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December 3, 2025

Michel Kadah
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Subject: MITIGATED NEGATIVE DECLARATION FOR THE KNOLLS ZONE WATER FACILITIES PROJECT, SCH NO. 2025101279, UNINCORPORATED VENTURA COUNTY, CA

Dear Michel Kadah:

The California Department of Fish and Wildlife (CDFW) reviewed the Mitigation Negative Declaration (MND) from the Ventura County Water Work District No. 8 (District) for the Knolls Zone Water Facilities Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

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

CDFW ROLE

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

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise

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

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

PROJECT DESCRIPTION SUMMARY

Proponent: Ventura County Waterworks District No. 8

Objective: The objective of the Project is to construct a welded steel aboveground tank (Crown Hill Tank) with associated piping, concrete pad, and electrical infrastructure. The tank will be approximately 74 feet in diameter and 35 feet high with a capacity of one million gallons. The objective of the tank is to improve water storage capacity and to provide more appropriate water pressure to higher elevation lots in the Knolls Pressure Zone. The Project would also include an approximately 545 foot long concrete access road (alignment can be seen as part of Figure 1), associated curbs and gutters, an 8-foot high and 13-foot wide metal gate, two retaining walls (90 feet long and 3-5 feet high; 170 feet long and 2-5 feet high), 10-inch welded steel inlet and outlet pipelines (to connect with neighboring Alta Vista Tank 2), and landscaping. The Project may also include the demolition of the Alta Vista Tank No. 1. Primary Project activities include vegetation removal, open trench excavation, grubbing, grading, demolition, and construction. Construction would occur over approximately 14 months. It is anticipated that maintenance activities will occur every five years. The tank's lifetime is approximately 50 years.

Location: The Project site is located on Assessor's Parcel Numbers (APN) 646-016-207, 646-016-106, and 646-016-102 (Viewed on Ventura County View Website 2025) in the unincorporated community of Santa Susana along the southern City limits of Simi Valley. The Project site is south of Highway 118 and located within the Simi Valley Groundwater Basin. The Project site is directly surrounded by single family residences to the north, east, and west; and undeveloped areas to the south. Further out to the east, south, and northwest of the Project site are California Protected Lands³.

Biological Setting: The Project site consists of three parcels totaling approximately 1.16 acres. The Project site encompasses approximately 0.6 acre along a north facing slope. Elevations range from 1,377 feet above sea level at the northern boundary and 1,464 feet above sea level at the site's southern boundary. The surrounding vegetation

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."

³ Lands that are owned in fee and protected for open space purposes by public or non-profit organizations.

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communities include deerweed-silver lupine-yerba santa scrub alliance, California sagebrush scrub, and non-native wild oats and brome grassland. The deerweed-silver lupine-yerba santa scrub alliance is prominent in the southern portion of the Project site, bordering the access route and proposed tank location. The California sagebrush scrub alliance is located between the proposed tank location and the access route. Non-native wild oats and annual brome grasslands are present to the east of the access road which also bears evidence of disturbance through vegetation management practices. Soils are characterized only as loam soils in the Gaviota rocky sandy loam, 15-50% slope series. This soil is not hydric and is well drained. There is a drainage feature directly to the east of the Project site.

Rincon Consultants, Inc. conducted a biological reconnaissance field survey on September 24, 2024. The length and timing were not specified. Sensitive species that are of potential concern for the Project include, but are not limited to:

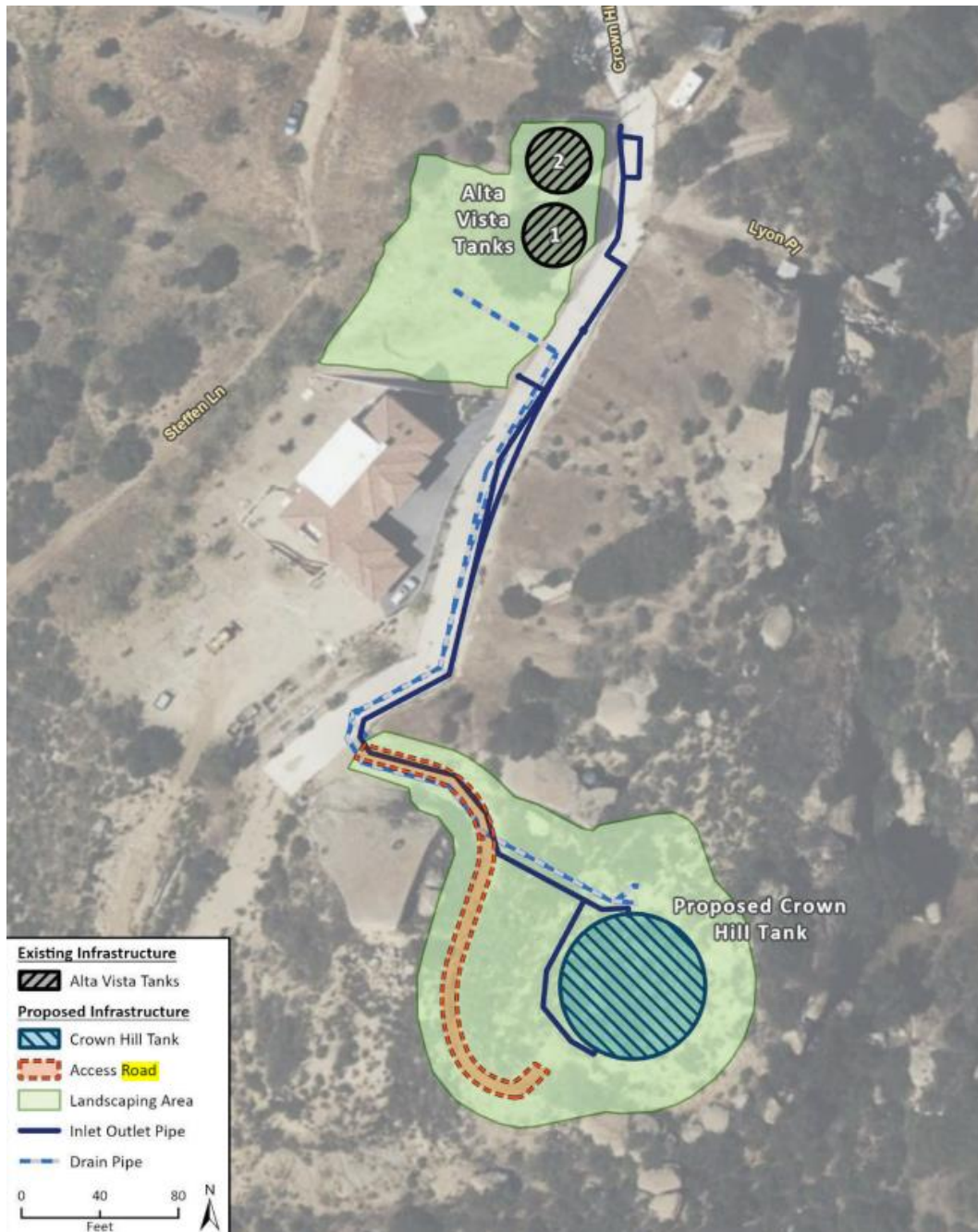
Crotch's bumble bee (*Bombus crotchii*; CESA listed-candidate endangered), coast horned lizard (*Phrynosoma blainvillii*; species of special concern (SSC)), western whiptail; (*Aspidoscelis tigris*; SSC), Blainville's horned lizard (*Phrynosoma blainvillii*; SSC), coastal California gnatcatcher (*Poliophtila californica californica*; Endangered Species Act (ESA-) listed and SSC), rufous-crowned sparrow (*Aimophila ruficeps*; SSC), Nevin's barberry (*Berberis nevinii*; state endangered, California rare plant ranking (CRPR) 1B.1), Brauton's milk vetch (*Astragalus brauntonii*, state endangered, CRPR 1B.1), Santa Susana tarplant (*Deinandra minthornii*; state rare, CRPR 1B.2), slender mariposa lily (*Calochortus clavatus* var. *gracilus*; CRPR 1B.2), chaparral nolina (*Nolina cismontane*; CRPR 1B.2), and Plummer's mariposa lily (*Calochortus plummerae*; CRPR 4.2).

The MND provides mitigation measures BIO-1 to BIO-6 to protect potentially present special status plant and wildlife species. BIO-2 is a measure that can aid in the avoidance of all potentially present species by the implementation of a Worker Environmental Awareness Program (WEAP). BIO-1 and BIO-3 relate to the identification and avoidance of rare plants through delineating the work area (BIO-1) and conducting pre-construction surveys (BIO-3). Surveys under BIO-3 will utilize CNPS's Botanical Survey Guidelines, CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, and USFWS's Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed, and Candidate Plants. BIO-3 also states that if rare plants are found, they will be flagged for avoidance. If avoidance is not possible, a qualified botanist will prepare salvage, relocation, or propagation and monitoring plan before construction is initiated. BIO-4 relates to the identification and avoidance of Crotch's bumble bee through pre-construction surveys using CDFW's guidelines for the species. If the species is found in or surrounding the Project area then buffers and consultations with agencies will be employed. BIO-5 relates to the protection and avoidance of nesting birds through avoidance of the nesting bird season or through conducting pre-construction surveys if work is anticipated within the nesting window (January 1-

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September 15). Buffers and monitoring guidelines were also provided as part of BIO-5. BIO-6 provides specific surveying, avoidance, and mitigation for coastal California gnatcatcher. Mitigation for coastal California gnatcatcher include mitigating at a 2:1 ratio for permanent impacts to occupied habitat or at a 1:1 ratio for temporary impacts to occupied and unoccupied habitat.

Figure 1. Project site map and elements



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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. Additional comments or other suggestions may also be included to improve the document.

COMMENT # 1: Impacts to Crotch's Bumble Bee

Issue: The Project may impact suitable nesting and foraging habitat for Crotch's bumble bee. The MND did not provide sufficient mitigation measures to minimize impacts to Crotch's bumble bee and its associated habitat.

Specific impact: The Project may result in direct and indirect impacts to Crotch's bumble bee. Direct impacts may result due to vegetation clearing, grading, cement pad/road installation, and overall construction. Indirect impacts may result due to increased noise, vibration, and human activity throughout the life of the Project. Project activities associated with the construction can lead to direct take of Crotch's bumble bee.

Why impact would occur: According to CDFW's Crotch's Bumble Bee Range – CDFW [ds3095] dataset⁴, the Project site lies within the current range for Crotch's bumble bee (CDFW 2025a). Grassland and chaparral habitat within the Project site may provide suitable habitat to support Crotch's bumble bee (CDFW 2025b). Crotch's bumble bees primarily nest in late February through late October underground in abandoned small mammal burrows, although burrows were not found on site during the reconnaissance survey, the species may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2012). Likewise, within the CEQA document it was stated that reconnaissance surveys were performed; however, the weather conditions, methodology, and duration were not disclosed within the Initial Study (IS). Therefore, animal burrows may have been present but not detected as part of the survey. Given that the Project site is in the current range and has suitable habitat, there is potential for this CESA candidate species to be present.

CDFW appreciates the incorporation of MM BIO-4 to address impacts to Crotch's bumble bee. As currently written, the measure proposes pre-construction surveys within suitable habitats at the Project site and within a 50-foot buffer. The measure also states that a no-disturbance buffer zone shall be established around the active nest colony until it is determined the nest is no longer active. Elsewhere within the document, but

⁴ Dataset represent the range for Crotch's Bumble Bee. The range is defined as the maximum geographic extent of *B. crotchii* based on occurrence records through 2024 from the Bumble Bees of North America Occurrence Record Database (Richardson 2023), California Natural Diversity Database (CNDDB), and other datasets submitted directly to CDFW.

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not included within BIO-4, it was stated that if impacts to individuals cannot be avoided that the District would seek to obtain an Incidental Take Permit (ITP).

CDFW has concerns that pre-construction surveys associated with BIO-4 are not sufficient to assess potential habitat nor prove presence or absence. Likewise, nests are often difficult to locate, and dispersal distance of the species is not yet known. Absent of protocol surveys, presence should be assumed based on the suitable nesting and foraging habitat surrounding the site. If the Project proceeds without appropriate focused surveys, the Project may result in mortality and/or injury of undetected individual Crotch's bumble bee that may be present during Project activities. The Project's ground and vegetation disturbance could result in potentially significant impacts to Crotch's bumble bee, including changes in foraging behavior; burrow collapse; nest abandonment; reduced nest success; reduced health and vigor of eggs, young, and/or queens; and direct mortality.

Evidence impact may be significant: The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. 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. Accordingly, the Project may 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 the CDFW or USFWS.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #1: Crotch's Bumble Bee and Mitigation Measure BIO-4

CDFW recommends the District revise Mitigation Measure BIO – 4 to incorporate the underlined language and remove the language in strikethrough:

The project applicant shall retain a qualified biologist with appropriate handling permits to conduct protocol-level surveys following CDFW's [Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species](#) (CDFW 2023c). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW and the District prior to implementing Project ground-disturbing activities. If Crotch's bumble bee is detected on site, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the District prior to implementing Project ground-

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~~disturbing activities and vegetation removal. Pre-construction surveys for Crotch's bumble bee, including ground nests, shall be conducted within all suitable habitats adjacent to the project site within the 50-foot buffer before initial ground disturbing activities (e.g., grubbing/removing vegetation, excavation, grading, construction). These surveys aim to identify individuals and/or active nest colonies in areas adjacent to the site. The pre-construction surveys shall follow the methodologies set out in the CDFW Survey Considerations for CESA Candidate Bumble Bee (CDFW 2023) or other survey methodology approved by CDFW. If the pre-construction surveys identify individuals or active nest colonies adjacent to the project footprint:~~

- ~~• An appropriate no-disturbance buffer zone shall be established around the active nest colony to reduce the risk of disturbance or accidental take. The buffer distance shall be established by a qualified biologist.~~
- ~~• The project proponent/operator shall consult with a qualified biologist to discuss considerations and recommendations on implementing project activities to avoid take of Crotch's bumble bee.~~

~~If an avoidance buffer is required as described above, construction activities shall not occur within that buffer zone until a qualified biologist determines the nest to no longer be active (i.e., no Crotch's bumble bee are seen flying in or out of the nest for three consecutive days [during suitable weather conditions when Crotch's bumble bee are typically active] indicating the colony has completed its nesting season and the queens have dispersed from the colony), after which construction activities may resume within that buffer zone~~

Mitigation Measure #2 No Net Loss of Habitat

If California Fish and Game Commission does not list Crotch's bumble bee under CESA, it will still remain an invertebrate of conservation priority under the [California Terrestrial and Vernal Pool Invertebrates of Conservation Priority](#). Thus, there shall be no net loss of suitable habitat for Crotch's bumble bee. The District shall offset impacts on habitat for Crotch's bumble bee at no less than 2:1, so there is no net loss of suitable habitat.

Recommendation #1: CEQA for Crotch's Bumble Bee

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

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COMMENT # 2: Impacts to Santa Susana Tarplant and other Rare Plants

Issue: The Project is located in a region that supports Santa Susana tarplant (CRPR 1B.2, state rare). The species was not mentioned within the CEQA document as having potential occurrence. Likewise, only one reconnaissance survey of an unknown duration and methodology was performed as part of the IS. No Biological Resource Assessment was provided as part of the CEQA submission.

Specific impact: The Project may result in direct take of Santa Susana tarplant due to Project activities (i.e. vegetation clearing, grading, and construction). Santa Susana tarplant is afforded all of the protections of CESA as a 1B.2 ranked rare plant. Take of the species is thus prohibited.

Why impact would occur: Santa Susana tarplant is endemic only to western Los Angeles County and eastern Ventura County (Calscape 2025). Santa Susana tarplant grows in coastal sage scrub and chaparral habitats and can be found on rocky outcroppings and in sandstone crevices often at elevations from 980-1,640 feet above sea level (Calscape 2025). The Project site is characterized within the CEQA document as meeting these habitat conditions. Likewise, population occurrences have been recorded in the surrounding area on the California Natural Diversity Database (CNDDDB) (CDFW 2025d, Figure 2). Many observations on iNaturalist have also been recorded in the surrounding area including one observation made in 2023 less than 500 feet from the construction site of the proposed Crown Hill Tank and less than 300 feet from the Alta Vista Tank 1 demolition site (iNaturalist 2025). Given that the Project site is in the current range, has suitable habitat, and the species has been recorded by multiple databases, there is potential for this CESA-protected, rare plant to be found in and around the impact site. The nature of the proposed Project could remove rare plants and habitat supporting rare plants.

CDFW acknowledges and appreciates the incorporation of MM BIO-3 to address impacts to rare plants. As currently written, the measure proposes pre-construction surveys for rare plants specifically during May through July. Surveys will utilize CNPS's Botanical Survey Guidelines, CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities, and USFWS's Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants. The measure also states that if rare plants are found, they will be flagged for avoidance. If avoidance is not possible, a qualified botanist will prepare salvage, relocation, or propagation and monitoring plan before construction is initiated.

CDFW has concerns with MM BIO-3 as it specifies May through July as the target blooming period. Santa Susana tarplant has a blooming period between July and November; the above-mentioned surveying period would not be optimal for Santa Susana tarplant. Transplant relocation is also not an appropriate method of conservation for this species. In a recorded instance where transplanting was attempted

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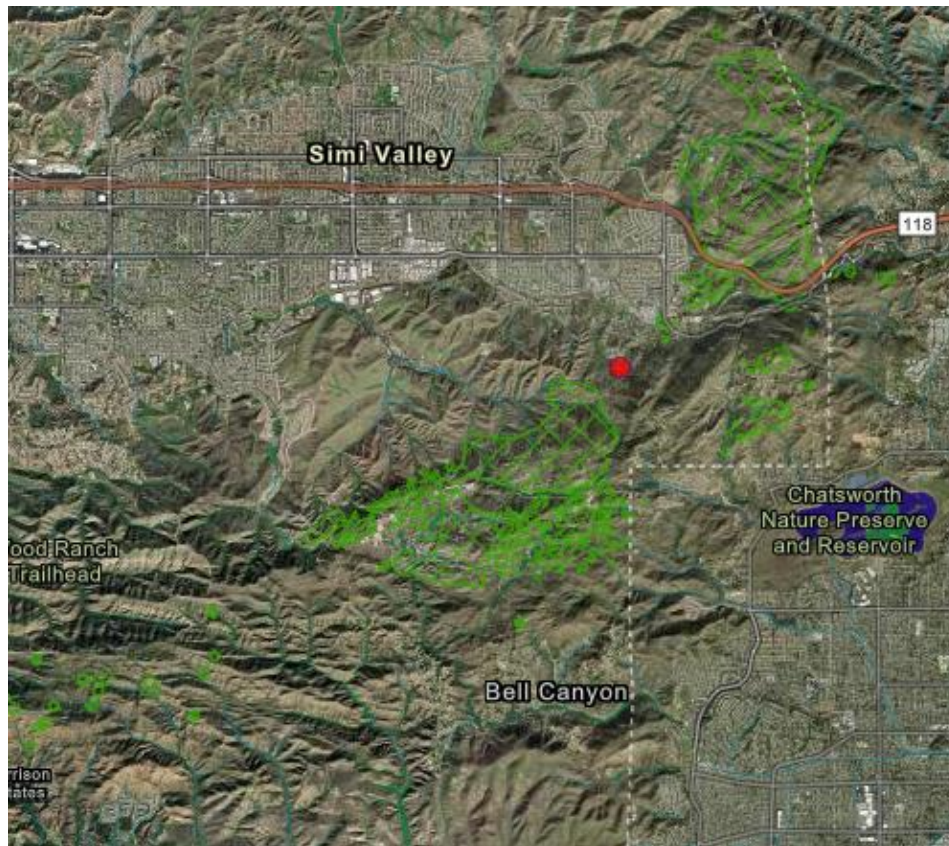
due to the construction of an unrelated water tank in the City of Chatsworth, only 9 of the 55 individual Santa Susana tarplants survived (LA Times 1989). Thus, CDFW would not consider salvage and relocation an appropriate or sufficient mitigation measure for the species.

Given the potential occurrence and lack of success with relocating Santa Susana tarplant, CDFW is of the opinion that BIO-3 (pre-construction surveys in conjunction with avoidance buffers and/or salvage and relocation) is not sufficient in mitigating the Project impacts below the threshold of significance. If the Project proceeds with BIO-3 as the only mitigation measure to protect Santa Susana tarplant, the Project may result in take of the species present in or around the Project site.

The Project would result in direct physical changes to the environment (i.e. grading, excavation, vegetation removal, landscaping, laying concrete foundation). The Project could also indirectly impact Santa Susana tarplant and other rare plants by introducing additional edge effects. Edge effects that could impact rare, special status, and sensitive biological resources include encroachment; introduction of non-native plants and pests (e.g. Argentine ants); and fuel modification.

Figure 2. CNDDDB query of Santa Susana tarplant within the Biogeographical Information and Observation System (BIOS; CNDDDB 2025e). The red dot denotes the Project site while the green cross hatched polygons denote recorded CNDDDB observations of the species.

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Evidence impact may be significant: 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). Plants with a CRPR of 1B are rare throughout their range, endemic to California, and are seriously or fairly threatened. Impacts to any sensitive or special status species should be considered significant under CEQA unless they are clearly mitigated below a level of significance. The Project and environmental document should be conditioned to avoid and/or mitigate for potential impacts to special-status plants if present. Inadequate avoidance, minimization, and mitigation measures for impacts to sensitive or special status species will result in the Project continuing to have a substantial adverse direct, indirect, and cumulative effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species by CDFW.

Recommended Potentially Feasible Mitigation Measure(s)

Mitigation Measure #3: Rare Plant Surveys

CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough:

A qualified botanist shall be retained by the District or its contractor to conduct a preconstruction survey on the project site for special-status plant species during the

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appropriate species-specific identification periods for Nevin's barberry, Brauton's milk vetch, Santa Susana tarplant, slender mariposa lily, chaparral nolina, Plummer's mariposa lily, and any other special status or rare plant which may occur in or around the project site, specifically, May through July when the plants are in bloom, and within one year before ground disturbance. The survey will be in accordance with CNPS's Botanical Survey Guidelines (CNPS 2001), CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018), and USFWS's Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 1996).

If the survey confirms that no special-status plant species are present on the project site, no further actions will be required. If the plant survey reveals the presence of special-status plants on the project site, individuals will be flagged for avoidance during construction all occurrences of special status species will be mapped and occurrences within 100 feet of the project activities shall be flagged in the field. A minimum 50-foot buffer shall be placed around all known locations of special-status species within 100-feet of project activities to avoid potential impacts to seed banks and microhabitats that support the species. These buffers shall be flagged/fenced and avoided during Project activities. ~~If the individuals or populations cannot be avoided during construction any phase of the Project,~~ the District or its contractor will retain a qualified botanist or restoration ecologist to prepare a plan to offset impacts to the species salvage, relocation, or propagation and monitoring plan for special status plants before construction is initiated. The plan will include restoration, management, maintenance, and monitoring plans developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW before the start of Project activities and with sufficient time for CDFW to conclude their review. The plan may include methods such as salvage, relocation, or propagation and monitoring for special status plants (Santa Susana tarplant will not be salvaged and relocated). The plan will include provisions that address the techniques, location, and procedures required for the successful establishment of the plant populations. The plan will include provisions for performance that address survivability requirements, maintenance, monitoring, implementation, adaptive management, and the annual reporting requirements. All directly impacted special-status plants will be documented by a qualified botanist. Documentation of impacts special-status plants will include locations, quantity, density and percent cover; key habitat characteristics, including soil type, associated species, hydrology, and topography; and photo documentation of preconstruction conditions. Salvaged or propagated plants will be relocated and protected in perpetuity.

If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the District shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy that complies with CESA.

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Recommendation #2: CEQA

The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impacts on Santa Susana tarplant. If the Project may impact Santa Susana tarplant, the MND should be amended to incorporate more specific measures to minimize and/or mitigate potential impacts to Santa Susana tarplant 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 #3: Weed Management Plan

Weed management plans should be developed for all Project areas and implemented both during, and for at least 3 years post-Project. Non-native weeds including noxious weeds (as listed by the [California Invasive Plant Council](#)) (CALIPC 2025) should be prevented from becoming established to control the local spread of invasive plants, both during and after construction. Site visits should be conducted monthly and weekly during the rainy season. The Project areas should be monitored via mapping for new introductions and expansions of non-native weeds. Annual threshold limits, eradication targets, and monitoring should be included in this plan. Monitoring for spread of invasive weeds to adjacent lands should also be included.

COMMENT # 3: Impacts to Coast Live Oak

Issue: CDFW is concerned that the Project may impact individual coast live oaks, a locally important species.

Specific impact: Two coast live oaks are also present along the outer boundary of the Project site(s). It is unclear if Project impacts will cause a decline in the health of the oaks. Impacts to oaks can occur due to construction, grading, grubbing, excavation, and through placement of impermeable surfaces.

Why Impact Would Occur: The MND does not include any avoidance or minimization BIO-Measures specific to oak trees. Within the MND it states, "No ground disturbing activity is planned within 5 feet of the oak trees' dripline or within 15 feet of the trees' root zone from the trunk." However, specific BIO-Measure(s) were not provided to further explain methods to ensure avoidance and minimization of impacts. The oaks individual locations/canopy cover were also not plotted within a figure in relation to the impact areas. Therefore, CDFW cannot assess whether the above proposed distances are accurate or sufficient to protect the integrity of the oaks.

The CEQA document also states, "Mature native trees, including oaks, are protected by the City of Simi Valley Mature Tree Preservation Ordinance, the Ventura County Tree Protection Ordinance, and the Ventura County Non-Coastal Zoning Ordinance."

However, the sizes were not disclosed within the CEQA document, so it is unclear if the oaks meet the requirements or definitions of "mature trees." If the oaks described within

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the CEQA document are exempt from local tree protection ordinances, note that the Project is not exempt from State laws and Fish and Game code. Coast live oak and coast live oak woodland is considered locally important and should be avoided by Project activities. If avoidance is not possible, coast live oak woodland and individual coast live oaks should be mitigated for to achieve a no net-loss of habitat/individuals. Finally, an arborist report was not provided to discuss the current health of the oaks. A baseline should be taken before Project activities to inform future monitoring.

Without more specific species information CDFW is not able to adequately assess environmental impacts or the adequacy of proposed avoidance, minimization, or mitigation measures.

Evidence Impact Would Be Significant: Due to the historic and on-going loss of this ecologically important vegetation community, oak trees and woodlands are not only protected by local ordinances but State ordinances as well. CDFW considers oak woodlands a sensitive vegetation community. Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California. Oak trees provide nesting and perching habitat for approximately 170 species of birds (Griffin and Muick 1990). Coast live oak and old-growth oak trees (native oak tree that is greater than 15 inches in diameter) are of importance due to increased biological values and increased temporal loss. Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle (CalPIF 2002). Large oak trees in oak woodland habitats are important for cover, nesting sites for cup nesting species and cavity nesting species, as well as caching sites for birds storing acorns (CalPIF 2002). Oak woodlands also serve several important ecological functions important within an ecosystem such as protecting soils from erosion and land sliding; regulating water flow in watersheds; and maintaining water quality in streams and rivers. Impacts to sensitive natural communities should be considered significant under CEQA unless they are clearly mitigated below a level of significance. CDFW considers oak woodlands to be a sensitive plant community. Oak trees and woodlands are protected by the Oak Woodlands Conservation Act (pursuant under Fish and Game Code sections 1360-1372) and Public Resources Code section 21083.4 due to the historic and ongoing loss of these resources. Moreover, [CDFW's Areas of Conservation Emphasis – Significant Habitats](#) dataset includes oak woodlands as a Terrestrial Significant Habitat based on its priority for conservation and acquisition planning for some counties, local jurisdictions, and the Wildlife Conservation Board (CDFW 2025f).

Recommended potentially feasible mitigation measure(s):

Mitigation Measure #4: Tree protection signs should be erected around all tree groups with canopies that fall within 20 feet of construction activities. Fencing or flagging should be placed along the dripline and an additional 5 feet (protected tree zone) in areas of potential impact. For any trees that would be encroached upon by construction activities, fencing shall be placed as far away from trunk of the tree as possible while still allowing the required construction activities to proceed.

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Mitigation Measure #5: A pre-construction tree protection training should be delivered between the contractors and arborist. The arborist will instruct the contractors on tree protection practices. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving training. This training should include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices.

Mitigation Measure #6: The District should work with an arborist to conduct an Arborist study to compose a tree monitoring plan. The Arborist Study should be conducted within portions of the project footprint occurring within 20 feet of the canopy drip line of protected trees. The study should plot the location of protected trees within this zone and identify each protected tree and any trees to be impacted. Monitoring should occur during Project activities and following the Project. Monitoring should be conducted on a monthly basis. The Arborist Report should be prepared by a Certified Arborist in compliance with the County of Ventura ordinance guidelines. The Arborist Report should include the following at minimum:

- An inventory of all trees containing a canopy drip line within 20 feet of the project footprint. Inventory data should record, at minimum: diameter at breast height (DBH), height, canopy cover information/mapping, health and vigor rating.
- Photographs of each regulated tree which may be encroached upon by the Project.
- Description of proposed site development activities including, but not limited to, excavation, any tree trimming, and construction access routes.
- A project-specific Tree Protection Plan should be prepared which would include site plans, protective tree fencing, the designated tree protection zone (identifying an area sufficiently large enough to protect the tree and its roots from disturbance), activities prohibited/permitted within the tree protective zone, encroachment boundaries, and potential transplanting or replacement tree plantings.

Mitigation Measure #7: Replacement for individual trees with a diameter at breast height (DBH) between 12-24 inches should be mitigated for at a ratio of 5:1. Trees with a DBH greater than 24 inches should be mitigated at a 10:1 ratio.

Mitigation Measure #8: Prior to removing any oak or the understory vegetation, the District should prepare an Oak Tree Restoration Plan. The Oak Tree Restoration Plan should prescribe the following:

- 1) Species-specific planting methods;
- 2) Planting schedule;
- 3) Measures to control exotic vegetation and protection from herbivory;
- 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be

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based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites;

- 5) Contingency measures if the success criteria is not met;
- 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation;
- 7) Adaptive management techniques, including replacement plants if necessary; and
- 8) Annual reporting criteria and requirements.

Mitigation Measure #9: For off-site mitigation, the District should protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established, transferred, or otherwise executed prior to any ground-disturbing activities and vegetation removal.

Recommendation #4: CDFW recommends avoiding impacts to natural vegetation communities or individual coast live oaks. Possible reconfiguration of Project elements or disturbance areas could lessen impacts to individual coast live oak and coast live oak communities.

ADDITIONAL COMMENTS

Recommendation #5: Coastal California Gnatcatcher and Mitigation Measure BIO-6:

CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough:

Before the start of construction, the District or its contractor shall retain a qualified biologist to conduct protocol coastal California gnatcatcher surveys in accordance with the guidelines issued by the USFWS (USFWS 1997). Surveys shall be conducted by a USFWS-permitted biologist before the start of construction. The results of the survey shall be provided in a report to USFWS within 45 days of completion of the survey, and no less than 30 days before the start of groundbreaking activities.

If protocol surveys determine that occupied suitable habitat is present in the project footprint plus a ~~300~~500-foot buffer ~~where accessible~~, the following measures shall be implemented during project construction to avoid or minimize direct take of coastal California gnatcatcher:

1. All grubbing or grading taking place within occupied suitable habitat of the coastal California gnatcatcher (defined as within ~~300~~500 feet of any gnatcatcher sightings) during construction shall be conducted from September 1 through February 14, which is outside the coastal California gnatcatcher breeding season.

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2. When conducting any construction activities during the coastal California gnatcatcher breeding season, February 15 through August 30, within or adjacent to occupied coastal California gnatcatcher habitat, a USFWS permitted biologist shall survey for nesting coastal California gnatcatcher approximately once per week within ~~300-500~~ feet of the construction area, ~~where accessible~~, for the duration of the activity in that area during the breeding season.
3. If an active nest is located, a ~~300-500~~ foot avoidance buffer shall be established around each nest site; however, there may be a reduction of this buffer zone depending on site-specific conditions such as topography, line-of-sight to the nest, or the existing ambient level of activity. The District shall contact USFWS to determine the appropriate buffer zone. No construction shall take place within this buffer until the biologist can verify that the nest is no longer active.
4. Conspicuous construction fencing shall be maintained in place to protect all habitat outside the approved construction area until the conclusion of construction. Before commencement of grading, the project biologist shall confirm with the contractor or a licensed surveyor that the construction fencing has been placed at the outer edge of the construction area.
5. All construction activities shall take place only on the construction side (i.e., inside) of the fenced area. Grading materials shall be stored either inside the fenced development area or in an area approved by the project biologist.
6. A biological monitor familiar with coastal California gnatcatcher and its habitat shall be present during all vegetation clearing and other activities within coastal sage scrub and shall monitor the project to ensure that there are no unanticipated impacts to the species and its habitat.
7. Access to the site shall be via pre-existing access routes to the greatest extent possible.
8. All active coastal California gnatcatcher nests shall be reported within 24 hours to the USFWS upon detection.
9. The biological monitor shall halt work if it is determined that active nests would be disturbed by construction activities, until further direction or approval to work is obtained from the appropriate agencies.
10. The project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site.
11. In the event that coastal California gnatcatcher individuals or occupied habitat cannot be avoided and incidental take is expected, the District or its contractor shall obtain necessary take authorization from the USFWS.

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CDFW also recommends the District incorporate the Mitigation proposal included within the MND into a BIO-6 or a separate BIO-Measure. CDFW recommends the District revise the proposal to incorporate the underlined language and remove the language in strikethrough:

Impacts requiring mitigation include permanent and temporary impacts to occupied and unoccupied habitat. Permanent and temporary impacts to occupied habitat shall require acquisition and preservation of occupied habitat off site at a location approved by USFWS. Mitigation for permanent and temporary impacts to occupied coastal California gnatcatcher shall be at a ratio of 2:1 for preserved to impacted habitat. In the event occupied habitat is not available at an off-site location, mitigation credits shall be purchased at a USFWS-approved mitigation bank. ~~Temporary impacts to occupied habitat and~~ Impacts to all unoccupied habitat (as determined by protocol surveys) shall be mitigated at a 1:1 ratio and can include 1:1 on-site restoration and 1:1 acquisition and preservation of occupied habitat off site.

Coastal sage scrub habitat that is not designated for removal shall be avoided and protected with appropriate buffer zones marked with high-visibility material. Project work areas shall be clearly flagged or similarly marked at the outer boundaries to define the limit of work activities. No unauthorized entry or construction disturbance shall be permitted within protective buffer zones.

Recommendation #6: Alliance-level Vegetation Mapping:

The MND states, “At the proposed Crown Hill Tank site, approximately 50 percent of existing vegetation within 10 feet of the access roadway and tank pad would be removed.” However, this vegetation removal impact area is not represented in any figures nor is there an alliance-level vegetation map which depicts areas of impact in relation to vegetation communities. Likewise, other project elements were not included within a map such as the metal gate alignment and other Project elements. CDFW recommends surveying the project footprint and fuel modification area (if applicable) to produce an alliance-level plant communities map. Vegetation surveys should be conducted following systematic field techniques outlined by CDFW's *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (CDFW 2018g). To determine the rarity ranking of vegetation communities on a specific Project site(s), CDFW utilizes vegetation descriptions found in the *Manual of California Vegetation* (MCV). The MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system (found online at <http://vegetation.cnps.org/>). CDFW recommends the environmental document provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.

1. The MND should provide a detailed map (1:24,000 or larger) showing which plants or populations will be impacted and provide a table that clearly documents

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the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species).

2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques.
3. Additionally, considerations should be made regarding timing of these field surveys to ensure accuracy in determining what plants exist on site. Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities and will guide the development of minimization and mitigation measures (CDFW 2018g).

Recommendation #7: BIO-5 Nesting Bird Pre-Construction Survey and Impact Avoidance:

CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough:

To avoid impacting active bird nests, juveniles or adults, project activities, including vegetation clearing and tree removal, shall be conducted outside of the breeding season (February 1 through September 15, and as early as January 1 for some raptors) to the extent feasible.

If project activities occur between January ~~February~~ 1 and September 15, a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than 5-7 days prior to initiation of ground disturbance and vegetation removal. ~~before the activity to survey for bird nests.~~ The survey area shall include the project footprint and a 300-~~100~~-foot buffer for passerine species and a 500-~~300~~-foot buffer for coastal California gnatcatcher and raptor species. If construction lapses for five days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. Following the survey, the following shall be implemented:

- A nesting bird survey report shall be submitted to the District prior to the initiation of project activities. The report shall detail the results of the survey

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including identification of the location of any active nests and shall describe any nest monitoring that shall be conducted and/or whether any avoidance buffers shall be established.

- If active nests are identified during the survey and/or work is scheduled to take place within 300 ~~100~~ feet of active passerine nests or 500~~300~~ feet of active coastal California gnatcatcher and raptor nests, a qualified biologist shall determine appropriate avoidance buffers. The buffer shall be the minimum distance required to avoid take of the nest and shall be determined based on the species identified, activities proposed, level of existing noise, and location of the nest.
- A qualified biologist shall determine when nesting is completed and when any avoidance buffers may be removed.
- If nesting bird monitoring is conducted, a nesting bird monitoring report shall be submitted to the District detailing the results of monitoring activities and measures implemented that avoided impacts to the nest. The report shall be submitted within 30 days of the completion of the nesting bird monitoring.

Recommendation #8: BIO-Measures for Special Status Herpetofauna:

The MND does not provide any BIO-Measures specifically to avoid and minimize impacts to special status herpetofauna which may be present in or around the Project area. CDFW recommends additional BIO-Measures are added and included to minimize potential impacts. These measures may include focused surveys for species likely to occur within the Project site(s). Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.

Recommendation #9: Potential Impacts to Bat Species

It is not clear how the existing Alta Vista 1 water tank will be removed as the method of demolition was not explained within the MND. However, CDFW recommends providing BIO-Measures for bat species to protect them from utilizing the tanks at any point in the Project's lifetime. This may include surveys before demolition and ensuring there are screens on any areas that may potentially allow bats to enter the constructed Crown Hill tank.

Recommendation #10: Tree Removal and Mitigation:

It is not clear if the proposed replacement following the removal of ten trees is sufficient to mitigate impacts. The type of trees and their DBH were not disclosed within the MND. Planting of four replacement trees is proposed; however, it does not specify the

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proposed species. At minimum, trees should be replaced at a 1:1 ratio; however, this does not address temporal impacts. CDFW recommends that the District disclose the type of trees slated for removal, their DBH, the specific species proposed for replacement, and a planting and monitoring plan to track the success of these plantings. CDFW also recommends increasing the number of trees to be planted to address the temporal loss of nesting habitat and to ensure impacts are mitigated below the threshold of significance.

Recommendation #11: LSA:

Within the MND it states, “No federal or state jurisdictional waters exist within the project site; as such, no impacts would occur on State or federally protected wetlands.” However, a drainage feature is present to the east/north east of the tank construction site. If any construction, vegetation removal, or fuel modification may impact the bed, bank, channel, or associated vegetation of the drainage, CDFW recommends submitting a Lake and Streambed Alteration Notification.

CDFW exercises its regulatory authority (Fish and Game Code, section 1600 *et seq.*) to conserve fish and wildlife resources which includes 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:

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

Recommendation #12: Fuel Modification:

If the Project includes fuel modification, CDFW recommends that the final environmental documents include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area(s). A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones do not allow for the introduction of invasive Argentine ants. Monitoring should also include parameters to identify possible introduction of Argentine ants.

Recommendation #13: Native Landscaping:

CDFW recommends the District provides a planting palette to CDFW, specifying the vegetation that will be used as landscaping for this Project. The Project proponent should use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project proponent should not plant, seed, or otherwise introduce nonnative, invasive plant species to areas that are adjacent to

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and/or near native habitat areas. CDFW recommends the Project proponent restrict use of any species, particularly 'moderate' or 'high' listed by the [California Invasive Plant Council](#). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

Recommendation #14: Invasive Pests and Diseases:

If the Project activities require remove of vegetation that could host pest species, the District should work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: [thousand canker disease](#) (USDA 2025), [polyphagous shot hole borer](#) (UCANR 2025), and [goldspotted oak borer](#) (UCIPM 2021). If invasive pests and/or diseases are detected, the District should provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site(s) without first being treated using best available management practices relevant for each tree disease observed.

Recommendation #15: Mitigation and Monitoring Reporting Plan:

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

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The [CNDDDB website](#)⁵ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

⁵ <https://wildlife.ca.gov/Data/CNDDDB>

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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](#)⁶.

The District should ensure data collected for the preparation of the MND is properly submitted.

FILING FEES

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

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the District in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the District 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 Angela Castanon⁷, Environmental Scientist.

Sincerely,

DocuSigned by:

5991E19EF8094C3...

Victoria Tang
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Frederic (Fritz) Rieman, Senior Environmental Scientist (Supervisor)

⁶ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

⁷ Phone: 626-513-6308; Email: Angela.Castanon@wildlife.ca.gov

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Angela Castanon, Environmental Scientist

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

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

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

Mitigation Measure	Timing	Responsible Party
Mitigation Measure #1: Crotch’s Bumble Bee and Mitigation Measure BIO-4 CDFW recommends the District revise Mitigation Measure BIO – 4 to incorporate the underlined language and remove the language in strikethrough: <u>The project applicant shall retain a qualified biologist with appropriate handling permits to conduct protocol-level surveys following CDFW’s Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023c). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch’s bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW and the District prior to implementing Project ground-disturbing activities. If Crotch’s bumble bee is detected on site, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the District prior to implementing Project ground-disturbing activities and vegetation removal.</u> ~~Pre-construction surveys for Crotch’s bumble bee, including ground nests, shall be conducted within all suitable habitats adjacent to the project site within the 50-foot buffer before initial grounddisturbing activities (e.g., grubbing/removing vegetation, excavation, grading, construction). These surveys aim to identify~~	Prior to Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
~~individuals and/or active nest colonies in areas adjacent to the site. The pre-construction surveys shall follow the methodologies set out in the CDFW Survey Considerations for CESA Candidate Bumble Bee (CDFW 2023) or other survey methodology approved by CDFW. If the pre-construction surveys identify individuals or active nest colonies adjacent to the project footprint:~~ ~~• An appropriate no disturbance buffer zone shall be established around the active nest colony to reduce the risk of disturbance or accidental take. The buffer distance shall be established by a qualified biologist.~~ ~~• The project proponent/operator shall consult with a qualified biologist to discuss considerations and recommendations on implementing project activities to avoid take of Crotch's bumble bee.~~ ~~If an avoidance buffer is required as described above, construction activities shall not occur within that buffer zone until a qualified biologist determines the nest to no longer be active (i.e., no Crotch's bumble bee are seen flying in or out of the nest for three consecutive days [during suitable weather conditions when Crotch's bumble bee are typically active] indicating the colony has completed its nesting season and the queens have dispersed from the colony), after which construction activities may resume within that buffer zone~~		
Mitigation Measure #2 No Net Loss of Habitat If California Fish and Game Commission does not list Crotch's bumble bee under CESA, it will still remain an invertebrate of conservation priority under the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority.	Prior to Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Thus, there shall be no net loss of suitable habitat for Crotch's bumble bee. The County shall offset impacts on habitat for Crotch's bumble bee at no less than 2:1, so there is no net loss of suitable habitat.		
Mitigation Measure #3: Rare Plant Surveys CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough: A qualified botanist shall be retained by the District or its contractor to conduct a preconstruction survey on the project site for special-status plant species during the appropriate species-specific identification periods <u>for Nevin's barberry, Brauton's milk vetch, Santa Susana tarplant, slender mariposa lily, chaparral nolina, Plummer's mariposa lily, and any other special status or rare plant which may occur in or around the project site,</u> ~~specifically, May through July when the plants are in bloom,~~ and within one year before ground disturbance. The survey will be in accordance with CNPS's Botanical Survey Guidelines (CNPS 2001), CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018e), and USFWS's Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Plants (USFWS 1996). If the survey confirms that no special-status plant species are present on the project site, no further actions will be required. If the plant survey reveals the presence of special-status plants on the project site, ~~individuals will be flagged for avoidance during construction~~ <u>all occurrences of special status species will be mapped and occurrences within 100 feet of the project activities shall be flagged in the field. A minimum 50-foot buffer shall be placed around all known</u>	Prior to/During Project Initiation	Lead Agency/Designated Biologist

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Mitigation Measure	Timing	Responsible Party
<u>locations of special-status species within 100-feet of project activities to avoid potential impacts to seed banks and microhabitats that support the species. These buffers shall be flagged/fenced and avoided during Project activities. If the individuals or populations cannot be avoided during construction any phase of the Project, the District or its contractor will retain a qualified botanist or restoration ecologist to prepare a plan to offset impacts to the species salvage, relocation, or propagation and monitoring plan for special-status plants before construction is initiated. The plan will include restoration, management, maintenance, and monitoring plans developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by CDFW before the start of Project activities and with sufficient time for CDFW to conclude their review. The plan may include methods such as salvage, relocation, or propagation and monitoring for special status plants (Santa Susana tarplant will not be salvaged and relocated). The plan will include provisions that address the techniques, location, and procedures required for the successful establishment of the plant populations. The plan will include provisions for performance that address survivability requirements, maintenance, monitoring, implementation, adaptive management, and the annual reporting requirements. All directly impacted special-status plants will be documented by a qualified botanist. Documentation of impacts special-status plants will include locations, quantity, density and percent cover; key habitat characteristics, including soil type, associated species, hydrology, and topography; and photo documentation of preconstruction conditions. Salvaged or propagated plants will be relocated and protected in perpetuity.</u>		

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Mitigation Measure	Timing	Responsible Party
<u>If state-listed endangered, threatened, or rare plants are detected in areas proposed for development, the District shall contact the CDFW to secure incidental take authorization or develop an avoidance strategy.</u>		
Mitigation Measure #4: Tree protection signs should be erected around all tree groups with canopies that fall within 20 feet of construction activities. Fencing or flagging should be placed along the dripline and an additional 5 feet (protected tree zone) in areas of potential impact. For any trees that would be encroached upon by construction activities, fencing shall be placed as far away from trunk of the tree as possible while still allowing the required construction activities to proceed.	Prior to Project Initiation/During Project Construction	Lead Agency
Mitigation Measure #5: A pre-construction tree protection training should be delivered between the contractors and arborist. The arborist will instruct the contractors on tree protection practices. All equipment operators and spotters, assistants, or those directing operators from the ground, shall provide written acknowledgement of their receiving training. This training should include information on the location and marking of protected trees, the necessity of preventing damage, and the discussion of work practices.	Prior to Project Initiation/During Project Construction	Lead Agency
Mitigation Measure #6: The District should work with an arborist to conduct an Arborist study to compose a tree monitoring plan. The Arborist Study should be conducted within portions of the project footprint occurring within 20 feet of the canopy drip line of protected trees. The study should plot the location of protected trees within this zone and identify each protected tree and any trees to be impacted. Monitoring should occur during Project activities and following the Project. Monitoring should be conducted on a monthly basis. The Arborist	Prior to Project Initiation/During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Report should be prepared by a Certified Arborist in compliance with the County of Ventura ordinance guidelines. The Arborist Report should include the following at minimum: • An inventory of all trees containing a canopy drip line within 20 feet of the project footprint. Inventory data should record, at minimum: diameter at breast height (DBH), height, canopy cover information/mapping, health and vigor rating. • Photographs of each regulated tree which may be encroached upon by the Project. • Description of proposed site development activities including, but not limited to, excavation, any tree trimming, and construction access routes. • A project-specific Tree Protection Plan should be prepared which would include site plans, protective tree fencing, the designated tree protection zone (identifying an area sufficiently large enough to protect the tree and its roots from disturbance), activities prohibited/permited within the tree protective zone, encroachment boundaries, and potential transplanting or replacement tree plantings.		
Mitigation Measure #7: Replacement for individual trees with a diameter at breast height (DBH) between 12-24 inches should be mitigated for at a ratio of 5:1. Trees with a DBH greater than 24 inches should be mitigated at a 10:1 ratio.	Prior to Project Initiation/During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Mitigation Measure #8: Prior to removing any oak or the understory vegetation, the District should prepare an Oak Tree Restoration Plan. The Oak Tree Restoration Plan should prescribe the following: 1) Species-specific planting methods; 2) Planting schedule; 3) Measures to control exotic vegetation and protection from herbivory; 4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be based on site/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites; 5) Contingency measures if the success criteria is not met; 6) Long-term monitoring for at least 10 years, with a minimum of seven years without supplemental irrigation; 7) Adaptive management techniques, including replacement plants if necessary; and 8) Annual reporting criteria and requirements.	Prior to Project Initiation Project Construction	Lead Agency
Mitigation Measure #9: For off-site mitigation, the District should protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity that has been approved to hold and manage mitigation lands. An appropriate endowment should be provided for the long-term management of mitigation lands. A conservation easement and endowment funds should be fully acquired, established,	Prior to Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
transferred, or otherwise executed prior to any ground-disturbing activities and vegetation removal.		
Recommendation #1: CEQA for Crotch's Bumble Bee CDFW's issuance of an ITP for a Project is subject to CEQA. As a Responsible Agency, CDFW may consider the CEQA document from the lead agency/Project proponent for the Project. However, additional documentation may be required as part of an ITP application for the Project in order for CDFW to adequately develop an accurate take analysis and identify measures that would fully mitigate for take of CESA-listed species. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 2081 and/or under CEQA, 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 Project Initiation	Lead Agency
Recommendation #2: CEQA The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impacts on Santa Susana tarplant. If the Project may impact Santa Susana tarplant, the MND should be amended to incorporate more specific measures to minimize and/or mitigate potential impacts to Santa Susana tarplant 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 Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Recommendation #3: Weed Management Plan Weed management plans shall be developed for all Project areas and implemented both during, and for at least 3 years post-Project. Non-native weeds including noxious weeds (as listed by the California Invasive Plant Council) (CALIPC 2025) should be prevented from becoming established to control the local spread of invasive plants, both during and after construction. Site visits should be conducted monthly and weekly during the rainy season. The Project areas should be monitored via mapping for new introductions and expansions of non-native weeds. Annual threshold limits, eradication targets, and monitoring should be included in this plan. Monitoring for spread of invasive weeds to adjacent lands should also be included.	Prior to Project Initiation	Lead Agency
Recommendation #4: CDFW recommends avoiding impacts to natural vegetation communities or individual coast live oaks. Possible reconfiguration of Project elements or disturbance areas could lessen impacts to individual coast live oak and coast live oak communities.	Prior to Project Initiation/During Construction	Lead Agency
Recommendation #5: Coastal California Gnatcatcher and Mitigation Measure BIO-6: CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough:	Prior to Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Before the start of construction, the District or its contractor shall retain a qualified biologist to conduct protocol coastal California gnatcatcher surveys in accordance with the guidelines issued by the USFWS (USFWS 1997). Surveys shall be conducted by a USFWS-permitted biologist before the start of construction. The results of the survey shall be provided in a report to USFWS within 45 days of completion of the survey, and no less than 30 days before the start of groundbreaking activities. If protocol surveys determine that occupied suitable habitat is present in the project footprint plus a ~~300~~<u>500</u>-foot buffer ~~where accessible~~, the following measures shall be implemented during project construction to avoid or minimize direct take of coastal California gnatcatcher: 1. All grubbing or grading taking place within occupied suitable habitat of the coastal California gnatcatcher (defined as within ~~300~~ <u>500</u> feet of any gnatcatcher sightings) during construction shall be conducted from September 1 through February 14, which is outside the coastal California gnatcatcher breeding season. 2. When conducting any construction activities during the California gnatcatcher breeding season, February 15 through August 30, within or adjacent to occupied coastal California gnatcatcher habitat, a USFWS permitted biologist shall survey for nesting coastal California gnatcatcher approximately once per week within ~~300-500~~ feet of the construction area, ~~where accessible~~, for the duration of the activity in that area during the breeding season. 3. If an active nest is located, a ~~300-500~~ foot avoidance buffer shall be established around each nest site; however, there may be a reduction of this		

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Mitigation Measure	Timing	Responsible Party
buffer zone depending on site-specific conditions such as topography, line-of-sight to the nest, or the existing ambient level of activity. The District shall contact USFWS to determine the appropriate buffer zone. No construction shall take place within this buffer until the biologist can verify that the nest is no longer active. 4. Conspicuous construction fencing shall be maintained in place to protect all habitat outside the approved construction area until the conclusion of construction. Before commencement of grading, the project biologist shall confirm with the contractor or a licensed surveyor that the construction fencing has been placed at the outer edge of the construction area. 5. All construction activities shall take place only on the construction side (i.e., inside) of the fenced area. Grading materials shall be stored either inside the fenced development area or in an area approved by the project biologist. 6. A biological monitor familiar with coastal California gnatcatcher and its habitat shall be present during all vegetation clearing and other activities within coastal sage scrub and shall monitor the project to ensure that there are no unanticipated impacts to the species and its habitat. 7. Access to the site shall be via pre-existing access routes to the greatest extent possible. 8. All active coastal California gnatcatcher nests shall be reported within 24 hours to the USFWS upon detection.		

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Mitigation Measure	Timing	Responsible Party
9. The biological monitor shall halt work if it is determined that active nests would be disturbed by construction activities, until further direction or approval to work is obtained from the appropriate agencies. 10. The project site shall be kept as clean of debris as possible. All food-related trash items shall be enclosed in sealed containers and regularly removed from the site. 11. In the event that coastal California gnatcatcher individuals or occupied habitat cannot be avoided and incidental take is expected, the District or its contractor shall obtain necessary take authorization from the USFWS. CDFW also recommends the District incorporate the Mitigation proposal included within the MND into a BIO-6 or a separate BIO-Measure. CDFW recommends the District revise the proposal to incorporate the underlined language and remove the language in strikethrough: Impacts requiring mitigation include permanent and temporary impacts to occupied and unoccupied habitat. Permanent <u>and temporary</u> impacts to occupied habitat shall require acquisition and preservation of occupied habitat off-site at a location approved by USFWS. Mitigation for permanent <u>and temporary</u> impacts to <u>occupied</u> coastal California gnatcatcher shall be at a ratio of 2:1 for preserved to impacted habitat. In the event occupied habitat is not available at an off-site location, mitigation credits shall be purchased at a USFWS-approved mitigation bank. ~~Temporary impacts to occupied habitat and~~ Impacts to all unoccupied habitat (as determined by protocol surveys) shall be mitigated at a 1:1 ratio and can include 1:1 on-site restoration and 1:1 acquisition and preservation of occupied habitat off-site.		

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Mitigation Measure	Timing	Responsible Party
Coastal sage scrub habitat that is not designated for removal shall be avoided and protected with appropriate buffer zones marked with high-visibility material. Project work areas shall be clearly flagged or similarly marked at the outer boundaries to define the limit of work activities. No unauthorized entry or construction disturbance shall be permitted within protective buffer zones.		
Recommendation #6: Alliance-level Vegetation Mapping: The MND states, “At the proposed Crown Hill Tank site, approximately 50 percent of existing vegetation within 10 feet of the access roadway and tank pad would be removed.” However, this vegetation removal impact area is not represented in any figures nor is there an alliance-level vegetation map which depicts areas of impact in relation to vegetation communities. Likewise, other project elements were not included within a map such as the metal gate alignment and other Project elements. CDFW recommends surveying the project footprint and fuel modification area (if applicable) to produce an alliance-level plant communities map. Vegetation surveys should be conducted following systematic field techniques outlined by CDFW’s <i>Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities</i> (CDFW 2018). To determine the rarity ranking of vegetation communities on a specific Project site(s), CDFW utilizes vegetation descriptions found in the <i>Manual of California Vegetation</i> (MCV). The MCV alliance/association community names should be provided as CDFW only tracks rare natural communities using this classification system (found online at http://vegetation.cnps.org/). CDFW recommends the environmental document provide measures to fully mitigate the loss of individual ESA- and CESA-listed plants and habitat.	Prior to Project Initiation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
1. The MND should provide a detailed map (1:24,000 or larger) showing which plants or populations will be impacted and provide a table that clearly documents the number of plants and acres of supporting habitat impacted, and plant composition (e.g., density, cover, abundance) within impacted habitat (e.g., species list separated by vegetation class; density, cover, abundance of each species). 2. The MND should provide species-specific measures for on-site mitigation. Each species-specific mitigation plan should adopt an ecosystem-based approach and be of sufficient detail and resolution to describe the following at a minimum: 1) identify the impact and level of impact (e.g., acres or individual plants/habitat impacted); 2) location of on-site mitigation and adequacy of the location(s) to serve as mitigation; 3) assessment of appropriate reference sites; 4) scientific [genus and species (subspecies/variety if applicable)] of plants being used for restoration; 5) location(s) of propagule source; 6) species-specific planting methods (i.e., container or seed); 7) measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover); 8) long-term monitoring, and; 9) adaptive management techniques. 3. Additionally, considerations should be made regarding timing of these field surveys to ensure accuracy in determining what plants exist on site. Adequate information about special status plants and natural communities present in a project area will enable reviewing agencies and the public to effectively assess potential impacts to special status plants or natural communities and will guide the development of minimization and mitigation measures (CDFW 2018).		

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Mitigation Measure	Timing	Responsible Party
Recommendation #7: BIO-5 Nesting Bird Pre-Construction Survey and Impact Avoidance: CDFW recommends the District revise Mitigation Measure BIO – 5 to incorporate the underlined language and remove the language in strikethrough: To avoid impacting active bird nests, juveniles or adults, project activities, including vegetation clearing and tree removal, shall be conducted outside of the breeding season (February 1 through September 15, <u>and as early as January 1 for some raptors</u>) to the extent feasible. If project activities occur between January ~~February~~ 1 and September 15, a pre-construction nesting bird survey shall be conducted by a qualified biologist no more than ~~5~~ <u>7 days prior to initiation of ground disturbance and vegetation removal, before the activity to survey for bird nests.</u> The survey area shall include the project footprint and a 300~~400~~-foot buffer for passerine species and a 500~~300~~-foot buffer for coastal California gnatcatcher and raptor species. <u>If construction lapses for five days or longer, the qualified biologist shall conduct another focused survey before project activities are reinitiated. Following the survey, the following shall be implemented:</u> • A nesting bird survey report shall be submitted to the District prior to the initiation of project activities. The report shall detail the results of the survey including identification of the location of any active nests and shall describe any nest monitoring that shall be conducted and/or whether any avoidance buffers shall be established. • If active nests are identified during the survey and/or work is scheduled to take place within 300 ~~400~~ feet of active passerine nests or 500~~300~~	Prior to Project Initiation/During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
feet of active coastal California gnatcatcher and raptor nests, a qualified biologist shall determine appropriate avoidance buffers. The buffer shall be the minimum distance required to avoid take of the nest and shall be determined based on the species identified, activities proposed, level of existing noise, and location of the nest. • A qualified biologist shall determine when nesting is completed and when any avoidance buffers may be removed. • If nesting bird monitoring is conducted, a nesting bird monitoring report shall be submitted to the District detailing the results of monitoring activities and measures implemented that avoided impacts to the nest. The report shall be submitted within 30 days of the completion of the nesting bird monitoring.		
Recommendation #8: BIO-Measures for Special Status Herpetofauna: The MND does not provide any BIO-Measures specifically to avoid and minimize impacts to special status herpetofauna which may be present in or around the Project area. CDFW recommends additional BIO-Measures are added and included to minimize potential impacts. These measures may include focused surveys for species likely to occur within the Project site(s). Surveys should typically be scheduled during the summer months (June and July) when these animals are most likely to be encountered. To achieve 100 percent visual coverage, CDFW recommends surveys be conducted with parallel transects at approximately 20 feet apart and walked on site in appropriate habitat suitable for each species. Suitable habitat consists of areas of sandy, loose, and moist soils, typically under the sparse vegetation of scrub, chaparral, and within the duff of oak woodlands.	Prior to Project Initiation/During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Recommendation 9: Potential Impacts to Bat Species It is not clear how the existing water tank slated for removal will be removed as the method of demolition was not explained within the MND. However, CDFW recommends providing BIO-Measures for bat species to protect them from utilizing the tanks at any point in the Project's lifetime. This may include surveys before demolition and ensuring there are screens on any areas that may potentially allow bats to enter existing tanks.	Prior to Project Initiation/During Project Construction	Lead Agency
Recommendation #10: Tree Removal and Mitigation: It is not clear if the proposed replacement following the removal of ten trees is sufficient to mitigate impacts. The type of trees and their DBH were not disclosed within the MND. Planting of four replacement trees is proposed; however, it does not specify the proposed species. At minimum, trees should be replaced at a 1:1 ratio; however, this does not address temporal impacts. CDFW recommends that the District disclose the type of trees slated for removal, their DBH, the specific species proposed for replacement, and a planting and monitoring plan to track the success of these plantings. CDFW also recommends increasing the number of trees to be planted to address the temporal loss of nesting habitat and to ensure impacts are mitigated below the threshold of significance.	Prior to Project Initiation	Lead Agency
Recommendation #11: LSA: Within the MND it states, "No federal or state jurisdictional waters exist within the project site; as such, no impacts would occur on State or federally protected	Prior to Project Initiation	Lead Agency

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wetlands.” However a drainage feature is present to the east/north east of the tank construction site. If any construction, vegetation removal, or fuel modification may impact the bed, bank, channel, or associated vegetation of the drainage, CDFW recommends submitting a Lake and Streambed Alteration Notification. CDFW exercises its regulatory authority (Fish and Game Code, section 1600 <i>et seq.</i>) to conserve fish and wildlife resources which includes 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: • Divert or obstruct the natural flow of any river, stream, or lake; • Change the bed, channel, or bank of any river, stream, or lake; • Use material from any river, stream, or lake; or, • Deposit or dispose of material into any river, stream, or lake.		
Recommendation #12: Fuel Modification: If the Project includes fuel modification, CDFW recommends that the final environmental documents include avoidance and mitigation measures for any fuel modification activities conducted within and adjacent to the Project area(s). A weed management plan should be developed for all areas adjacent to open space that will be subject to fuel modification disturbance. CDFW also recommends that any irrigation proposed in fuel modification zones do not allow for the introduction of invasive Argentine ants. Monitoring should also include parameters to identify possible introduction of	Prior to Project Initiation/During Project Construction	Lead Agency

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Recommendation #13: Native Landscaping CDFW recommends the District provides a planting palette to CDFW, specifying the vegetation that will be used as landscaping for this Project. The Project proponent should use only native species found in naturally occurring vegetation communities within or adjacent to the Project site. The Project proponent should not plant, seed, or otherwise introduce nonnative, invasive plant species to areas that are adjacent to and/or near native habitat areas. CDFW recommends the Project proponent restrict use of any species, particularly 'moderate' or 'high' listed by the California Invasive Plant Council. These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.	Prior to Project Initiation/During Project Construction	Lead Agency
Recommendation #14: Invasive Pests and Diseases: If the Project activities require remove of vegetation that could host pest species, the District should work with the certified arborist to identify all trees and species for removal from the Project site and inspect those trees for contagious tree diseases including but not limited to: thousand canker disease (USDA 2025), polyphagous shot hole borer (UCANR 2025), and goldspotted oak borer (UCIPM 2021). If invasive pests and/or diseases are detected, the District should provide an infectious tree disease management plan and describe how it will be implemented to avoid significant impacts under CEQA. To avoid the spread of infectious tree diseases, diseased trees should not be transported from the Project site(s) without first being treated using best available management practices relevant for each tree disease observed.	Prior to Project Initiation/During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
Recommendation #15: 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).	Prior to Project Initiation	Lead Agency