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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

October 8, 2025

Mitzi Alvarado, Planner
City of Lancaster
44933 Fern Avenue
Lancaster, CA 93534
(661) 723-6100
malvarado@cityoflancasterca.gov

SUBJECT: DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR THE TENTATIVE TRACT MAP 18-004 SUBDIVISION PROJECT, SCH NO. 2025090290, LOS ANGELES COUNTY, CA

Dear Mitzi Alvarado:

The California Department of Fish and Wildlife (CDFW) reviewed the Initial Study/Mitigated Negative Declaration (IS/MND) from the City of Lancaster (City) for the Tentative Tract Map 18-004 Subdivision Project (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.

[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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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 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: West Palm Development Co.

Objective: The objective of the Project is the subdivision of 9.97 acres into 25 single-family residential lots in the R-7,000 zone. The primary entrances to the subdivision would be from Lancaster Boulevard and 32nd Street East. The streets within the subdivision would be private. Lot sizes with the development would range in size from 7,752 square feet to 13,707 square feet. A meandering sidewalk would be provided along Lancaster Boulevard. Landscaping would be provided along the Lancaster Boulevard and in the front yards of the individual lots at the time of construction. A master plan of drainage facility would be constructed along the eastern boundary of the subdivision.

Location: The Project site is located southeast of the intersection of E Lancaster Boulevard and 30th Street East in the City of Lancaster, Los Angeles County. The Project site is generally bounded by E Lancaster Boulevard to the north, residential development to the west, and undeveloped land to the south and east.

Biological Setting: The Project site is an undeveloped lot near the northeastern border of the City of Lancaster. A general biological resource assessment (BRA) was conducted on July 31, 2018, with an update on June 18, 2025, that determined no changes to the overall conditions of the Project site. General surveys, consisting of eight walking line transects, were performed on the Project site. According to the BRA, the Project site was characterized as a highly disturbed field dominated by rabbit brush.

Special-status species that have the potential to occur on site, and may be impacted by the Project, include, but are not limited to: burrowing owl (*Athene cunicularia*; California Endangered Species Act (CESA) Candidate, Species of Special Concern (SSC)), Swainson's hawk (*Buteo swainsoni*; CESA Threatened), and alkali mariposa-lily (*Calochortus striatus*; California Rare Plant Rank (CRPR) 1B.2).

[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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The IS/MND includes mitigation measures that require preconstruction nesting bird and raptor survey. A separate measure requires a preconstruction clearance survey for burrowing owl with further actions to take to ensure less than significant impact to burrowing owl.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist 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 to Burrowing Owl

Issue: The Project may have impacts to burrowing owl.

Specific impact: Impacts in the form of habitat loss and degradation could occur as a result of grading and construction activities. These ground-disturbing activities may also cause direct mortality of burrowing owl.

Why impact would occur: According to a review of the California Natural Diversity Database (CNDDB), burrowing owl has been observed within two miles of the Project site. In addition, the BRA notes that California ground squirrel burrows are present on site which provide potential burrows for burrowing owl to inhabit. Therefore, burrowing owl has a potential to occur on site.

Project activities that have the potential to take burrowing owls, their nests or eggs, or destroy or degrade burrowing owl habitat include: grading earthmoving, burrow blockage, heavy equipment compacting and crushing burrow tunnels. In addition, the following activities may have impacts to burrowing owl populations: eradication of host burrowers; changes in vegetation management (i.e. grazing); use of pesticides and rodenticides; destruction, conversion or degradation of nesting, foraging, over-wintering, or other habitats; destruction of natural burrows and burrow surrogates; and disturbance which may result in harassment of owls at occupied burrows (CDFW 2012). If Project activities overlap with the breeding season for burrowing owl, there is potential for Project activities to result in abandonment of burrows, burrow collapse, or injury/mortality of owlets. Furthermore, attempts to flush burrowing owl from the site may disturb, distress, or lead to potential take of individual burrowing owl.

Mitigation Measure 2 listed in the IS/MND states that "If burrowing owl presence is confirmed, the Project proponent shall offset impacts by acquiring CDFW-approved mitigation lands for the species." However, the mitigation measure does not mention obtaining an Incidental Take Permit (ITP) from CDFW. If Project activities were to proceed without an ITP, this could result in unauthorized take of burrowing owl.

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Evidence impact would be significant: Burrowing owl is a species designated as candidate for listing as threatened or endangered pursuant to CESA (Fish & G. Code, § 2050 et seq.). Take of any endangered, threatened, or 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). Additionally, take of individual western burrowing owl and their nests is defined by Fish and Game Code section 86 and prohibited by sections 3503, 3503.5, and 3513.

Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill." Inadequate avoidance and mitigation measures will result in the Project continuing to have a substantial adverse direct 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.

Recommended Potentially Feasible Mitigation Measure(s)

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

Mitigation Measure #1: Incidental Take Permit – If an occupied burrow or burrowing owl is found within the Project site, the Project proponent shall coordinate with CDFW and attain appropriate take authorization from CDFW (pursuant to Fish and 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 implementing Project activities with potential to impact burrowing owl.

Mitigation Measure #2: Focused Burrowing Owl Surveys – The Project proponent shall retain a qualified biologist to conduct focused surveys for burrowing owl prior to Project activities. Focused surveys shall be conducted pursuant to CDFW's March 7, 2012, Staff Report on Burrowing Owl Mitigation[3] (CDFW 2012) or CDFW's most recent guidance. In California, the burrowing owl breeding season extends from February 1 to August 31, with some variances by geographic location and climatic conditions. Survey protocol for breeding seasonal survey states to conduct 4 survey visits: 1) at least one site visit between February 15 and April 15 and 2) a minimum of three survey visits at least three weeks apart between April 15 and July 15, with at least one visit after June 15.

Recommendation #1: Burrowing Owl Discussion – The IS/MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impact on burrowing owl. If the Project may impact burrowing owl, the IS/MND should incorporate measures to mitigate potential impacts to burrowing owl as well as habitat supporting

[3] https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline

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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 IS/MND.

COMMENT # 2: Rare Plants

Issue: The Project may have impacts to rare plants such as alkali mariposa-lily.

Specific impact: Project activities may directly impact rare plants through direct mortality, or indirectly through loss of suitable habitat, habitat modification, or increased dust.

Why impact would occur: According to a review of CNDDB, alkali mariposa lily has been observed within two miles of the Project site. This species has a CRPR of 1B.2. While a general BRA was conducted to identify plant species on the Project site, only one field survey was conducted in any given year. In addition, only one field survey was conducted in the last three years. According to CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities[4], multiple field surveys, conducted at times of year when plants will be both evident and identifiable, are recommended to maximize the likelihood of detecting special status plants and sensitive natural communities (CDFW 2021). In addition, the Protocols recommend observation of references sites where special status plants are known to occur to determine whether those special status plants are identifiable at the times of year the field surveys take place.

Therefore, the existing BRA may not accurately reflect the presence or absence of special status plant species on the Project site. If these species occur on the Project site and are subsequently impacted by Project activities, the IS/MND does not contain mitigation measures that provide for compensatory mitigation for those impacts. This could result in significant impacts to rare plants or their populations.

Evidence impact would be significant: 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

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

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Recommended Potentially Feasible Mitigation Measure(s)

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

Mitigation Measure #3: Rare Plant Surveys – Prior to Project initiation, the Project proponent shall retain a qualified biologist to conduct focused surveys for rare plants. Focused surveys shall be conducted to CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities[5] (CDFW 2018) or CDFW's most recent guidance. Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities.

If plants with a CRPR of 1B or 2B are observed in the impact area, no Project activities shall commence, and the Project proponent shall coordinate with CDFW to discuss avoidance of the rare plants on site. If complete avoidance is unattainable, the Project proponent shall provide compensatory mitigation to offset the Project's impact on rare plants observed on site at a ratio of no less than 2:1.

Recommendation #2: Rare Plant Discussion – The IS/MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impact on rare plants. If the Project may impact rare plants, the IS/MND should incorporate measures to mitigate potential impacts to rare plants as well as habitat supporting the species.

ADDITIONAL COMMENTS

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).

Landscaping Native Plant Palette. CDFW recommends the IS/MND be revised to 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

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

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Council[6] (Cal-IPC 2025). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

Lake and Streambed Alteration. The construction of a drainage facility may be subject to Fish and Game Code section 1602. Therefore, CDFW recommends the Project Proponent notify for a Lake and Streambed Alteration (LSA) Notification prior to the start of Project activities. The IS/MND should discuss the Project's impact on streams, include a stream delineation, and evaluate potential impacts. The IS/MND should discuss any impact associated with grading and construction.

CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the Project Proponent (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. CDFW recommends that the Project Proponent assess whether notification is appropriate. A Notification package for a LSAA may be obtained by accessing CDFW's Lake and Streambed Alteration Program website[7].

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 (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].

The City should ensure data collected for the preparation of the IS/MND is properly submitted.

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[6] https://www.cal-ipc.org/plants/inventory/
[7] https://wildlife.ca.gov/Conservation/Environmental-Review/LSA
[8] https://wildlife.ca.gov/Data/CNDDB
[9] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit

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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 IS/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 Scott[10], Environmental Scientist.

Sincerely,

DocuSigned by:
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Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
South Coast Region 5
Victoria Tang, Environmental Program Manager
Steve Gibson, Senior Environmental Scientist (Supervisory)
Riley Scott, Environmental Scientist

State Clearinghouse
Office of Land Use and Climate Innovation
State.Clearinghouse@lci.ca.gov

[10] Phone: (858) 761-8020; Email: Riley.Scott@wildlife.ca.gov

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REFERENCES

[CDFW] California Department of Fish and Wildlife. 2012. *Staff Report on Burrowing Owl Mitigation*. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline

[CDFW] California Department of Fish and Wildlife. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959

[CDFW] California Department of Fish and Wildlife. 2025a. California Natural Diversity Database. Available from: https://wildlife.ca.gov/Data/CNDDB/Maps-andData#43018408-cnddb-in-bios

[CDFW] California Department of Fish and Wildlife. 2025b. Scientific Collecting Permits. Available at: https://wildlife.ca.gov/Licensing/Scientific-Collecting

[FGC] California Fish and Game Commission. 2024. *Notice of Findings – Western Burrowing Owl (Athene cunicularia hypugaea)*. Available from: https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=227089&inline

[Cal IPC] California Invasive Plant Council. 2025. The Cal-IPC Inventory. Available from: https://www.cal-ipc.org/plants/inventory/

[CNPS] California Native Plant Society. 2025. CNPS Rare Plant Ranks. Available from: https://www.cnps.org/rare-plants/california-rare-plant-ranks

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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: Incidental Take Permit – If an occupied burrow or burrowing owl is found within the Project site, the Project proponent shall coordinate with CDFW and attain appropriate take authorization from CDFW (pursuant to Fish and 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 implementing Project activities with potential to impact burrowing owl.	Prior to Project Initiation	Project Proponent
Mitigation Measure #2: Focused Burrowing Owl Surveys – The Project proponent shall retain a qualified biologist to conduct focused surveys for burrowing owl prior to Project activities. Focused surveys shall be conducted pursuant to CDFW's March 7, 2012, Staff Report on Burrowing Owl Mitigation (CDFW 2012) or CDFW's most recent guidance. In California, the burrowing owl breeding season extends from February 1 to August 31, with some variances by geographic location and climatic conditions. Survey protocol for breeding seasonal survey states to conduct 4 survey visits: 1) at least one site visit between February 15 and April 15 and 2) a minimum of three survey visits at least three weeks apart between April 15 and July 15, with at least one visit after June 15.	Prior to Project Initiation	Project Proponent
Mitigation Measure #3: Rare Plant Surveys – Prior to Project initiation, the Project proponent shall retain a qualified biologist to conduct focused surveys for rare plants. Focused surveys shall be conducted to CDFW’s Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural	Prior to Project Initiation	Project Proponent

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Communities (CDFW 2018) or CDFW's most recent guidance. Findings from the surveys shall be provided to the City and CDFW prior to ground disturbing activities. If plants with a CRPR of 1B or 2B are observed in the impact area, no Project activities shall commence, and the Project proponent shall coordinate with CDFW to discuss avoidance of the rare plants on site. If complete avoidance is unattainable, the Project proponent shall provide compensatory mitigation to offset the Project's impact on rare plants observed on site at a ratio of no less than 2:1.		
Recommendation #1: Burrowing Owl Discussion – The IS/MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impact on burrowing owl. If the Project may impact burrowing owl, the IS/MND should incorporate measures to mitigate potential impacts to burrowing owl 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 IS/MND.	Prior to Final Environmental Document	Lead Agency
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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	Prior to Final Environmental Document	Lead Agency

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summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).		
Landscaping Native Plant Palette. CDFW recommends the IS/MND be revised to 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 2025). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.	Prior to Final Environmental Document	Lead Agency
Lake and Streambed Alteration. The construction of a drainage facility may be subject to Fish and Game Code section 1602. Therefore, CDFW recommends the Project Proponent notify for a Lake and Streambed Alteration (LSA) Notification prior to the start of Project activities. The IS/MND should discuss the Project's impact on streams, include a stream delineation, and evaluate potential impacts. The IS/MND should discuss any impact associated with grading and construction. CDFW has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the Project Proponent (or "entity") must provide written notification to CDFW pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, CDFW determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. CDFW's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. CDFW recommends that the Project Proponent assess whether notification is	Prior to Project Initiation	Project Proponent

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