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June 12, 2025

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SUBJECT: MITIGATED NEGATIVE DECLARATION FOR THE HASKELL CANYON BIKE PARK PROJECT, SCH NO. 2025050436, LOS ANGELES COUNTY, CA

Dear Amber Rodriguez:

The California Department of Fish and Wildlife (CDFW) reviewed the Mitigated Negative Declaration (MND) from the City of Santa Clarita (City) for the Haskell Canyon Bike Park Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

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

CDFW ROLE

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

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

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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regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Santa Clarita

Objective: The objective of the Project is to develop a bike park that consists of 15 miles of trails and two activity/programming areas, Haskell Core and Blue Cloud Trailhead. Bike trails within the Blue Cloud Trailhead area would consist of climbing trails, downhill trails, and multi-use trails. The Haskell Core area would include an event plaza with picnic tables, multi-level pump tracks, a dual slalom course, jumplines, and space for four food trucks. The programming areas would consist of a parking lot, recreational areas, and visitor amenities. Two cargo containers would be placed on site to be used as storage sheds. Additionally, two infiltration basins would be constructed within the Project area. The Project would also maintain approximately 1.6 miles of existing multi-use trails. Vehicular access will primarily be provided from Petting Canyon Road with Blue Cloud Road providing access to the eastern portion of the site. Primary Project activities include grading, construction, and vegetation removal.

Location: The Project area is located partially in the City of Santa Clarita and partially in unincorporated Los Angeles County on approximately 380 acres. The Project area is comprised of nine parcels (Assessor's Parcel Numbers (APN) 2813-010-273, through -276, 2813-010-900 through -902, 2813-025-270, and 3244-031-901). The Project area is bound by the Angeles National Forest to the north; Haskell Open Space and residential uses to the south; open space, Cesar Milan's Dog Psychology Center, and the Blue Cloud Movie Ranch to the east; and open space and a Los Angeles Department of Water and Power (LADWP) transmission corridor to the west. The entire Project area is owned by the City.

Timeframe: The Project is anticipated to begin July 2025 and be completed in December 2025.

Biological Setting: The 380-acre Project area is currently vacant and undeveloped with existing dirt trails, transmission towers, and dirt access paths. Vegetation within the Project area include black sage scrub, scrub oak woodland, chaparral, and non-native grassland. General biological surveys of the Project area was conducted on February 13 and 14, 2024, and findings were compiled in a Biological Resources Technical

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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Report (BRTR). No special-status plants were identified during the general surveys. The Project area has a moderate to high potential to support slender mariposa lily (*Calochortus clavatus* var. *gracilis*; California Rare Plant Rank (CRPR) 1B.2) and short-joint beavertail (*Opuntia basilaris*; CRPR 1B.2). Approximately 11 water features were identified throughout the Project area. Several water features are tributaries to the Santa Clara River. Additionally, the special-status wildlife species that have the potential to occur on site and may be impacted by the Project include, but are not limited to: mountain lion (*Puma concolor*; CESA candidate), Townsend's big-eared bat (*Corynorhinus townsendii*; California Species of Special Concern (SSC)), spotted bat (*Euderma maculatum*; SSC), pallid bat (*Antrozous pallidus*; SSC) Crotch's bumble bee (*Bombus crotchii*; CESA candidate), and coastal California gnatcatcher (*Polioptila californica californica*; Endangered Species Act (ESA) threatened and SSC). The MND provides mitigation measures specific to rare plants, nesting birds, an on-site biological monitor, wildlife escape ramps, and notification to CDFW for a Lake and Streambed Alteration Agreement (LSA).

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: Human Presence

Issue: The Project may increase human and wildlife interactions through the addition of new trails and recreational facilities.

Specific impact: Direct impacts in the form of habitat loss and degradation could occur as a result of new trails and recreational facilities as well as any off-trail use from visitors. Impacts to wildlife could result in mortality or injury, increased human disturbance in habitat supporting wildlife, reproductive suppression during breeding seasons, or population decline of special-status species. Indirect effects to biological resources, such as noise, trash, predation of and by domestic pets, also occur when trail systems run through natural open spaces.

Why impact would occur: The Project area is approximately 383 acres, with an estimated 20 acres being impacted. The MND states that approximately 15 miles of new trails of widths between 4 to 6 feet wide will be developed. In addition, the Project proposes the construction of two programming areas that include shade structures, spectator areas, benches, and designated areas for parking and food trucks. The MND also states that approximately 20 weekday and 6 weekend events would occur on the Project area every year. These events would result in an estimated 40 visitors and 20 vehicles for weekday events and 250 visitors and 100 vehicles for weekend events. Event days include the operation of food trucks, associated generators, and music.

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Furthermore, the MND proposes daily maintenance of trails by compaction through the use of hand tools. This would significantly increase human presence over current levels.

Having a high volume of recreational use within the trail system will increase human and wildlife interaction. It will precipitate increased noise levels in sensitive areas, increased trash or pet waste, and introduction of unnatural food sources via trash and trash receptacles. Outdoor recreation may also cause distress on individual wildlife, resulting in energetic costs to the animal and decline in the animals' behavior and fitness. Studies have shown that outdoor recreation is the second leading cause of the decline of federally threatened and endangered species on public lands (Losos et al. 1995) and fourth leading cause on all lands (Czech et al. 2000). Overall, recreational trails would lead to an increase in human-wildlife interactions that may result in harm to wildlife and/or humans.

The MND only discusses impacts with regards to the implementation and construction of the Project. The mitigation measures in the MND therefore address only those impacts. Discussion of impacts from the operation and continued maintenance of the Project as well as the long-term effects from the Project is not provided, and measures to mitigate for those impacts are not proposed in the MND. Species may be indirectly impacted by the trails that is in excess of the 20 acres identified in the MND. The buildout of the proposed Project may not provide an effective buffer to neutralize edge effects as the undisturbed open space would restrict wildlife movement and may result in an increase in human disturbance. Habitat in adjacent areas could be impacted as a result of edge effects such as introducing new sources of night lighting, pets, and domestic animals, as well as spreading invasive, non-native plants as a result of increased human presence.

Evidence impact may be significant: The Project area supports a variety of special-status species. Impacts to special-status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. Impacts on the special-status wildlife may require a mandatory finding of significance because the Project would potentially threaten to eliminate a plant or animal community and/or substantially reduce the number or restrict the range of endangered, rare, or threatened species (CEQA Guidelines, §15065) Inadequate avoidance, minimization, and mitigation measures for impacts to special status plant or wildlife species will result in the 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 in local or regional plans, policies, or regulations, or by CDFW or United States Fish and Wildlife Service (USFWS).

Impacts on the special-status wildlife may require a mandatory finding of significance because the Project would potentially threaten to eliminate a plant or animal community and/or substantially reduce the number or restrict the range of endangered, rare, or threatened species (CEQA Guidelines, §15065)

Recommended Potentially Feasible Mitigation Measure(s)

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Recommendation #1: Buffer Determination – The City should identify an appropriate buffer from the trail that would continue to be indirectly affected by the Project (due to edge effects, spreading of invasive species, introduction of light, encroachment, etc.). This buffer of impacts should be justified using technical details such as data, maps, diagrams, and similar relevant information and disclosed in the final CEQA document.

Mitigation Measure #1: Public Education – The Project proponent shall install appropriate public information signage at trailheads and/or along trails to: 1) educate and inform the public about wildlife present in the area; 2) advise on proper avoidance measures to reduce human-wildlife conflicts; 3) advise on proper use of open space trails in a manner respectful to wildlife (e.g., dogs on leash, proper waste disposal); and, 4) provide local contact information to report injured or dead wildlife. Signage shall be written in language(s) understandable to all those likely to recreate and use the trails. Signs shall not be made of materials harmful to wildlife such as spikes or glass.

Mitigation Measure #2: Trash – Trash receptacles shall be placed only at trailheads to avoid creating an unnatural food source that may attract nuisance wildlife and to minimize waste in core habitat areas.

Mitigation Measure #3: Activity Restriction – The Project proponent shall place restrictions on types of activities allowed in some areas, such as prohibiting dogs or restricting use of trails near breeding habitat, to aid in minimizing disturbance. Pets shall always be kept on leash and on trails. Hikers shall be encouraged to clean up after their dogs and discourage animal waste as it tends to lead to wildlife avoidance.

Mitigation Measure #4: Compensatory Mitigation – Based on the new impacts identified and disclosed in Recommendation #1, the City shall provide commensurate compensatory mitigation to offset the temporal and permanent loss of habitat. Habitat shall be replaced at a ratio appropriate to maintain no net loss of habitat values, acreage, and function (See Mitigation Measure #7).

COMMENT # 2: Mountain Lion

Issue: The Project may impact mountain lion.

Specific impact: The proposed Project may impact mountain lion through vegetation removal and grading activities within the Project area. The Project may also impact mountain lion by increasing prey availability in and adjacent to the development and expose lions to human presence. Indirect impacts to lions could also occur with associated construction noise.

Why impact would occur: The BRTR states that “A number of other species are expected to be resident within the region and may use the Project area to forage or for cover, including mountain lion” (p 26). Additionally, it is predicted that the Project area provides medium to high habitat suitability for mountain lion (CDFW 2025c)³. The MND

³ <https://data.ca.gov/dataset/mountain-lion-range-cwhr-m165-ds793>

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does not acknowledge potential presence of mountain lion and fails to discuss potential direct or indirect impacts the Project may have on mountain lion.

The Project as proposed would also reduce the habitat available for mountain lion in the Project vicinity. The Project would permanently impact approximately 20 acres of available habitat. Conserving and restoring habitat is essential for mitigating impacts to mountain lions. This is especially critical in the face of climate change-driven habitat loss and increased frequency of fires (CBD 2019). Under a high emissions and warm and wet climate scenario, much of the chaparral habitat in southern California that provide habitat for mountain lions would be climactically highly stressed by the year 2070 (Thorne et al. 2016).

Lastly, the MND does not address the anthropogenic impacts the Project will have on mountain lion individuals that may be within the Project site or its vicinity. The Project may increase human presence (e.g., new development, public trail access), traffic, and noise as well as potential artificial lighting during Project construction and over the life of the Project. Most factors affecting the ability of the southern California mountain lion populations to survive and reproduce are caused by humans (CBD 2019). As California has continued to grow in human population and communities expand into wildland areas, there has been a commensurate increase in direct and indirect interaction between mountain lions and people (CDFW 2017b). As a result, the need to relocate or humanely euthanize mountain lions (depredation kills) may increase for public safety. Mountain lions are exceptionally vulnerable to human disturbance (Lucas 2020). Areas of high human activity have lower occupancy of rare carnivores. Mountain lions tend to avoid roads and trails by the mere presence of those features, regardless of how much they are used (Lucas 2020)N. Increased traffic could cause vehicle strikes. As human population density increases, the probability of persistence of mountain lions decreases (Woodroffe 2000).

Evidence impact would be significant: Mountain lion is a specially protected mammal in the State (Fish and G. Code, § 4800). In addition, on April 21, 2020, the California Fish and Game Commission accepted a petition to list an evolutionarily significant unit of mountain lion in southern and central coastal California as threatened under CESA (CBD 2019). As a CESA candidate species, the mountain lion in southern California is granted the full protection of a threatened species 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). As to CEQA, the status of mountain lion as a threatened species under CESA qualifies it as an endangered, rare, or threatened species under CEQA (CEQA Guidelines, §15380). No mitigation has been proposed for impacts on mountain lion from the Project from the standpoint of habitat loss and encroachment, as well as anthropogenic impacts discussed above.

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Recommendation #2: Mountain Lion Discussion - CDFW recommends the City evaluate the mountain lion territory size and use of habitat within and surrounding the Project vicinity. The City should analyze the effects of increased human presence and area of anthropogenic influence that will now be in on mountain lion habitat, and how it may impact mountain lion behavior, reproductive viability, and overall survival success. Based on these known anthropogenic impacts on mountain lions, CDFW also recommends the City provide compensatory mitigation for impacts to mountain lion. The MND should justify how the proposed compensatory mitigation would reduce the impacts of the Project to less than significant. CDFW recommends that the City recirculate the MND for more meaningful public review and assessment of the City's analysis and subsequent mitigation for mountain lion. Additionally, the City should recirculate the MND if the proposed mitigation measures would not reduce potential effects to less than significant and new measures must be required [CEQA Guidelines, § 15088.5(a)(1)].

Mitigation Measure #5: Incidental Take Permit - If take or adverse impacts to mountain lion cannot be avoided, 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 prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.

Mitigation Measure #6: Rodenticides -The Project proponent shall prohibit use of any rodenticides and second-generation anticoagulant rodenticides within the Project area in perpetuity.

Mitigation Measure #7: Compensatory Mitigation - The Project proponent shall set aside replacement habitat to have a no net loss for wildlife movement. The replacement habitat be located as near to the Project site as possible. There shall be no net loss of suitable habitat for mountain lions. The City shall consult and collaborate with CDFW to conserve areas beneficial to the southern California mountain lion population that may improve chances of survival and reproduction of mountain lions in the face of climate change. The mitigation lands shall be protected 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 Assembly Bill 1094 (2012). Assembly Bill 1094 amended Government Code sections 65965-65968. Under Government Code section 65967(c), the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves. An appropriate non-wasting endowment shall be provided for the long-term management of mitigation lands. A conservation easement and endowment funds shall be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities.

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Mitigation Measure #8: Focused Surveys - Due to habitat in the Project vicinity, within one year prior to Project implementation that includes site preparation, equipment staging, and mobilization, a CDFW-approved biologist knowledgeable of mountain lion species ecology shall survey areas that may provide habitat for mountain lion to determine presence/absence, territory size, and potential for natal dens within a half mile of the Project site. Caves and other natural cavities, and thickets in brush and timber provide cover and are used for denning. Females may be in estrus at any time of the year, but in California, most births probably occur in spring. Surveys shall be conducted when the species is most likely to be detected, during crepuscular periods at dawn and dusk (Pierce and Bleich 2003). Survey results including negative findings shall be submitted to CDFW prior to initiation of Project activities. The survey report shall include a map of potential denning sites. The survey report shall include measures to avoid impacts mountain lions that may be in the area as well as dens and cubs, if necessary.

Mitigation Measure #9: Natal Dens - If potential habitat for natal dens is identified, the Project proponent shall avoid potential impacts to mountain lions, especially during spring, to protect vulnerable cubs. Two weeks prior to Project implementation, and once a week during construction activities, a CDFW-approved biologist shall conduct a survey for mountain lion natal dens. The survey area shall include the construction footprint and the area within 2,000 feet (or the limits of the property line) of the Project disturbance boundaries. CDFW shall be notified within 24 hours upon location of a natal den. If an active natal den is located, during construction activities, all work shall cease. No work shall occur within a 2,000-foot buffer from a natal den. A qualified biologist shall notify CDFW to determine the appropriate course of action. CDFW shall also be consulted to determine an appropriate setback from the natal den that would not adversely affect the successful rearing of the cubs. No construction activities or human intrusion shall occur within the established setback until mountain lion cubs have been successfully reared; the mountain lions have left the area; or as determined in consultation with CDFW.

COMMENT # 3: Impacts on Crotch's Bumble Bee

Issue: The MND does not discuss the Project impacts on Crotch's bumble bee.

Specific impact: The Project includes vegetation removal and ground disturbing activities which could result in direct mortality of Crotch's bumble bee or loss of foraging opportunities or loss of suitable ground burrows. Additionally, the Project may cause burrow collapse, nest abandonment, and reduced nest success.

Why impact would occur: According to CDFW's Crotch's Bumble Bee Range – CDFW [ds3095]⁴ dataset, the Project area lies within the current home range for Crotch's bumble bee (CDFW 2025b). Additionally, various vegetation communities (i.e., open grassland, desert scrub) throughout the Project area provide suitable habitat for nesting

⁴ <https://data.ca.gov/dataset/crotchs-bumble-bee-range-cdfw-ds30951>

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and foraging. Crotch's bumble bee are generalists and known to utilize a variety of sources for nesting and overwintering opportunities. Crotch's bumble bee primarily uses abandoned small mammal burrows to nest, but this species 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). Given that the Project area is in the current range and has suitable habitat, there is potential for this CESA candidate species to be detected on site.

The MND notes a potential for Crotch's bumble bee to occur within the Project area. However, it does not discuss the Project's impact on individual Crotch's bumble bee and supporting habitat. Moreover, no surveys on Crotch's bumble bee were provided in any biological reports for this Project. If the Project proceeds without appropriate focused surveys, the Project may result in mortality and/or injury of undetected individual Crotch's bumble bee that may be present during Project activities. Ground disturbance and vegetation removal associated with Project implementation during the breeding season could also result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project area. Habitat loss, as a result of the proposed Project, may further reduce suitable habitat for this species in the broader landscape, as development increases throughout the City.

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 considering the likelihood that special status species on adjacent and nearby natural lands may rely upon the habitat that occurs on the proposed Project area. In addition, Crotch's bumble bee has a State Ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Crotch's bumble bee is also listed as an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#)⁵ (CDFW 2017a). Accordingly, Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by the City (CEQA Guidelines, § 1565).

Recommended Potentially Feasible Mitigation Measure(s)

Recommendation #3: Crotch's Bumble Bee Discussion – The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impact on Crotch's bumble bee. If the Project may impact Crotch's bumble bee, the

⁵ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

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MND should be amended to incorporate measures to minimize, and/or mitigate potential impacts to Crotch's bumble bee as well as habitat supporting the species. The discussion should be of a depth and scope that a CESA ITP can be issued based on the analysis provided in the MND.

Mitigation Measure #10: Crotch's Bumble Bee Surveys - The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct focused surveys. Focused surveys shall follow CDFW's [Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species](#)⁶ (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project area 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 #11: Incidental Take Permit - If Crotch's bumble bee is detected 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 # 4: Impacts on Coastal California Gnatcatcher

Issue: The Project may potentially impact coastal California gnatcatcher (gnatcatcher).

Specific impact: Project activities of vegetation removal and increased human-wildlife interface may have negative impacts to gnatcatcher. Project activities occurring during the breeding and nesting season could also result in the incidental loss of fertile eggs or nesting.

Why impact would occur: According to the BRTR, gnatcatcher is "Not Expected" to occur within the Project area because "suitable foraging and nesting habitats preferred by this species are not present within the project site" (pg 36). However, CDFW believes that the Project area does include suitable habitat for gnatcatcher due to 3.51 acres of observed sage scrub occurring on site. According to the BRTR and USFWS, typical gnatcatcher habitat is sage scrub, which is characterized by plant species, such as California sagebrush and California buckwheat. Furthermore, multiple observations of gnatcatcher have been reported to the California Natural Diversity Database (CNDDDB) within two miles of the Project area (CDFW 2025a).

CDFW is concerned that the proposed Project will result in adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on gnatcatcher.

⁶ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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Therefore, CDFW recommends discussion of gnatcatcher within the revised MND and inclusion of mitigation measures to reduce impacts to this ESA-listed species.

Evidence impact would be significant: Coastal California gnatcatcher is considered an endangered, rare, or threatened species under CEQA (CEQA Guidelines, § 15380). Take under the ESA is more broadly defined than CESA. Take under ESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting.

CEQA provides protection not only for State and federally listed species, but for any species including, but not limited to SSC, 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, § 15065). Take of SSC's could require a mandatory finding of significance by the City (CEQA Guidelines, § 15065). CDFW considers impacts to CESA-listed and SSC's a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s)

Recommendation #4: Coastal California Gnatcatcher Discussion – The MND should be revised to provide a thorough discussion on the Project's potential direct, indirect, and cumulative impacts on gnatcatcher. If the Project may impact gnatcatcher, the MND should be amended to incorporate measures to minimize, and/or mitigate potential impacts to gnatcatcher as well as habitat supporting the species.

Mitigation Measure #12: Coastal California Gnatcatcher Surveys - If removal of habitat and/or construction activities is necessary during breeding season (approximately February 15 through August 30, with peak of nesting occurring from mid-March through mid-May), the Project proponent shall retain a qualified biologist to conduct pre-construction surveys within three days of initiation of Project activities. Focused surveys for coastal California gnatcatcher shall be performed on the Project area and wherever suitable habitat occurs within 500 feet of the Project area. Surveys shall follow proper protocols outlined by USFWS [Coastal California Gnatcatcher Survey Protocol](#)⁷ (USFWS 2019).

Mitigation Measure #13: USFWS Consultation - If coastal California gnatcatcher are present, the City shall consult with the USFWS to determine if the Project would result in take of coastal California gnatcatcher. In order to comply with the ESA, consultation with the USFWS is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher.

⁷ <https://www.fws.gov/sites/default/files/documents/survey-protocol-for-coastal-california-gnatcatcher.pdf>

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COMMENT # 5: Impacts on Rare Plants

Issue: Mitigation Measure BIO-1 may not provide sufficient avoidance and minimization to prevent impacts to rare plants.

Specific impact: Vegetation clearing, grading, and construction of the Project will result in loss of suitable habitat, loss of population, and direct mortality of rare plants. Project activities may also result in the seedbank being buried, crushed, or trampled on. Mitigation Measure BIO-1 does not provide detail on avoidance and minimization measures, and as such, CDFW is unable to assess the value of these measures.

Why impact would occur: According to the BRTR, short-joint beaver tail and slender mariposa lily respectively have a moderate and high potential to occur on the Project area. Additionally, while individuals of this species, and other rare plant species, were not detected, the field survey was conducted in late winter, which is outside of the typical blooming periods for many plant species. Therefore, the potential for rare plant species to exist on the Project area remains. The City has incorporated Mitigation Measure BIO-1, which would require qualified botanists to conduct pre-construction surveys on the Project area during the appropriate blooming period prior to construction of the proposed Project. However, this measure does not outline specific avoidance and minimization measures to be used to protect special-status plant species.

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 0.1 indicates a species with over 80 percent of its occurrences threatened in California. The additional threat rank of 0.2 indicates a species with 20 to 80 percent of its occurrences threatened (CNPS 2024). 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 #14: Mitigation Measure BIO-1 – CDFW recommends the City revise Mitigation Measure BIO-1 by incorporating the underlined language and removing the language with strikethrough:

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Prior to the construction of the proposed Project, a preconstruction survey shall be conducted by qualified botanists within the appropriate blooming period(s) to ensure no special-status plant species are present or will be impacted within the proposed impact areas. Methods during the survey shall adhere to guidance provided in [CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities](#)⁸ (CDFW 2018). Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities If no special-status plant species are found during the preconstruction survey, no further mitigation is required ~~and there will be no impact to special-status plant species.~~

If populations of special-status plants are found during the preconstruction survey and they are located within permanent or temporary impact areas, the Project proponent shall coordinate avoidance and minimization measures shall be explored to protect the special-status plant population(s). If avoidance is not possible, consultation with CDFW will be required prior to project initiation to identify suitable compensatory mitigation for impacts on the unavoidable loss of these species. Preparation of a Habitat Mitigation and Monitoring Plan (HMMP) detailing relocation, salvage, and/or restoration of impacted species and subsequent maintenance and monitoring; payment of an in-lieu fee to an agency approved mitigation bank; or acquisition of off-site lands to be protected under a conservation easement in held in a restrictive deed for perpetuity. 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 include measures pertaining to control of exotic vegetation, irrigation schedule, and protection from future maintenance activities. and would be required to compensate for management of mitigation land the loss of habitat occupied by any non-listed special-status plant species found onsite. In the unlikely event If a State or federally-listed plant species is present and avoidance is not feasible, consultation with CDFW and/or USFWS would be required prior to initiating any onsite project activities to coordinate any take permits pursuant to State and/or federal regulations and requisite compensatory mitigation. With implementation of these actions, impacts to special-status plant species would be reduced to less than significant.

COMMENT # 6: Impacts on Bats

Issue: The MND does not discuss potential impacts to bat species due to Project activities.

Specific impact: Project activities include ground disturbing activities, vegetation removal, use of mechanized equipment, and increased human-wildlife. These activities may have negative impacts to bat species.

⁸ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>

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Why impact would occur: The MND states that spotted bat and Townsend's big-eared bat have "low" potential to occur. Additionally, the BRTR states that suitable habitat for pallid bat is present on the Project area. The MND does not discuss the potential of the Project to impact bats nor provide potential mitigation measures. Focused bat surveys have not been conducted within the Project footprint. Due to lack of focused surveys and discussion, impacts to bats could occur through mortality of individuals, disturbance of breeding or roosting activity, abandonment of roosts, and loss of habitat.

Evidence impact would be significant: Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Additionally, a California Species of Special Concern 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 2024e).

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). Take of SSC could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #15: Bat Surveys - The Project proponent shall retain a qualified bat specialist to conduct daytime and nighttime bat surveys throughout the Project area (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. A discussion of survey results, including negative findings, shall be provided to the City and CDFW. If bat species are detected, no Project activities shall commence, and the Project proponent shall develop avoidance and minimization where possible and compensatory mitigation measures when complete avoidance is not possible.

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COMMENT # 7: Impacts on Species of Special Concern - Reptiles

Issue: The Mitigation Measure does not provide for compensatory mitigation for special status reptile species.

Specific impact: The Project activities of grading, vegetation removal, and construction may result in direct, adverse impacts, such as individual mortality, to special status reptile species and associated habitat. In addition to direct impacts, the Project may also indirectly impact these species such as through behavioral disruption or loss of foraging, nesting, and breeding habitat.

Why impact would occur: The MND states that there is a moderate to high potential to support coastal whiptail and coast horned lizard within the Project area (pg 30). While Mitigation Measure BIO-1 is provided to avoid and minimize impacts on these species, it does not provide compensatory mitigation for Project impacts on SSC. According to the MND, the Project area is currently vacant and undeveloped. However, the Project intends to increase the amount of existing trails tenfold. In addition, impacts will be permanent as the Project is expected to operate for the foreseeable future. To offset the permanent loss of suitable habitat, compensatory mitigation should be provided. While the MND states that the Project would impact a limited amount of habitat relative to the amount of available habitat, the Project will contribute to cumulative impacts on suitable habitat in conjunction with other projects developed for industrial, commercial, and residential uses without replacement of lost habitat.

Evidence impact would be significant: CEQA provides protection not only for State and federally listed species, but for any species including but not limited to SSC's which can be shown to meet the criteria for State listing. These SSC reptiles meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of the aforementioned reptiles could require a mandatory finding of significance by the City (CEQA Guidelines, §15065). CDFW considers impacts to CESA-listed and SSC's a significant direct and cumulative adverse effect without implementing appropriate avoidance and/or mitigation measures.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #16: SSC Compensatory Mitigation - For SSC that have been confirmed and/or are expected to occur within the Project area, 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 shall be provided within the Project boundary. If on-site mitigation is not achievable, the Project proponent shall provide off-site mitigation. Location of the off-site mitigation shall be approved by CDFW. Mitigation shall provide appropriate habitat (depending on the species), refugia, and habitat structures that supports that 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

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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 issuance of City permits. The replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which shall include an appropriate funding to provide for the long-term management of mitigation lands.

ADDITIONAL COMMENTS

Nesting Bird. CDFW recommends that the City revises Mitigation Measure BIO-6 to incorporate the underlined language and omit the language in strikethrough:

If vegetation removal is required during the ~~migratory~~ bird nesting season (February 15 to August 31), a preconstruction nesting bird survey shall be conducted ~~within one week~~ no more than 3 days prior to vegetation removal. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures.

A minimum 300-foot no-disturbance buffer shall be established around any active nest of ~~migratory~~ birds and a minimum 500-foot no-disturbance buffer shall be established around any nesting raptor or California Endangered Species Act/Endangered Species Act listed species. A reduced buffer can be established if determined appropriate by the project biologist. The contractor shall immediately stop until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds until a qualified biologist determines the young have fledged or the nest is inactive. In the unlikely event that a State and/or federally listed species is detected, the buffer shall not be reduced and CDFW and/or USFWS shall be notified immediately to coordinate any further measures to avoid impacts to a listed species. The project biologist shall monitor any known identified nest site(s) within or adjacent to the Project area to confirm buffers are sufficient to avoid impacts to nesting birds and track nesting status.

Landscaping. CDFW recommends the MND provide the Project's landscaping plant palette and replacement tree species list. CDFW recommends the City use only native species found in naturally occurring vegetation communities within or adjacent to the Project area. The City should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends the City restrict use of any species, particularly 'moderate' or 'high' listed by the California Invasive Plant Council (Cal-IPC 2024). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

Scientific Collecting Permit. Focused surveys for special-status species (i.e., Crotch's bumble bee) require specific handling permits prior to conducting surveys. The Project proponent should retain a qualified biologist(s) with appropriate handling permits, or should obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. CDFW has the authority to issue permits for the take or possession of wildlife,

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including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's [Scientific Collection Permits](#)⁹ webpage for information (CDFW 2025d).

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, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The [CNDDDB website](#)¹⁰ 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](#)¹¹.

The City should ensure data collected for the preparation of the MND 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.

⁹ <https://wildlife.ca.gov/Licensing/Scientific-Collecting#53949678>

¹⁰ <https://wildlife.ca.gov/Data/CNDDDB>

¹¹ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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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 MND 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 Riley Scott¹², Environmental Scientist at Riley.Scott@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

cc: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Steve Gibson, Senior Environmental Scientist (Supervisory)
Riley Scott, Environmental Scientist

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

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¹² Phone: 858-761-8020; Email: Riley.Scott@wildlife.ca.gov

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

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

| Mitigation Measure | Timing | Responsible Party |
|---|-------------------------------------|--------------------------|
| <p>Mitigation Measure #1: Public Education – The Project proponent shall install appropriate public information signage at trailheads and/or along trails to: 1) educate and inform the public about wildlife present in the area; 2) advise on proper avoidance measures to reduce human-wildlife conflicts; 3) advise on proper use of open space trails in a manner respectful to wildlife (e.g., dogs on leash, proper waste disposal); and, 4) provide local contact information to report injured or dead wildlife. Signage shall be written in language(s) understandable to all those likely to recreate and use the trails. Signs shall not be made of materials harmful to wildlife such as spikes or glass.</p> | <p>During Project Construction</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #2: Trash – Trash receptacles shall be placed only at trailheads to avoid creating an unnatural food source that may attract nuisance wildlife and to minimize waste in core habitat areas.</p> | <p>During Project Construction</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #3: Activity Restriction – The Project proponent shall place restrictions on types of activities allowed in some areas, such as prohibiting dogs or restricting use of trails near breeding habitat, to aid in minimizing disturbance. Pets shall always be kept on leash and on trails. Hikers shall be encouraged to clean up after their dogs and discourage animal waste as it tends to lead to wildlife avoidance.</p> | <p>During Project Construction</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #4: Compensatory Mitigation – Based on the new impacts identified and disclosed in Recommendation #1, the City shall provide commensurate compensatory mitigation to offset the temporal and permanent loss of habitat. Habitat shall be replaced at a ratio appropriate to maintain no net loss of habitat values, acreage, and function (See Mitigation Measure #7).</p> | <p>Following Project Completion</p> | |

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| Mitigation Measure | Timing | Responsible Party |
|--|------------------------------------|--------------------------|
| <p>Mitigation Measure #5: Incidental Take Permit - If take or adverse impacts to mountain lion cannot be avoided, 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 prior to the issuance of a grading permit and before any ground disturbance and vegetation removal.</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #6: Rodenticides -The Project proponent shall prohibit use of any rodenticides and second-generation anticoagulant rodenticides within the Project area in perpetuity.</p> | <p>During Project Construction</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #7: Compensatory Mitigation - The Project proponent shall set aside replacement habitat to have a no net loss for wildlife movement. The replacement habitat be located as near to the Project site as possible. There shall be no net loss of suitable habitat for mountain lions. The City shall consult and collaborate with CDFW to conserve areas beneficial to the southern California mountain lion population that may improve chances of survival and reproduction of mountain lions in the face of climate change. The mitigation lands shall be protected 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 Assembly Bill 1094 (2012). Assembly Bill 1094 amended Government Code sections 65965-65968. Under Government Code section 65967(c), the lead agency must exercise due diligence in reviewing the qualifications of a governmental entity, special district, or nonprofit organization to effectively manage and steward land, water, or natural resources on mitigation lands it approves. An appropriate non-wasting endowment shall be provided for the long-term management of mitigation lands. A conservation easement and endowment</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |

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| Mitigation Measure | Timing | Responsible Party |
|---|-----------------------------|-------------------|
| funds shall be fully acquired, established, transferred, or otherwise executed prior to implementing Project-related ground-disturbing activities. | | |
| <p>Mitigation Measure #8: Focused Surveys - Due to habitat in the Project vicinity, within one year prior to Project implementation that includes site preparation, equipment staging, and mobilization, a CDFW-approved biologist knowledgeable of mountain lion species ecology shall survey areas that may provide habitat for mountain lion to determine presence/absence, territory size, and potential for natal dens within a half mile of the Project site. Caves and other natural cavities, and thickets in brush and timber provide cover and are used for denning. Females may be in estrus at any time of the year, but in California, most births probably occur in spring. Surveys shall be conducted when the species is most likely to be detected, during crepuscular periods at dawn and dusk (Pierce and Bleich 2003). Survey results including negative findings shall be submitted to CDFW prior to initiation of Project activities. The survey report shall include a map of potential denning sites. The survey report shall include measures to avoid impacts mountain lions that may be in the area as well as dens and cubs, if necessary.</p> | Prior to Project Initiation | Project Proponent |
| <p>Mitigation Measure #9: Natal Dens - If potential habitat for natal dens is identified, the Project proponent shall avoid potential impacts to mountain lions, especially during spring, to protect vulnerable cubs. Two weeks prior to Project implementation, and once a week during construction activities, a CDFW-approved biologist shall conduct a survey for mountain lion natal dens. The survey area shall include the construction footprint and the area within 2,000 feet (or the limits of the property line) of the Project disturbance boundaries. CDFW shall be notified within 24 hours upon location of a natal den. If an active natal den is located, during construction activities, all work shall cease. No work shall occur within a 2,000-foot buffer from a natal den. A qualified biologist shall notify CDFW to determine the appropriate course of action. CDFW shall also be consulted to determine an appropriate setback from the natal</p> | Prior to Project Initiation | Project Proponent |

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| Mitigation Measure | Timing | Responsible Party |
|--|------------------------------------|--------------------------|
| <p>den that would not adversely affect the successful rearing of the cubs. No construction activities or human intrusion shall occur within the established setback until mountain lion cubs have been successfully reared; the mountain lions have left the area; or as determined in consultation with CDFW.</p> | | |
| <p>Mitigation Measure #10: Crotch’s Bumble Bee Surveys - The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct focused surveys. Focused surveys shall follow CDFW’s Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project area 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.</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #11: Incidental Take Permit - If Crotch’s bumble bee is detected 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.</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #12: Coastal California Gnatcatcher Surveys - If removal of habitat and/or construction activities is necessary during breeding season (approximately February 15 through August 30, with peak of nesting occurring from mid-March through mid-May), the Project proponent shall retain a qualified biologist to conduct pre-construction surveys within three days of initiation of Project activities. Focused surveys for coastal California gnatcatcher shall be performed on the Project area and wherever suitable habitat occurs within 500 feet of the Project area.</p> | <p>Prior to Project initiation</p> | <p>Project Proponent</p> |

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| Mitigation Measure | Timing | Responsible Party |
|--|-----------------------------|-------------------|
| Surveys shall follow proper protocols outlined by USFWS Coastal California Gnatcatcher Survey Protocol (USFWS 2019). | | |
| <p>Mitigation Measure #13: USFWS Consultation - If coastal California gnatcatcher are present, the City shall consult with the USFWS to determine if the Project would result in take of coastal California gnatcatcher. In order to comply with the ESA, consultation with the USFWS is advised well in advance of any ground-disturbing activities and/or vegetation removal that may impact coastal California gnatcatcher.</p> | Prior to Project Initiation | Project Proponent |
| <p>Mitigation Measure #14: Mitigation Measure BIO-1 - Prior to the construction of the proposed Project, a preconstruction survey shall be conducted by qualified botanists within the appropriate blooming period(s) to ensure no special-status plant species are present or will be impacted within the proposed impact areas. Methods during the survey shall adhere to guidance provided in CDFW’s Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018). Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities. If no special-status plant species are found during the preconstruction survey, no further mitigation is required.</p> <p>If populations of special-status plants are found during the preconstruction survey and they are located within permanent or temporary impact areas, the Project proponent shall coordinate with CDFW prior to project initiation to identify suitable compensatory mitigation for impacts on these species. Preparation of a Habitat Mitigation and Monitoring Plan (HMMP) detailing relocation, salvage, and/or restoration of impacted species and subsequent maintenance and monitoring; payment of an in-lieu fee to an agency approved mitigation bank; or acquisition of off-site lands to be protected under a conservation easement in perpetuity. 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</p> | Prior to Project Initiation | Project Proponent |

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| Mitigation Measure | Timing | Responsible Party |
|---|------------------------------------|--------------------------|
| <p>success criteria for establishing self-sustaining populations (e.g., 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. If a State or federally-listed plant species is present, consultation with CDFW and/or USFWS would be required prior to initiating any on-site project activities to coordinate any take permits pursuant to State and/or federal regulations and requisite compensatory mitigation. With implementation of these actions, impacts to special-status plant species would be reduced to less than significant.</p> | | |
| <p>Mitigation Measure #15: Bat Surveys - The Project proponent shall retain a qualified bat specialist to conduct daytime and nighttime bat surveys throughout the Project area (plus a 100-foot buffer as access allows). These surveys shall identify potential habitat that could provide daytime and/or nighttime roost sites, and any maternity roosts. Acoustic recognition technology shall be utilized during day and night surveys to maximize detection of bats. A discussion of survey results, including negative findings, shall be provided to the City and CDFW. If bat species are detected, no Project activities shall commence, and the Project proponent shall develop avoidance and minimization where possible and compensatory mitigation measures when complete avoidance is not possible.</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |
| <p>Mitigation Measure #16: SSC Compensatory Mitigation - For SSC that have been confirmed and/or are expected to occur within the Project area, 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 shall be provided within the Project boundary. If on-site mitigation is not achievable, the Project proponent shall provide off-site mitigation. Location of the off-site mitigation shall be approved by CDFW. Mitigation shall provide appropriate habitat (depending on the species),</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |

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| <p>refugia, and habitat structures that supports that 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 issuance of City permits. The replacement habitat shall be protected in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity, which shall include an appropriate funding to provide for the long-term management of mitigation lands.</p> | | |
| <p>Mitigation Measure #17 - Nesting Bird. If vegetation removal is required during the bird nesting season (February 15 to August 31), a preconstruction nesting bird survey shall be conducted no more than 3 days prior to vegetation removal. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures.</p> <p>A minimum 300-foot no-disturbance buffer shall be established around any active nest of birds and a minimum 500-foot no-disturbance buffer shall be established around any nesting raptor or California Endangered Species Act/Endangered Species Act listed species. A reduced buffer can be established if determined appropriate by the project biologist. The contractor shall immediately stop until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds until a qualified biologist determines the young have fledged or the nest is inactive. In the unlikely event that a State and/or federally listed species is detected, the buffer shall not be reduced and CDFW and/or USFWS shall be notified immediately to coordinate any further measures to avoid impacts to a listed species. The project biologist shall monitor any known identified nest site(s) within or adjacent</p> | <p>Prior to Project Initiation</p> | <p>Project Proponent</p> |

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| to the Project area to confirm buffers are sufficient to avoid impacts to nesting birds and track nesting status. | | |
| <p>Recommendation #1: Buffer Determination - The City should identify an appropriate buffer from the trail that would continue to be indirectly affected by the Project (due to edge effects, spreading of invasive species, introduction of light, encroachment, etc.). This buffer of impacts should be justified using technical details such as data, maps, diagrams, and similar relevant information and disclosed in the final CEQA document.</p> | Prior to Final CEQA Document | Lead Agency |
| <p>Recommendation #2: Mountain Lion Discussion - CDFW recommends the City evaluate the mountain lion territory size and use of habitat within and surrounding the Project vicinity. The City should analyze the effects of increased human presence and area of anthropogenic influence that will now be in on mountain lion habitat, and how it may impact mountain lion behavior, reproductive viability, and overall survival success. Based on these known anthropogenic impacts on mountain lions, CDFW also recommends the City provide compensatory mitigation for impacts to mountain lion. The MND should justify how the proposed compensatory mitigation would reduce the impacts of the Project to less than significant. CDFW recommends that the City recirculate the MND for more meaningful public review and assessment of the City’s analysis and subsequent mitigation for mountain lion. Additionally, the City should recirculate the MND if the proposed mitigation measures would not reduce potential effects to less than significant and new measures must be required [CEQA Guidelines, § 15088.5(a)(1)].</p> | Prior to Final CEQA Document | Lead Agency |
| <p>Recommendation #3: Crotch’s Bumble Bee Discussion – The MND should be revised to provide a thorough discussion on the Project’s potential direct and indirect impact on Crotch’s bumble bee. If the Project may impact Crotch’s bumble bee, the MND should be amended to incorporate measures to minimize, and/or mitigate potential impacts to Crotch’s bumble bee as well as habitat supporting the species.</p> | Prior to Final CEQA Document | Lead Agency |

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| <p>The discussion should be of a depth and scope that a CESA ITP can be issued based on the analysis provided in the MND.</p> | | |
| <p>Recommendation #4: Coastal California Gnatcatcher Discussion – The MND should be revised to provide a thorough discussion on the Project’s potential direct, indirect, and cumulative impacts on gnatcatcher. If the Project may impact gnatcatcher, the MND should be amended to incorporate measures to minimize, and/or mitigate potential impacts to gnatcatcher as well as habitat supporting the species.</p> | <p>Prior to Final CEQA Document</p> | <p>Lead Agency</p> |
| <p>Recommendation #5: Landscaping. CDFW recommends the MND provide the Project’s landscaping plant palette and replacement tree species list. CDFW recommends the City use only native species found in naturally occurring vegetation communities within or adjacent to the Project area. The City should not plant, seed, or otherwise introduce non-native, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends the City restrict use of any species, particularly ‘moderate’ or ‘high’ listed by the California Invasive Plant Council (Cal-IPC 2024). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.</p> | <p>Prior to Project Initiation/During Project Construction</p> | <p>Lead Agency/Project Proponent</p> |
| <p>Recommendation #6: Scientific Collecting Permit. Focused surveys for special-status species (i.e., Crotch’s bumble bee) require specific handling permits prior to conducting surveys. The Project proponent should retain a qualified biologist(s) with appropriate handling permits, or should obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and</p> | <p>Prior to Project Initiation</p> | <p>Lead Agency</p> |

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| <p>eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2025d).</p> | | |