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November 3, 2025

Yoganathan Thierumaran
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**Subject: Mitigated Negative Declaration for the Wells W9 and W10 PFAS
Groundwater Treatment Improvements Project, SCH No. 2025100035, San Diego
County, CA**

Dear Yoganathan Thierumaran:

The California Department of Fish and Wildlife (CDFW) reviewed the Mitigated Negative Declaration (MND) from Santa Clarita Valley Water Agency (Lead Agency or SCVWA) for the Wells W9 and W10 Polyfluorinated Alkyl Substances (PFAS) Groundwater Treatment Improvements 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, subdivision (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act (CEQA) Guidelines, § 15386, subdivision (a)]. CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Id., § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect State fish and wildlife resources.

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 expects that it may need to exercise regulatory authority as provided by the Fish and Game Code, including lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in “take”, as defined by State law, of any species protected under the California Endangered Species Act (CESA; Fish & G. Code, § 2050 et seq.), or CESA-listed rare plant pursuant to the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), CDFW recommends SCVWA obtain appropriate authorization under the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: SCVWA

Objective: The objective of the Project is to 1) construct a groundwater treatment facility capable of removing PFAS in pumped groundwater to levels below the federal maximum threshold and 2) restore the use of Wells W9 and W10. These activities will reduce SCVWA’s dependency on imported water.

Construction of a Groundwater Treatment Facility

Construction of the centralized groundwater PFAS treatment facility will occur within Assessor’s Parcel Number (APN) 2810-002-101, near the existing Well W9 site. The PFAS treatment facility would add approximately 10,000 square feet of new impervious surface area to the Project site. Project activities include the installation of an approximately 200-foot discharge pipeline that would convey treated groundwater from the PFAS treatment facility to San Francisquito Creek. The Project may include the installation of rip-rap or other energy-dissipating features at the terminus of the discharge pipeline, which would not exceed an area of 50 by 50 feet.

Rehabilitation of Well W9 Site

Rehabilitation of Well W9 would involve the removal of existing well equipment and installation of a new vertical turbine, a 12-inch well pump, a 250-horsepower motor, and electrical equipment.

Rehabilitation of Well W10 Site

Rehabilitation of Well W10 would involve the removal of existing well equipment and installation of a new vertical turbine, a 12-inch well pump, a 300-horsepower motor, and electrical equipment.

Installation of Raw Water Pipeline

Installation of a raw water pipeline between Well W10 and W9 to convey groundwater extracted via Well W10 to the proposed treatment facility at the Well W9 site. The pipeline would be primarily installed via open-cut excavation along the San Francisquito

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Creek Trail. The segment of the pipeline that crosses the Decoro Drive Bridge would be installed via trenchless technology methods (jack-and-bore, horizontal directional drilling, etc.). Trenchless installation entry and exit pits would be located north and south of Decoro Drive. Pits would be approximately 40 feet by 40 feet in area with a maximum depth of 20 feet.

Location: The Project is located in the City of Santa Clarita in Los Angeles County. Surrounding land uses include the following:

- APN 2810-002-101: The portion of the Project within this APN is surrounded by San Francisquito Creek to the north and east; Decoro Drive to the south; and the San Francisquito Creek Trail and single-family residences to the west. The nearest residences are located approximately 500 feet northwest of Well W9.
- APN 2810-067-008: The portion of the Project within this parcel is in a commercial area. Restaurants are located to the north and west; San Francisquito Creek Trail and San Francisquito Creek are located to the east; and Newhall Ranch Road is to the south.
- Public Right-of-Way of San Francisquito Creek Trail: The trail is surrounded by San Francisquito Creek to the east and primarily single-family residences to the west. South of Decoro Drive, Valencia High School is located to the west of the trail; near the terminus of the Project alignment, tennis courts and commercial areas are located to the west of the trail.

Timeframe: Construction of the proposed Project would take approximately 30 months.

Biological Setting: The Project sites are characterized as rural, low-density residential, vegetated open space, and agricultural land. The developed areas consist of residential neighborhoods, paved roads, and dirt roads. Vegetation communities and land cover types include California buckwheat scrub (*Eriogonum fasciculatum* Shrubland Alliance), Disturbed California buckwheat scrub (*Eriogonum fasciculatum* Shrubland Alliance), California Sagebrush Scrub (*Artemisia californica* Shrubland Alliance), Scrub oak chaparral (*Quercus berberidifolia* - *Heteromeles arbutifolia* Shrubland Alliance), Coyote brush scrub (*Baccharis pilularis* / Annual grass – herb Shrubland Alliance), Chamise chaparral (*Adenostoma fasciculatum* – *Eriogonum fasciculatum* Shrubland Alliance), Disturbed chamise chaparral (*Adenostoma fasciculatum* – *Eriogonum fasciculatum* Shrubland Alliance), Cattail marshes (*Typha latifolia* Herbaceous Alliance), Fremont cottonwood woodland (*Populus fremontii* Woodland Alliance), Red willow riparian woodland (*Salix laevigata* Woodland Alliance), Mulefat thickets (*Baccharis salicifolia* Shrubland Alliance), Tamarisk thickets (*Tamarix spp.* Semi-Natural Alliance), and Wild oats and annual brome grassland (*Avena spp.* – *Bromus spp.* Herbaceous Semi-Natural Alliance).

A general survey was conducted on April 18, 2025, to document current site conditions. A desk review of various sources was also conducted. The following special status

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species were determined to potentially occur within the survey area: Crotch's bumble bee (*Bombus crotchii*; CESA candidate), burrowing owl (*Athene cunicularia*; CESA candidate), coastal whiptail (*Aspidoscelis tigris stejnegeri*, California Species of Special Concern [SSC]), coast horned lizard (*Phrynosoma blainvillii*, SSC), San Diego desert woodrat (*Neotoma lepida intermedia*, SSC), Southern California legless lizard (*Anniella spp.*, SSC), coastal California gnatcatcher (*Polioptila californica californica*; Endangered Species Act (ESA)-listed, SSC), and least Bell's vireo (*Vireo bellii pusillus*; ESA- and CESA-listed).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the SCVWA in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT #1: Impacts to Crotch's Bumble Bee

Issue: The Project has the potential to impact suitable nesting habitat and foraging opportunities for Crotch's bumble bee or may result in direct or indirect mortality.

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

Why impact would occur: According to CDFW's Crotch's Bumble Bee Range – CDFW dataset (CDFW 2025a), the Project area is within the current range of Crotch's bumble bee.

According to Appendix B of the MND, Biological Resources Assessment, "[w]hile limited food plant genera exist within the Survey Area, there are no California Natural Diversity Database (CNDDDB) occurrences of this species in the last 25 years within three miles of the Survey Area. All recent nearby occurrences occur within the foothills of the Santa Susana Mountains where coastal scrub habitat and floral resources for the species are more abundant." Absence from the CNDDDB does not confirm absence from the site, as the database only contains submitted observations and is not exhaustive. Based on CDFW's review of the MND, analysis of the property using Google Earth, and reference to CDFW's Crotch's Bumble Bee Range, suitable habitat appears to be present for Crotch bumble bee. Species-specific surveys were not conducted or incorporated into the MND, despite the presence of suitable habitat. In addition, the MND did not provide any avoidance, minimization, or mitigation measures for Crotch's bumble bee.

Absent appropriate surveys and avoidance, minimization, and mitigation measures, the Project may result in mortality and/or injury of undetected Crotch's bumble bees that may be present during Project activities. The Project's ground and/or vegetation disturbance activities could result in significant impacts to Crotch's bumble bee,

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including loss of foraging resources, changes in foraging behavior, burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs, young, and/or queens, and direct mortality.

For reference, Crotch's bumble bees primarily nest from late February through late October and typically nest underground in abandoned small mammal burrows. However, they may also nest under perennial bunch grasses, thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Hatfield et al. 2012).

Evidence impact may be significant: Crotch's bumble bee is a candidate species protected under CESA, and, as such, is granted full protection under CESA. The California Fish and Game Commission (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. Take of any endangered, threatened, candidate species that results from the Project is prohibited, except as authorized by State law (Fish & G. Code, §§ 86, 2062, 2067, 2068, 2080, 2085; Cal. Code Regs., tit. 14, § 786.9). CDFW considers impacts to species that are candidates for CESA listing to be significant, under CEQA. Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by SCVWA (CEQA Guidelines, § 1565).

Recommended Potentially Feasible Mitigation Measure(s)

CDFW requests the following recommendations and mitigation measures are incorporated into the final CEQA document. These measures are intended to address gaps in the environmental analysis and ensure compliance with CEQA, which requires feasible mitigation for significant impacts to biological resources (CEQA Guidelines §§15064, 15126.4).

Recommendation #1: Crotch's Bumble Bee Analysis: The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impacts on Crotch's bumble bee throughout the entire Project area. If the Project may impact Crotch's bumble bee, the MND should 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 Incidental Take Permit (ITP) can be issued based on the analysis provided in the final document.

Recommendation #2: CESA and CEQA: CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from SCVWA for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code, section 2081 and/or under CEQA, the Project's CEQA document should

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

Mitigation Measure #1: Crotch's Bumble Bee Surveys: SCVWA 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 prior to implementing Project ground-disturbing and/or vegetation removal activities.

Mitigation Measure #2: Incidental Take Permit: If Crotch's bumble bee is detected on site, SCVWA shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & Game Code, § 2080 et seq.).

COMMENT # 2: Impacts to Western Burrowing Owl

Issue: The Project has the potential to impact nesting, foraging, or wintering habitat of western burrowing owl.

Specific impact: The Project may result in the permanent loss of nesting, foraging or wintering habitat for western burrowing owl due to Project ground disturbing activities and the installation of concrete and rip rap along suitable burrowing owl habitat.

Why impact would occur: According to CDFW's Western Burrowing Owl Range (CDFW 2025b), the Project area lies within the current range for western burrowing owl. According to CNDDDB (CDFW 2025c), burrowing owl has been observed within 1 mile of the project area.

Burrowing owls are well adapted to open, dry annual and perennial grasslands, deserts, and scrublands with low-grading vegetation. They can be found on relatively flat expanses and vacant lots. Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction. Loss of access to burrows may result in varying levels of increased stress on burrowing owls and could increase predation.

Evidence impact would be significant: On October 10, 2024, the Commission determined that listing of western burrowing owl as endangered as a candidate CESA species was warranted. If Project activities could result in take, appropriate CESA authorization (i.e., an ITP under Fish and G. Code, § 2081) should be obtained prior to commencement of Project activities. 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). Take of individual burrowing owls and their nests is defined by Fish and Game Code, section 86, and prohibited by sections 3503, 3503.5 and 3513.

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Recommendation #3: Western Burrowing Owl Analysis: CDFW recommends that SCVWA evaluate the direct and indirect impacts to burrowing owl within the Project areas, particularly in suitable habitat, and provide its findings in the MND. The MND should also incorporate measures to avoid, minimize, and/or mitigate potential impacts to western burrowing owl as well as its potential and/or suitable habitats.

Mitigation Measure #3: Western Burrowing Owl Surveys: Protocol-level surveys shall be conducted by a CDFW-approved Designated Biologist, following the guidelines in CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) prior to ground disturbance and/or vegetation removal activities. All biologists surveying and/or monitoring for burrowing owl shall obtain a Memorandum of Understanding² issued by CDFW. Early consultation with CDFW is encouraged to ensure all necessary permits are obtained.

Mitigation Measure #4: Incidental Take Permit: If Project activities will impact western burrowing owl and their habitat, SCVWA shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & G. Code, § 2080 et seq).

COMMENT #3: Impacts to Special Status Herpetofauna

Issue: The Project could impact sensitive reptile and amphibian species including but not limited to Southern California legless lizard, coastal whiptail, coast horned lizard and western spadefoot.

Specific impacts: Project activities could result in direct injury or mortality (e.g., trampling, crushing) during vegetation and sediment removal. The Project may also result in a loss of breeding and/or foraging habitat.

Why impact would occur: The Project area contains suitable habitat and high likelihood of occurrences for at least two of these sensitive species (Thomson et al. 2016). Southern California legless lizards occur in sparsely vegetated habitat types including coastal sand dunes, chaparral, pine–oak woodland, desert scrub, open grassland, and riparian areas. Coast horned lizards occur in valley-foothill hardwood, conifer, and riparian habitats, as well as in pine-cypress, juniper and annual grassland habitats (Fisher et al. 2002). Coastal whiptails occur in coastal sage scrub, chaparral, riparian areas, woodlands, and rocky areas (Lemm 2006). In southern California, western spadefoot habitat use is positively associated with grassland or scrub vegetation cover and higher sand content in soils. Spadefoot toads are more likely to be found in close proximity to vernal pools and ephemeral streams (Halstead et al. 2022; Rose et al. 2022). Western spadefoot toads generally breed in temporary, natural (vernal pools) or artificial (e.g., road rut) pools and also may be found foraging in a

² <https://wildlife.ca.gov/Conservation/CESA/Permitting#550391512-memorandum-of-understanding-mou--2081-a>

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variety of habitat types including riparian and uplands; spadefoot often use small mammal burrows but also are capable of digging into soft substrates. Project activities have the potential to directly impact the habitat occupied by these species.

CDFW appreciates that the Project will work during the dry season to prevent impacts to aquatic species; however, this timing does not address potential impacts to upland foraging and estivation habitat. Research has found that burrows of western spadefoot have been recorded with a mean distance of 40 meters from their breeding pools (Baumberger et al. 2019). To ensure adequate detection and protect, focused surveys should be conducted prior to any work in the river and surrounding areas during their respective breeding season for maximum detection of both species.

Evidence impact would be significant: Southern California legless lizard, coastal whiptail, coast horned lizard, and western spadefoot are designated California SSC. CEQA provides protection not only for ESA or CESA listed species, but for any species including but not limited to SSC that can be shown to meet the criteria for State listing. SSC meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species can result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW or United States Fish and Wildlife Service (USFWS), collectively referred to as the Wildlife Agencies.

In addition, the Commission accepted a petition to list the southern population of western spadefoot as endangered under CESA on September 24, 2025 (CFGF 2025). If the Commission finds there is sufficient scientific information to indicate that the petitioned action may be warranted, the Commission will designate western spadefoot as a candidate species (Fish & G. Code, § 2068). If western spadefoot is designated as a CESA candidate species in southern California, the species would be granted the full protection of an endangered 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 western spadefoot as an endangered species under CESA qualifies it as an endangered, rare, or threatened species under CEQA (CEQA Guidelines, §15380).

Recommended Potentially Feasible Mitigation Measure(s)

Recommendation #4: Consultation with Wildlife Agencies for Wildlife Exclusion

Methods: CDFW recommends that SCVWA identify and implement measures that prevent Southern California legless lizards, coastal whiptail, coast horned lizard, and western spadefoot from accessing the construction area. These measures should be developed in coordination with CDFW and USFWS and implemented prior to ground-disturbing activities.

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Mitigation Measure #5: SSC Western Spadefoot Focused Surveys: A qualified biologist shall be retained to conduct focused surveys for western spadefoot. Findings should be submitted to CDFW and USFWS prior to Project activities for review and approval. Surveys for western spadefoot should be conducted between February and May when potential breeding pools retain sufficient water (Fisher et al. 2021). If western spadefoot is observed, Project activities in the immediate vicinity of the specimen should cease. Individuals shall be allowed to leave the Project area on their own accord. If occupied burrows are found, a 50-foot no-disturbance buffer shall be delineated around any western spadefoot burrow. If avoidance is not possible, an avoidance, minimization, and mitigation plan shall be developed and submitted to CDFW and USFWS for their approval. Survey methods shall be consistent with current CDFW protocols to ensure adequate detection.

Mitigation Measure #6: SSC Lizard Focused Surveys: A qualified biologist shall be retained to conduct focused surveys for Southern California legless lizard, coastal whiptail, and coast horned lizard. Findings should be submitted to CDFW and USFWS prior to Project activities for review and approval. If Southern California legless lizard, coastal whiptail, or coast horned lizard are observed, Project activities in their immediate vicinity should cease and individuals be allowed to leave the Project area on their own accord.

Mitigation Measure #7: Injured or Dead Wildlife: If any Southern California legless lizard, coastal whiptail, coast horned lizard, or western spadefoot are harmed during relocation, or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and the dead or injured wildlife will be documented. A report shall be sent to CDFW and USFWS within three calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and potential additional mitigation measures have been identified to prevent additional injury or death. All incidents should be tracked and summarized in a post-construction compliance report submitted to the Wildlife Agencies.

COMMENT #4: Impacts to San Francisquito Creek

Issue: The Project may directly impact San Francisquito Creek.

Specific impact: The Project proposes to discharge treated groundwater into San Francisquito Creek. The Project also proposes to install a 50 feet by 50 feet area of rip rap within San Francisquito Creek. Project activities (i.e., grading and ground disturbance) may cause indirect impacts, such as sedimentation and erosion, to San Francisquito Creek and associated aquatic resources.

Why impact would occur: Project construction and activities occurring adjacent to and within the 100-foot buffer of the creek could impact it and associated riparian vegetation.

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Evidence impact may be significant: CDFW exercises its regulatory authority as provided by Fish and Game Code, section 1600 et seq. to conserve fish and wildlife resources, which include rivers, streams, or lakes and associated natural communities. Fish and Game Code, section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

1. Divert or obstruct the natural flow of any river, stream, or lake;
2. Change the bed, channel, or bank of any river, stream, or lake;
3. Use material from any river, stream, or lake; or,
4. Deposit or dispose of material into any river, stream, or lake.

The Project may adversely affect the existing water features and the hydrology pattern of the Project site. 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)

Mitigation Measure #8: Lake and Streambed Alteration (LSA) Agreement: CDFW requests SCVWA provide a hydrogeological report, which may contain a well completion report, to evaluate the effects of groundwater extraction on surface and subsurface resources. If the hydrology report shows substantial diversion from San Francisquito Creek, SCVWA shall notify CDFW pursuant to Fish and Game Code, section 1602 and obtain an LSA Agreement from CDFW. SCVWA shall comply with the mitigation measures detailed in an LSA Agreement issued by CDFW. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2025d).

Recommendation #5: CEQA Analysis: CDFW's issuance of an LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from SCVWA for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code, section 1600 et seq. and/or under CEQA, the Project's CEQA document should fully identify the Project's potential impacts on stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. As such, CDFW recommends SCVWA consider CDFW's comments and revise the MND by incorporating the mitigation measures recommended in this letter into the Project's environmental document. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures, avoidance of resources, protective measures for downstream resources, on- and/or offsite habitat creation,

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enhancement, or restoration, and/or protection, and management of mitigation lands in perpetuity.

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). SCWVA 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 CNDDDB. The [CNDDDB website](https://wildlife.ca.gov/Data/CNDDDB)³ 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](https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit)⁴. SCVWA 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 SCVWA 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.)

³ <https://wildlife.ca.gov/Data/CNDDDB>

⁴ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

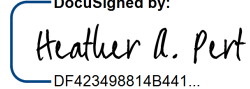
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CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist SCVWA in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that SCVWA 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 Mary Ngo⁵, Senior Environmental Scientist (Specialist).

Sincerely,

DocuSigned by:

DF423498814B441...

11/3/2025

Heather A. Pert
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Baron Barrera, Senior Environmental Scientist (Supervisory)
Felicia Silva, Senior Environmental Scientist (Specialist)
Cassandra Bretz, Scientific Aide
Cindy Hailey, Staff Services Analyst
CEQA Program Coordinator – Sacramento

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

⁵ Phone: (562) 477-0743; Email: Mary.Ngo@wildlife.ca.gov

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REFERENCES

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- [CDFWa] California Department of Fish and Wildlife. 2025a. Crotch's Bumble Bee Range Dataset 3095. Available at CDFW's Biogeographic Information and Observation System, <https://wildlife.ca.gov/Data/BIOS> [CDFW] California Department of Fish and Wildlife. 2025b. Species of Special Concern. Available from: <https://wildlife.ca.gov/Conservation/SSC>
- [CDFWb] California Department of Fish and Wildlife. 2025b. Western Burrowing Owl Range Dataset 907. Available at CDFW's Biogeographic Information and Observation System, <https://wildlife.ca.gov/Data/BIOS>
- [CDFWc] California Department of Fish and Wildlife. 2025c. California Natural Diversity Database. Available at: <https://wildlife.ca.gov/Data/CNDDDB>
- [CDFWd] California Department of Fish and Wildlife. 2025d. Lake and Streambed Alteration Program. Available from:
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ATTACHMENT A: DRAFT MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

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

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Crotch's Bumble Bee Surveys: SCVWA 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 prior to implementing Project ground-disturbing and/or vegetation removal activities.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Mitigation Measure #2: Incidental Take Permit: If Crotch's bumble bee is detected on site, SCVWA shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & Game Code, § 2080 et seq.).	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Mitigation Measure #3: Western Burrowing Owl Surveys: Protocol-level surveys shall be conducted by a CDFW-approved Designated Biologist, following the guidelines in CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) prior to ground disturbance and/or vegetation removal activities. All biologists surveying and/or monitoring for burrowing owl shall obtain a Memorandum of Understanding ² issued by	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent

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Mitigation Measure	Timing	Responsible Party
CDFW. Early consultation with CDFW is encouraged to ensure all necessary permits are obtained.		
Mitigation Measure #4: Incidental Take Permit: If Project activities will impact western burrowing owl and their habitat, SCVWA shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & G. Code, § 2080 et seq).	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Mitigation Measure #5: SSC Western Spadefoot Focused Surveys: A qualified biologist shall be retained to conduct focused surveys for western spadefoot. Findings should be submitted to CDFW and USFWS prior to Project activities for review and approval. Surveys for western spadefoot should be conducted between February and May when potential breeding pools retain sufficient water (Fisher 2021). If western spadefoot is observed, Project activities in the immediate vicinity of the specimen should cease. Individuals shall be allowed to leave the Project area on their own accord. If occupied burrows are found, a 50-foot no-disturbance buffer shall be delineated around any western spadefoot burrow. If avoidance is not possible, an avoidance, minimization, and mitigation plan shall be developed and submitted to CDFW and USFWS for their approval. Survey methods shall be consistent with current CDFW protocols to ensure adequate detection.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Mitigation Measure #6: SSC Lizard Focused Surveys: A qualified biologist shall be retained to conduct focused surveys for Southern California legless lizard, coastal whiptail, and coast horned lizard. Findings should be submitted to CDFW and USFWS prior to Project activities for review and approval. If Southern California legless lizard, coastal whiptail, or coast horned lizard are observed, Project activities in their	Prior to finalizing CEQA document; and,	Lead Agency; and,

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Mitigation Measure	Timing	Responsible Party
immediate vicinity should cease and individuals be allowed to leave the Project area on their own accord.	Prior to construction	Project Proponent
Mitigation Measure #7: Injured or Dead Wildlife: If any Southern California legless lizard, coastal whiptail, coast horned lizard, or western spadefoot are harmed during relocation, or a dead or injured animal is found, work in the immediate area shall stop immediately, the qualified biologist shall be notified, and the dead or injured wildlife will be documented. A report shall be sent to CDFW and USFWS within three calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal, and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and potential additional mitigation measures have been identified to prevent additional injury or death. All incidents should be tracked and summarized in a post-construction compliance report submitted to the Wildlife Agencies.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Mitigation Measure #8: Lake and Streambed Alteration (LSA) Agreement: CDFW requests SCVWA provide a hydrogeological report, which may contain a well completion report, to evaluate the effects of groundwater extraction on surface and subsurface resources. If the hydrology report shows substantial diversion from San Francisquito Creek, SCVWA shall notify CDFW pursuant to Fish and Game Code, section 1602 and obtain an LSA Agreement from CDFW. SCVWA shall comply with the mitigation measures detailed in an LSA Agreement issued by CDFW. Please visit CDFW's Lake and Streambed Alteration Program webpage for more information (CDFW 2025d).	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent

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Mitigation Measure	Timing	Responsible Party
Recommendation #1: Crotch's Bumble Bee Analysis: The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impacts on Crotch's bumble bee throughout the entire Project area. If the Project may impact Crotch's bumble bee, the MND should 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 Incidental Take Permit (ITP) can be issued based on the analysis provided in the final document.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Recommendation #2: CESA and CEQA: CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from SCVWA for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code, section 2081 and/or under CEQA, the Project's CEQA document should fully identify the potential impacts to Crotch's bumble bee and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the ITP.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Recommendation #3: Western Burrowing Owl Analysis: CDFW recommends that SCVWA evaluate the direct and indirect impacts to burrowing owl within the Project areas, particularly in suitable habitat, and provide its findings in the MND. The MND should also incorporate measures to avoid, minimize, and/or mitigate potential impacts to western burrowing owl as well as its potential and/or suitable habitats.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent

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Mitigation Measure	Timing	Responsible Party
Recommendation #4: Consultation with Wildlife Agencies for Wildlife Exclusion Methods: CDFW recommends that SCVWA identify and implement measures that prevent Southern California legless lizards, coastal whiptail, coast horned lizard, and western spadefoot from accessing the construction area. These measures should be developed in coordination with CDFW and USFWS and implemented prior to ground-disturbing activities.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent
Recommendation #5: CEQA Analysis: CDFW's issuance of an LSA Agreement for a project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from SCVWA for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code, section 1600 et seq. and/or under CEQA, the Project's CEQA document should fully identify the Project's potential impacts on stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement. As such, CDFW recommends SCVWA consider CDFW's comments and revise the MND by incorporating the mitigation measures recommended in this letter into the Project's environmental document. To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures, avoidance of resources, protective measures for downstream resources, on- and/or offsite habitat creation, enhancement, or restoration, and/or protection, and management of mitigation lands in perpetuity.	Prior to finalizing CEQA document; and, Prior to construction	Lead Agency; and, Project Proponent