



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

**GAVIN NEWSOM, Governor**  
**CHARLTON H. BONHAM, Director**



November 19, 2025

Carly Blanchard, Environmental Planner  
Marin Municipal Water District  
220 Nellen Avenue  
Corte Madera, CA 94925  
[Carly.Blanchard@marinwater.org](mailto:Carly.Blanchard@marinwater.org)

Subject: North Marin Line Stabilization Project, Supplemental Initial Study/Mitigated Negative Declaration, SCH No. 2025100945, Marin County

Dear Carly Blanchard:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Supplemental Initial Study/Mitigated Negative Declaration (IS/MND) from the Marin Municipal Water District (District) for the North Marin Line Stabilization Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.<sup>1</sup> The District previously adopted an Initial Study/Mitigated Negative Declaration for the Project in June of 2016.

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

## **CDFW ROLE**

CDFW is a **Trustee Agency** with responsibility under the California Environmental Quality Act (CEQA) for commenting on projects that could impact fish, plant, and wildlife resources (Pub. Resources Code, § 21000 et seq.; Cal. Code Regs., tit. 14, § 15386). CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as a permit pursuant to the California Endangered Species Act (CESA) or Native Plant Protection Act (NPPA), Lake and Streambed Alteration (LSA) Program, and other provisions of the Fish and Game Code that afford protection to the State's fish and wildlife trust resources. Pursuant to our authority, CDFW has the following concerns, comments, and recommendations regarding the Project.

## **PROJECT DESCRIPTION AND LOCATION**

**Proponent:** Marin Municipal Water District

---

<sup>1</sup> 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.

**Objective:** The Project involves new construction of a water conveyance pipeline and demolition of two water conveyance pipelines in San Geronimo Creek (stream). The 2016 Initial Study/Mitigated Negative Declaration proposed replacing two existing concrete 34-inch diameter trestle supported pipeline crossings with seismically resistant 36-inch diameter steel single span pipeline crossings to convey raw water from Marin Water's Kent Lake and Nicasio Reservoir to the San Geronimo Treatment Plant. These two stream crossings are identified for replacement by the County of Marin's Fire Chief Association and are part of the District's Fire Flow Improvement Program. The purpose of the Project remains the same. The supplemental IS/MND updates the placement of the pipeline at Site 1 to be aligned within Sir Francis Drake Boulevard (out of the stream), resulting in demolition only in the stream. Site 2 involves new construction of a steel pipeline that will clear span the stream with drilled piers installed three to five feet above top of bank, and demolition of the existing pipeline and trestles. Construction and demolition will involve dewatering activities at both work sites. The Project also includes replacement of the District's Shafter Valve, which is currently located near the Shafter Bridge in the unincorporated area of Lagunitas. The valve would be relocated onto Marin Water property, south of Sir Francis Drake Boulevard at the intersection of San Geronimo Ridge Road.

**Location:** The Project will occur at two separate sites in the County of Marin along Sir Francis Drake Boulevard between the unincorporated area of Lagunitas and Shafter Fire Road, listed below:

- Site 1: 38.007832°, -122.705302°
- Site 2: 38.009317°, -122.702994°

## REGULATORY REQUIREMENTS

### California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the Project has the potential to result in "take" of plants or animals listed under CESA either during construction or over the life of the Project. **The Project has the potential to impact Coho salmon (*Oncorhynchus kisutch*) and California freshwater shrimp (*Syncaris pacifica*), which are both CESA listed as endangered; and Northern Spotted Owl (*Strix occidentalis caurina*), which is CESA listed as a threatened, as further described below.** Issuance of an ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project will impact CESA listed species, early consultation is encouraged, as significant modification to the Project and mitigation measures may be required in order to obtain an ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the Project proponent's obligation to comply with CESA.

### **Lake and Streambed Alteration**

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

### **Raptors and Other Nesting Birds**

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

## **COMMENTS AND RECOMMENDATIONS**

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

### **I. Mitigation Measure and Environmental Setting Related Impact Shortcomings**

**Mandatory Findings of Significance:** Does the Project have the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species?

And,

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

**COMMENT 1:** Coho Salmon, California Freshwater Shrimp, and Steelhead

**Issue, specific impacts, why they may occur and be potentially significant:** The supplemental IS/MND does not adequately evaluate and mitigate potential impacts to special-status fish<sup>2</sup> species including Coho salmon, California freshwater shrimp, and steelhead (*Oncorhynchus mykiss irideus* pop. 8). San Geronimo Creek and downstream Lagunitas Creek are federally designated critical habitat (CH) for Coho salmon and steelhead. The supplemental IS/MND concludes that the above species may occur at the Project sites and direct impacts to them would not occur because no work would occur in the creek zone. However, the supplemental IS/MND also describes implementing a dewatering plan at both Project sites including Mitigation Measure BIO-2 which states that fish capture and relocation may occur including electrofishing, seining, and dip netting, and “California freshwater shrimp will be captured by hand-held nets [e.g., heavy-duty aquatic dip nets (12” D-frame net) or small minnow dip nets] and relocated out of the work area.” Therefore, it appears that work would occur in the creek zone and dewatering would be implemented which is anticipated to directly impact the above species. The above fish species are CESA listed as threatened or endangered and listed under the federal Endangered Species Act (ESA) and therefore are considered to be threatened or endangered species pursuant to CEQA Guidelines section 15380. Therefore, if these fish would be impacted by the Project, the Project could result in a substantial reduction in the species’ population, which would be a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

**Recommended Mitigation Measures:** To reduce impacts to Coho salmon, California freshwater shrimp, and steelhead to less-than-significant and comply with CESA and federal ESA, CDFW recommends that the supplemental IS/MND include the below mitigation measures.

---

<sup>2</sup> Pursuant to Fish and Game Code section 45, “Fish” means a wild fish, mollusk, crustacean, invertebrate, amphibian, or part, spawn, or ovum of any of those animals.

*Mitigation Measure MM-BIO-1 (Special Status Fish Avoidance Evaluation):* The Project shall evaluate if dewatering activities and any other direct impacts to Coho salmon, California freshwater shrimp, and steelhead can be avoided, such as if installing the replacement pipes through trenchless techniques (e.g., horizontal directional drilling (HDD)) is feasible. This method may better protect the pipes from future damage and reduce or eliminate the need to impact San Geronimo Creek, which is a highly sensitive habitat supporting the above CESA and federal ESA listed species and their CH, during pipeline installation and future maintenance.

*Mitigation Measure MM-BIO-2 (Special Status Fish Protection):* If dewatering activities or any other activities that may result in take of Coho salmon or California freshwater shrimp will occur, the Project shall obtain a CESA ITP from CDFW prior to commencing Project activities and shall comply with the ITP including, but not limited to providing habitat restoration or compensation. The Project shall also consult with the USFWS or National Marine Fisheries Service (NMFS) for any impacts to steelhead, California freshwater shrimp, or other federally listed fish species.

## **COMMENT 2: Northern Spotted Owl**

**Issue, specific impacts, why they may occur and be potentially significant:** The Project may impact nesting Northern spotted owl due to the Project's auditory or visual disturbance up to 0.25 miles away from the Project site. The supplemental IS/MND indicates (page 3-15) that implementation of Mitigation Measure 4-3 of the original IS/MND (page MMWD 2) that two surveys for nesting Northern spotted owl will be conducted during the months of April and May, however the mitigation measure does not indicate that CDFW and USFWS accepted protocol surveys will be conducted. Potential Northern spotted owl nesting habitat occurs within 0.25 miles of the Project site and there are recorded Northern spotted owl activity centers approximately 0.20 miles east of Site 2 and 0.40 miles east of Site 1. If Northern spotted owl nesting within 0.25-mile of the Project go undetected, Northern spotted owl could be impacted by Project activities resulting in nest abandonment and loss of eggs, or reduced health and vigor and loss of young. Northern spotted owl is CESA listed as a threatened species and is also listed under the federal ESA, and therefore is considered to be a threatened species pursuant to CEQA Guidelines section 15380. Therefore, if an active Northern spotted owl nest is disturbed by the Project, the Project may result in a substantial reduction in the number of a threatened species, which is considered a Mandatory Finding of Significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

**Recommended Mitigation Measure:** To reduce potential impacts to Northern spotted owl to less-than-significant and comply with CESA and federal ESA, CDFW

recommends including the following mitigation measure in the supplemental IS/MND.

**Mitigation Measure BIO-3 (Northern Spotted Owl Surveys):** Project activities shall not occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts Northern spotted owl surveys following the USFWS *Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls*, dated (revised) January 9, 2012, unless otherwise approved in writing by CDFW. Surveys shall be conducted in accordance with Section 9 of the survey protocol, *Surveys for Disturbance-Only Projects*. If breeding Northern spotted owl are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each year.

Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, *Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California*, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.

If take of Northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP and also consult with USFWS pursuant to federal ESA.

### **COMMENT 3: Special-Status Plants**

**Issue, specific impacts and why they may occur and be significant:** The supplemental IS/MND states that Project activities would occur outside of the stream's top-of-bank (page MMWD 27-28) indicating no impact to special-status plants would occur. However, since Project activities will now occur within the bed, bank and channel of the stream, the Project has potential to impact special-status plants, such as but not limited to, western leatherwood (*Dirca occidentalis*), California Rare Plant Rank (CRPR) 1B.2, and Mt. Tamalpais thistle (*Cirsium hydrophilum* var. *vaseyi*), CRPR 1B.1. The supplemental IS/MND does not consider the new in-stream work, therefore it does not adequately evaluate or mitigate for impacts to special-status plants. The California Natural Diversity Database (CNDDB) documents occurrences of special-status plants within five miles of the Project site, and there appears to be suitable habitat for these species within or adjacent to the Project site.

Impacts, including, but not limited to direct or indirect impacts associated with construction and demolition of the pipeline, to special-status plant species may result in local population declines or extirpation of a species. Insufficient detection or mitigation may result in prolonged temporal or permanent impacts to a special-status plant species' range, distribution, and population in the State. Therefore, if special-status plants occur on or adjacent to the Project site where they may be directly or indirectly impacted, impacts to special-status plants would be potentially significant.

**Recommended Mitigation Measure:** For an adequate environmental setting and to reduce impacts to special-status plants to less-than-significant, CDFW recommends including the below mitigation measure in the supplemental IS/MND.

*Mitigation Measure BIO-4 (Special Status Plant Surveys and Protection):* Prior to the start of Project activities, a qualified biologist shall conduct a habitat assessment for special-status plants where direct or indirect impacts could occur. If potential habitat for special-status plants is present, a qualified biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur within or near the Project where they may be directly or indirectly impacted by, for example, modifications to hydrological conditions. More than one year of surveys during appropriate conditions may be necessary. Surveys shall include visiting reference populations unless otherwise approved in writing by CDFW. Surveys and associated reporting shall be conducted according to CDFW's 2018 *Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (see: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>). The habitat assessment and survey reports shall be submitted to CDFW prior to the start of construction. Project activities shall not proceed until CDFW has provided written approval of the habitat assessment and survey reports. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If full avoidance is not possible, Project activities may not commence until the Project has consulted with CDFW and obtained CDFW's written approval, which may include topsoil salvage, transplanting, or habitat compensation.

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

**COMMENT 4:** Lake and Streambed Alteration Notification

**Issue, specific impacts, why they may occur and be potentially significant:**

The Project would include dewatering activities, riparian habitat and tree removal, and construction related activities within San Geronimo Creek and associated

riparian habitat which would result in temporary and potentially permanent habitat loss. If the Project evaluates alternative methods for pipe placement pursuant to MM-BIO-1, such as HDD, the stream could be impacted through an incidental release of drilling fluid (frac-out) from drilling activities, which would result in impacts to aquatic species. Therefore, the Project could result in a substantial reduction of stream and riparian habitat, which would be a potentially significant impact.

**Recommended Mitigation Measures:** To reduce impacts to streams and riparian habitat to less-than-significant and comply with Fish and Game Code section 1600 et seq., CDFW recommends including the below mitigation measure in the supplemental IS/MND.

*Mitigation Measure MM-BIO-5 (LSA Notification):* The Project shall notify CDFW pursuant to Fish and Game Code section 1600 et seq. for Project activities affecting San Geronimo Creek, and any other streams, or associated riparian habitat, and shall comply with the LSA Agreement, if issued. More information for the Notification process is available at <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>. The Project shall not commence activities with potential to impact the stream and riparian habitat until the LSA Notification process has been completed. An LSA Agreement, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources. The Project shall also obtain permits from the Regional Water Quality Control Board (RWQCB) and U.S. Army Corps of Engineers (USACE) pursuant to the Clean Water Act if applicable.

## ENVIRONMENTAL DATA

CEQA requires that information developed in EIRs 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 online field survey form and other methods for submitting data can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Plantsand-Animals>.

## FILING FEES

CDFW anticipates that the Project will have an impact on fish and/or wildlife, and assessment of filing fees is necessary (Fish & G. Code, § 711.4; Pub. Resources Code, § 21089). 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.

Carly Blanchard  
Marin Municipal Water District  
November 19, 2025  
Page 9

Questions regarding this letter or further coordination should be directed to Jordan Beaton, Environmental Scientist, at [Jordan.Beaton@wildlife.ca.gov](mailto:Jordan.Beaton@wildlife.ca.gov) or (707) 980-5172; or Melanie Day, Senior Environmental Scientist (Supervisory), at [Melanie.Day@wildlife.ca.gov](mailto:Melanie.Day@wildlife.ca.gov) or (707) 210-4415.

Sincerely,

Erin Chappell  
Regional Manager  
Bay Delta Region

**Attachment 1.** Draft Mitigation and Monitoring Reporting Plan

ec: Office of Land Use and Climate Innovation, (SCH No. 2025100945)

## ATTACHMENT 1

### Draft Mitigation and Monitoring Reporting Plan and Recommendations

| Biological Resources (BIO) |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                              |                   |
|----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|-------------------|
| Mitigation Measure (MM)    | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Timing                                                       | Responsible Party |
| BIO-1                      | <i>Special Status Fish Avoidance Evaluation:</i> The Project shall evaluate if dewatering activities and any other direct impacts to Coho salmon, California freshwater shrimp, and steelhead can be avoided, such as if installing the replacement pipes through trenchless techniques (e.g., HDD) is feasible. This method may better protect the pipes from future damage and reduce or eliminate the need to impact San Geronimo Creek, which is a highly sensitive habitat supporting the above CESA and federal ESA listed species and their CH, during pipeline installation and future maintenance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Prior to Ground Disturbance                                  | Project Applicant |
| BIO-2                      | <i>Special Status Fish Protection:</i> If dewatering activities or any other activities that may result in take of Coho salmon or California freshwater shrimp will occur, The Project shall obtain a CESA ITP from CDFW prior to commencing Project activities and shall comply with the ITP including but not limited to providing habitat restoration or compensation. The Project shall also consult with the USFWS or NMFS for any impacts to steelhead, California freshwater shrimp, and any other federally listed fish species.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Prior to Ground Disturbance and for Duration of Construction | Project Applicant |
| BIO-3                      | <i>Northern Spotted Owl Surveys:</i> No Project activities within 0.25 miles of potential Northern spotted owl nesting habitat shall occur between March 15 and July 31 unless a qualified biologist approved in writing by CDFW conducts Northern spotted owl surveys following the USFWS' Protocol for Surveying Proposed Management Activities That May Impact Northern Spotted Owls, dated (revised) January 9, 2012, unless otherwise approved in writing by CDFW. Surveys shall be conducted in accordance with Section 9 of the survey protocol, Surveys for Disturbance-Only Projects. If breeding Northern spotted owl are detected during surveys, CDFW shall be immediately notified and a 0.25-mile no-disturbance buffer zone shall be implemented around the nest until the end of the breeding season, or a qualified biologist determines that the nest is no longer active, unless otherwise approved in writing by CDFW. The Project shall obtain CDFW's written acceptance of the qualified biologist and survey report prior to Project construction occurring between March 15 and July 31 each | Prior to Ground Disturbance and for Duration of Construction | Project Applicant |

|              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                 |                          |
|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------|--------------------------|
|              | <p>year.</p> <p>Alternate buffer zones may be proposed to CDFW after conducting an auditory and visual disturbance analysis following the USFWS guidance, Estimating the Effects of Auditory and Visual Disturbance to Northern Spotted Owls and Marbled Murrelets in Northwestern California, dated October 1, 2020. Alternative buffers must be approved in writing by CDFW.</p> <p>If take of Northern spotted owl cannot be avoided, the Project shall consult with CDFW pursuant to CESA and obtain an ITP and also consult with USFWS pursuant to the federal ESA.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                 |                          |
| <b>BIO-4</b> | <p><i>Special Status Plant Surveys and Protection:</i> Prior to the start of Project activities, a qualified biologist shall conduct a habitat assessment for special-status plants where direct or indirect impacts could occur. If potential habitat for special-status plants is present, a qualified biologist shall conduct botanical surveys during the appropriate blooming period and conditions for all special-status plants that have the potential to occur within or near the Project where they may be directly or indirectly impacted by, for example, modifications to hydrological conditions. More than one year of surveys during appropriate conditions may be necessary. Surveys shall include visiting reference populations unless otherwise approved in writing by CDFW. Surveys and associated reporting shall be conducted according to CDFW's 2018 Protocol for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (see: <a href="https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&amp;inline">https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&amp;inline</a>). The habitat assessment and survey reports shall be submitted to CDFW prior to the start of construction. Project activities shall not proceed until CDFW has provided written approval of the habitat assessment and survey reports. If any special-status plant species are observed, the Project shall fully avoid direct and indirect impacts to all individuals and prepare and implement a CDFW-approved avoidance plan prior to Project activities. If full avoidance is not possible, Project activities may not commence until the Project has consulted with CDFW and obtained CDFW's written approval, which may include topsoil salvage, transplanting, or habitat compensation.</p> | <p>Prior to Ground Disturbance and for Duration of Construction</p>             | <p>Project Applicant</p> |
| <b>BIO-5</b> | <p><i>LSA Notification:</i> The Project shall notify CDFW pursuant to Fish and Game Code section 1600 et seq. for Project activities affecting San Geronimo Creek, and any other streams, or associated riparian habitat, and shall comply with the LSA Agreement, if issued. More information for the Notification process is available at <a href="https://wildlife.ca.gov/Conservation/Environmental-Review/LSA">https://wildlife.ca.gov/Conservation/Environmental-Review/LSA</a>. The Project shall not commence activities with potential to impact the stream and riparian habitat until the LSA Notification</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <p>Prior to Ground Disturbance and for Duration of Construction and Ongoing</p> | <p>Project Applicant</p> |

|  |                                                                                                                                                                                                                                                                       |                  |  |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--|
|  | process has been completed. An LSA Agreement, if issued, may include additional avoidance and minimize measures to protect fish and wildlife resources. The Project shall also obtain permits from the RWQCB and USACE pursuant to the Clean Water Act if applicable. | Dam<br>Operation |  |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|--|