of bicycle lanes. The Medea Creek Path, a two-mile bicycle path along Medea Creek Channel, and the Agoura High School Connection, a 0.35-mile bicycle path connecting two intersections adjacent to Agoura High School, are prioritized for implementation.

Location: The Planning Area for the Project includes the existing City boundaries (approximately 7.86 square miles). The City is located in western Los Angeles County near the southeastern edge of Ventura County. It is bordered by the City of Westlake Village to the west, the City of Thousand Oaks to the northwest, the unincorporated community of Oak Park (Ventura County) to the north, the City of Calabasas and unincorporated areas of Los Angeles County to the east, and unincorporated areas of Los Angeles County to the south.

Biological Setting: The Project area encompasses all of the City of Agoura Hills. Topography of the Project area varies from gradual to rugged, steeply sloped terrain, with elevations ranging from approximately 800 feet above mean sea level in Lindero Canyon in the western portion of the Project area to 2,000 feet above mean sea level at Ladyface Mountain in the southern portion of the Project area. The Project area includes various vegetation communities including riparian woodlands, oak woodlands, grasslands, chaparral, scrub amongst developed areas.

The Project area is within the Malibu Creek Watershed and contains four main creeks, Medea, Lindero Canyon, Palo Comado, and Chesebro. Medea Creek flows through the middle of the city, passing through both natural and man-made channels and an open space area. Lindero Canyon Creek flows through a canyon in the northwest part of the

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

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city, empties into Lake Lindero, and then reappears just south of Agoura Road, west of Kanan Road. Lake Lindero is an artificial lake in the western portion of the city, primarily surrounded by residences and a public golf course. Palo Comado Creek crosses the northeast section of the city, while Chesebro Creek flows along the north side of Agoura Road between Lewis Road and Medea Creek. In addition to these creeks, many smaller streams are present throughout the City.

The Plan states “Due to the programmatic nature of the Project, a precise, project-level analysis of the specific impacts of individual projects is not possible at this time.” However, the Plan states that there is potential for Agoura Hills dudleya (*Dudleya cymosa* ssp*. Agourensis;* California Rare Plant Rank (CRPR) 1B.2), Lyon's pentachaeta (*Pentachaeta lyonia;* Endangered Species Act (ESA) – Endangered, California Endangered Species Act (CESA) – Endangered, CRPR 1B.1), Crotch’s bumble bee (*Bombus crotchii;* CESA – Candidate), monarch butterfly (*Danaus plexippus;* ESA – Candidate), and southwestern pond turtle (*Actinemys pallida;* ESA – Proposed Threatened, California Species of Special Concern (SSC)) to be present on site. Additionally, recent observations of Santa Susana tarplant (*Deinandra minthornii;* CRPR 1B.2) and Ojai navarretia (*Navarretia ojaiensis;* CRPR 1B.1) have been recorded on California Natural Diversity Database(CNDDB). The Plan includes mitigation measures for pre-construction assessment, nesting birds, best management practices, delineation surveys, compensatory mitigation, and tree protection.

Project History: CDFW previously reviewed the NOP and submitted comments on January 27, 2025. Comments in the NOP addressed cumulative impacts, compensatory mitigation, nesting birds, lake and streambed alteration among other general comments.

COMMENTS AND RECOMMENDATIONS

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

COMMENT # 1: Impacts on Crotch’s Bumble Bee

Issue: The Project will impact on Crotch’s bumble bee and its associated habitat.

Specific impact: The Project may result in temporal or permanent loss of suitable nesting and foraging habitat. Project ground-disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

Why impact would occur: The DEIR states the Project area has potential occurrence of Crotch’s bumble bee. Additionally, recent observations of Crotch’s bumble bee adjacent to the Project area (Medea Creek Path) have been recorded on

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CNDDB[3].Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014).

CDFW appreciates the incorporation of MM BIO-1a to include pre-construction surveys. As currently written, the DEIR only contains a pre-construction survey to mitigate impacts to special status species. The DEIR states "the City shall retain the qualified biologist to identify the specific impacts to the biological resource…identify any state or federal listed species that would necessitate coordination with the appropriate regulatory agency (i.e., USFWS, CDFW, USACE) to obtain regulatory permits, develop project-specific avoidance and mitigation procedures prior to initiating construction activities, and implement project-specific avoidance and mitigation measures prior to and during any construction activities". Because the DEIR states there is already potential for impacts to Crotch's bumble bee, the document should include a mitigation measure specific to that species. Without sufficient avoidance, minimization, or mitigation measures, the development may result in undisclosed and unmitigated temporal or permanent loss of colonies, and suitable nesting and foraging habitat.

Evidence impact would be significant: The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of Crotch's bumble bee. The Project may also reduce the number and range of the species without taking into account the likelihood that special status species on adjacent and nearby natural lands may rely upon the habitat that occurs on the proposed Project site. Crotch's bumble bee is listed as an invertebrate of conservation priority under the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority.

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document:

Recommendation #1: 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 CEQA, a project's CEQA document

[3] https://wildlife.ca.gov/Data/CNDDB

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should fully identify the potential impacts to Crotch's bumble bee and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.

Mitigation Measure #1: Crotch's Bumble Bee Surveys - The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct updated focused surveys. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species[4] (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW and the City prior to implementing Project ground-disturbing activities.

Mitigation Measure #2: **Incidental Take Permit** – The Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the City prior to implementing Project ground-disturbing activities and vegetation removal.

COMMENT # 2: Impacts to Rare Plants

Issue: The Project will impact rare plants.

Specific impact: The proposed grading within the Project footprint will directly impact rare plants.

Why impact would occur: The DEIR states the Project area has potential occurrence of Agoura Hills dudleya, Lyon's pentachaeta, Santa Susana tarplant, and Ojai navarretia. Additionally, recent observations adjacent to the Project area (Medea Creek Path) have been recorded on CNDDB[5]. While CDFW appreciates that the City is proposing a pre-construction survey, this not sufficient to appropriately assess impacts to rare plants. Therefore, measures should be included to require new surveys and conditional measures to avoid, protect, and minimize any additional individuals found. Rare plant impacts will be missed without appropriate protocol level surveys during the blooming period. Without compensatory mitigation to offset the permanent loss of rare plant individuals, the Project would contribute to the cumulative loss of rare plants on a local and regional scale.

Evidence impact would be significant: Impacts on rare flora could be considered a significant effect on the environment. Plants with a CRPR of 1B are rare throughout their range, endemic to California, and are seriously or fairly threatened. Most of the plants that are ranked 1B have declined significantly over the last century. The additional threat rank of 0.2 indicates a species with 20 to 80 percent of its occurrences

[4] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline
[5] https://wildlife.ca.gov/Data/CNDDB

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threatened. Impacts to CRPR 1B plant species and their habitat meet the definition of endangered, rare, or threatened species (CEQA Guidelines, § 15380).

Impacts to CRPR 1B plant species and their habitat may result in a mandatory finding of significance because the Project would potentially threaten to eliminate a plant community and substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines, § 15065). Insufficient mitigation may result in unmitigated temporal or permanent impacts to a rare plant species. Subsequently, the Project would continue to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on a species identified as a candidate, sensitive, or special status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #3: Rare Plant Surveys - Prior to ground-disturbing activities, the Project proponent shall retain a qualified botanist to conduct focused surveys for Agoura Hills dudleya, Lyon's pentachaeta, Santa Susana tarplant, and Ojai navarretia during the appropriate bloom period. Methods during the surveys shall adhere to guidance provided in CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities[6] . Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities.

Mitigation Measure #4: Rare Plant Mitigation - The Project proponent shall provide compensatory mitigation through replacement habitat at no less than 2:1 of the total habitat acreage impacted. The Project proponent shall acquire CDFW approved mitigation land that has presence of the rare plant and is located in the same watershed as the Project area. The mitigation land shall also provide equivalent or greater habitat value than that of the Project area. The Project proponent shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Government Code, section 65967(c). Recordation of the conservation easement shall occur prior to commencement of Project activities. An appropriate endowment shall also be provided for the long-term monitoring and management of mitigation lands.

Mitigation Measure #5: Habitat Management and Monitoring Plan - The Project proponent shall retain a certified botanist to draft a Habitat Management and Monitoring Plan (HMMP) and submit it to the City and CDFW for review and approval prior to Project activities. The HMMP shall outline initial and long-term management and maintenance activities that would occur on mitigation lands. The HMMP shall provide measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Maintenance activities outlined in the HMMP shall

[6] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline

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include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities.

COMMENT # 3: Impacts to Southwestern Pond turtle

Issue: The Project will impact southwestern pond turtle and associated habitat within the Project area during Project activities.

Specific impact: Direct impacts to southwestern pond turtle will result from Project construction, ground disturbance, and trampling or crushing from construction equipment, vehicles, and foot or bicycle traffic. Indirect impacts could result from temporary or permanent loss of suitable habitat.

Why impact would occur: The DEIR notes that the Project area provides suitable habitat for southwestern pond turtle. CDFW appreciates that the City is proposing a pre-construction survey, but the DEIR does not provide any protocol level surveys or mitigation specific to southwestern pond turtle. Project ground-disturbing activities, such as vegetation removal and grading, would result in habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. Given that habitat loss on a local and regional scale is a major cause of population decline for southwestern pond turtle, removal of confirmed southwestern pond turtle habitat would be considered a significant impact and should be mitigated appropriately.

Evidence impact would be significant: Southwestern pond turtle is a California SSC. A California 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:

1) If the species is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
2) If the species is listed as threatened or endangered under ESA-, but not CESA-, threatened, or endangered;
3) If the species meets the State definition of threatened or endangered but has not formally been listed;
4) If the species is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status; and
5) If 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 2025f).

CEQA provides protection not only for CESA-listed species, but for any species including, but not limited to, SSC that can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). The DEIR does not provide mitigation for potential impacts on southwestern pond turtle. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the

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Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #6: Compensatory Mitigation - For SSC that have been confirmed and/or are expected to occur within the Project site, the Project proponent shall provide compensatory mitigation for temporary and permanent loss of any habitat supporting SSC. There shall be no net loss of habitat supporting SSC [CEQA Guidelines, § 15370(e)]. Compensatory mitigation in the form of preservation shall be provided at no less than 2:1 acreage. Mitigation shall provide appropriate habitat (depending on the species), refugia, and habitat structures that supports those species (e.g., woody material, rocks, brush piles, pools, burrows). Any proposed mitigation area/plan shall include a discussion on the territory size; nesting, breeding, foraging, and refuge locations; invasive, non-native plant and wildlife species present; food availability; and how all life cycle functions will be mitigated. Any mitigation plan for SSC shall be distributed and approved by CDFW prior to Project activities. The replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which should include an appropriate endowment to provide for the long-term management of mitigation lands.

Mitigation Measure #7: Injured or Dead Wildlife - If any special status wildlife species are found, harmed during relocation, or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented immediately. A formal report shall be sent to CDFW and the City within 3 calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

ADDITIONAL COMMENTS

Recirculation. CDFW recommends that the DEIR be recirculated after a preferred alternative is selected and focused surveys have been completed to fully disclose the potential impacts to special-status species.

Focused Surveys. The Project proponent shall obtain a qualified biologist to conduct focused botanical and animal surveys. Focused protocol-level surveys shall be conducted at the appropriate time of year for maximum documentation of special-status species prior to finalizing the FEIR. Based on the survey results, the final CEQA document should propose specific avoidance, minimization, and mitigation for Project

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impacts to special-status species. For established survey protocols, see CDFW's Survey and Monitoring Protocols and Guidelines[7].

CEQA Document Tiering. The Project is a programmatic plan that is intended to provide guidance for individual developments that will occur at a future time within the Project area. While CDFW appreciates that biological surveys and impact analysis in the Biological Resources section of the DEIR, more updated surveys and impact analysis may need to occur once individual projects are approved. Without disclosing any design or individual project specifics, CDFW recommends that, for individual projects nested under the proposed Project, findings of significance should be set aside when certifying the DEIR until those aspects can be fully studied in a subsequent or supplemental CEQA document (see CEQA Guidelines §§ 15162 and 15163). The DEIR should explicitly discuss what further CEQA actions are anticipated for these individual projects, whether further analysis will be provided, and whether it will be available for public review. In addition to this recommendation, CDFW would appreciate the opportunity to review and comment on subsequent CEQA actions (e.g., subsequent, supplemental, addendum, etc.) associated with this DEIR.

Landscaping. For individual projects that will incorporate landscaping, CDFW recommends that the project applicant should use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project proponent should not plant, seed, or otherwise introduce nonnative, invasive plant species to areas that are adjacent to and/or near native habitat areas. CDFW recommends the Project proponent restrict use of any species, particularly 'moderate' or 'high' listed by the California Invasive Plant Council. These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, § 21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

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, §

[7] https://wildlife.ca.gov/conservation/survey-protocols

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21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). The CNDDB website[8] provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the Combined Rapid Assessment and Relevé Form[9].

City of Lancaster should ensure data collected for the preparation of the DEIR is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the DEIR to assist the City in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City 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 Andrew Aitken[10], Environmental Scientist.

Sincerely,

DocuSigned by:
Steve Gibson
614D9A782D93439...

Steve Gibson, Senior Environmental Scientist Supervisor
Acting for Victoria Tang, Environment Program Manager
South Coast Region

[8] https://wildlife.ca.gov/Data/CNDDB
[9] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit
[10] Phone: 562-525-9688; Email: Andrew.Aitken@wildlife.ca.gov

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ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Victoria Tang, Environment Program Manager
Steve Gibson, Senior Environmental Scientist Supervisor
Andrew Aitken, Environmental Scientist

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

REFERENCES

Goulson, D. 2010. Bumblebees: behavior, ecology, and conservation. Oxford University Press, New York. 317pp.

Hatfield, R., Jepsen, S., Foltz Jordan, S., Blackburn, M., Code, Aimee. 2018. A Petition to the State of California Fish and Game Commission to List Four Species of Bumblebees as Endangered Species.

Williams, P.H., R.W. Thorp, L.L. Richardson, and S.R. Colla. 2014. Bumble bees of North America: An Identification guide. Princeton University Press, Princeton, New Jersey. 208pp.

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

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

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Crotch's Bumble Bee Surveys - The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct updated focused surveys. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species[11] (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW and the City prior to implementing Project ground-disturbing activities.	Prior to Project Implementation	Project Proponent
Mitigation Measure #2: **Incidental Take Permit** – The Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the City prior to implementing Project ground-disturbing activities and vegetation removal.	Prior to Project Implementation	Project Proponent
Mitigation Measure #3: Rare Plant Surveys - Prior to ground-disturbing activities, the Project proponent shall retain a qualified botanist to conduct focused surveys for Agoura Hills dudleya, Lyon's pentachaeta, Santa Susana tarplant, and Ojai navarretia during the appropriate bloom period. Methods during the surveys shall adhere to guidance provided in CDFW's	Prior to Project Implementation	Project Proponent

[11] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline

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Mitigation Measure	Timing	Responsible Party
Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities[12]. Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities.		
Mitigation Measure #4: Rare Plant Mitigation - The Project proponent shall provide compensatory mitigation through replacement habitat at no less than 2:1 of the total habitat acreage impacted. The Project proponent shall acquire CDFW approved mitigation land that has presence of the rare plant and is located in the same watershed as the Project area. The mitigation land shall also provide equivalent or greater habitat value than that of the Project area. The Project proponent shall protect replacement habitat in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands pursuant to Government Code, section 65967(c). Recordation of the conservation easement shall occur prior to commencement of Project activities. An appropriate endowment shall also be provided for the long-term monitoring and management of mitigation lands.	Prior to Project Implementation	Project Proponent
Mitigation Measure #5: Habitat Management and Monitoring Plan - The Project proponent shall retain a certified botanist to draft a Habitat Management and Monitoring Plan (HMMP) and submit it to the City and CDFW for review and approval prior to Project activities. The HMMP shall outline initial and long-term management and maintenance activities that would occur on mitigation lands. The HMMP shall provide measurable goals and success criteria for establishing self-sustaining populations (e.g.,	Prior to Project Implementation	Project Proponent

[12] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline

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Mitigation Measure	Timing	Responsible Party
percent survival rate, absolute cover). Maintenance activities outlined in the HMMP shall include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities.		
Mitigation Measure #6: Compensatory Mitigation - For SSC that have been confirmed and/or are expected to occur within the Project site, the Project proponent shall provide compensatory mitigation for temporary and permanent loss of any habitat supporting SSC. There shall be no net loss of habitat supporting SSC [CEQA Guidelines, § 15370(e)]. Compensatory mitigation in the form of preservation shall be provided at no less than 2:1 acreage. Mitigation shall provide appropriate habitat (depending on the species), refugia, and habitat structures that supports those species (e.g., woody material, rocks, brush piles, pools, burrows). Any proposed mitigation area/plan shall include a discussion on the territory size; nesting, breeding, foraging, and refuge locations; invasive, non-native plant and wildlife species present; food availability; and how all life cycle functions will be mitigated. Any mitigation plan for SSC shall be distributed and approved by CDFW prior to Project activities. The replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which should include an appropriate endowment to provide for the long-term management of mitigation lands.	Prior to Project□Implementation	Project Proponent
Mitigation Measure #7: Injured or Dead Wildlife - If any special status wildlife species are found, harmed during relocation, or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and dead or injured wildlife documented immediately. A formal report shall be sent to CDFW and the City within 3 calendar days of the incident or finding. The report shall include the date,	During Project□Implementation	Project Proponent

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Mitigation Measure	Timing	Responsible Party
time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.		
Mitigation Measure #8: Focused Surveys - The Project proponent shall obtain a qualified biologist to conduct focused botanical and animal surveys. Focused protocol-level surveys shall be conducted at the appropriate time of year for maximum documentation of special-status species prior to finalizing the FEIR. Based on the survey results, the final CEQA document should propose specific avoidance, minimization, and mitigation for Project impacts to special-status species. For established survey protocols, see CDFW's Survey and Monitoring Protocols and Guidelines[13].	Prior to Project Implementation	Project Proponent
Recommendation #1: 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 CEQA, a project's CEQA document should fully identify the potential impacts to Crotch's bumble bee	Prior to adoption of the DEIR	Lead Agency

[13] https://wildlife.ca.gov/conservation/survey-protocols

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Mitigation Measure	Timing	Responsible Party
and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.		
Recommendation #2: Recirculation - CDFW recommends that the DEIR be recirculated after a preferred alternative is selected and focused surveys have been completed to fully disclose the potential impacts to special-status species.	Prior to adoption of the DEIR	Lead Agency
Recommendation #3: CEQA Document Tiering - The Project is a programmatic plan that is intended to provide guidance for individual developments that will occur at a future time within the Project area. While CDFW appreciates that biological surveys and impact analysis in the Biological Resources section of the DEIR, more updated surveys and impact analysis may need to occur once individual projects are approved. Without disclosing any design or individual project specifics, CDFW recommends that, for individual projects nested under the proposed Project, findings of significance should be set aside when certifying the DEIR until those aspects can be fully studied in a subsequent or supplemental CEQA document (see CEQA Guidelines §§ 15162 and 15163). The DEIR should explicitly discuss what further CEQA actions are anticipated for these individual projects, whether further analysis will be provided, and whether it will be available for public review. In addition to this recommendation, CDFW would appreciate the opportunity to review and comment on subsequent CEQA actions (e.g., subsequent, supplemental, addendum, etc.) associated with this DEIR.	Prior to adoption of the DEIR	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Recommendation #4: Landscaping - For individual projects that will incorporate landscaping, CDFW recommends that the project proponent should use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project proponent should not plant, seed, or otherwise introduce nonnative, invasive plant species to areas that are adjacent to and/or near native habitat areas. CDFW recommends the Project proponent restrict use of any species, particularly 'moderate' or 'high' listed by the California Invasive Plant Council. These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.	Prior to Project Implementation	Project Proponent