



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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August 13, 2026

Jennifer Gavin
City of Del Mar
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SUBJECT: DRAFT PROGRAM ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF DEL MAR CAPITAL IMPROVEMENT PROGRAM, SCH NO. 2025110661, SAN DIEGO COUNTY, CA

Dear Jennifer Gavin:

The California Department of Fish and Wildlife (CDFW) reviewed the Draft Program Environmental Impact Report (PEIR) from the City of Del Mar (City) for the City of Del Mar Capital Improvement Program (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding Project activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to comment on 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

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

PROJECT DESCRIPTION SUMMARY

Proponent: City of Del Mar

Objective: As described in the Draft PEIR, the Capital Improvement Program is a 10-year strategic planning and budgeting tool for addressing the City of Del Mar's current and future capital infrastructure and facility needs, and it is revised over time in publicly noticed meetings of the City Council as conditions, City Council priorities, and funding change.

The stated objective of the PEIR is to help streamline the implementation of current and future individual Projects to ensure continued public health, safety and welfare for the City's residents, businesses, and visitors by establishing a clear procedural framework for CEQA compliance on a wide array of individual Project types.

The Project is intended to allow for the continued maintenance, refurbishment, repair, upgrade, and/or replacement of existing public infrastructure and facilities; allow for the construction and operation and maintenance of new capital Projects; and develop a mitigation framework to ensure consistent and effective implementation of environmental protections. Individual Projects to be evaluated in the PEIR include utility undergrounding;

² "Take" is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill."

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water, wastewater, and stormwater infrastructure improvements; and improvements to streets, public facilities, and open space.

Location: City of Del Mar, County of San Diego

Biological Setting: As described in the Draft PEIR, the City of Del Mar is largely built out, with relatively few developable, vacant areas remaining. The City is surrounded on almost all sides by significant landforms and resources. The Pacific Ocean, beach, and coastal bluffs are located along the western City boundary, San Dieguito Lagoon and the San Dieguito River are located in the northern portion of the City, upland bluff, slope, and canyon hillside areas wrap around much of the City's northern and eastern boundaries, and the Los Peñasquitos Lagoon occurs just south of the City.

Natural habitat types that occur within the City include:

- Southern foredunes
- Southern coastal bluff scrub
- Maritime succulent scrub
- Diegan coastal sage scrub, including coastal form
- Southern mixed chaparral
- Southern maritime chaparral
- Southern coastal salt marsh
- Coastal and valley freshwater marsh
- Riparian scrub and forest
- Open water
- Intertidal
- Estuarine
- Saltpan/mudflats
- Beach
- Torrey pine forest

Special-status plant species listed in the Draft PEIR (Table 3.2-1) include: 15 plant species that are known to occur in the City, and 46 that may occur due to the presence of nearby known locations and potentially suitable habitat.

Special-status wildlife listed in the Draft PEIR (Table 3.2-2) include: 15 wildlife species known to occur in the City, and 14 that may occur due to the presence of nearby known locations and potentially suitable habitats.

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Included on those lists are plant and wildlife species that are threatened, endangered, or candidates for listing under CESA and/or threatened or endangered under the Federal Endangered Species Act (ESA).

For the purposes of the PEIR, the City has identified three biological resources sensitivity zones.

- **High Sensitivity Zone:** These areas contain the highest concentration of sensitive biological resources, such as wetlands, riparian habitats, rare vegetation communities, designated Environmentally Sensitive Habitat Areas, and known occurrences of special-status species. High Sensitivity Zones often overlap with regulatory overlays (e.g., Lagoon Overlay Zone, Bluff/Slope/Canyon Overlay Zone) and may include critical habitat, wildlife corridors, or protected tree species.
- **Moderate Sensitivity Zone:** This zone is mapped as a 100-foot buffer surrounding the High Sensitivity Zone. Its primary purpose is to provide an added layer of protection for the most sensitive biological resources by minimizing indirect impacts from adjacent development activities. This buffer helps to maintain ecological integrity, reduce edge effects, and support habitat connectivity adjacent to high-value areas.
- **Low Sensitivity Zone:** This zone is generally characterized by developed or disturbed areas with limited biological resource value, such as urbanized parcels, maintained landscapes, or areas lacking native vegetation. Due to the presence of the Moderate Sensitivity Zone buffer, these areas are not expected to overlap with High Sensitivity Zones. While these areas generally have limited habitat value, they may still contain biological resources that could support nesting birds and listed species that may occur in developed areas (e.g., monarch butterfly or Crotch's bumble bee).

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Additional comments or other suggestions are also included to improve the document.

COMMENT # 1: Impacts to Sensitive Species

Issue: Individual Projects under the Project could have a substantial effect, either directly or through habitat modification, on sensitive species.

Specific impact: The Draft PEIR does not include species-specific analysis of potential impacts, nor does it include species-specific mitigation measures that would be employed if

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focal species are encountered during Project-specific or species-specific surveys. Since potentially-occurring biological resources have been identified in the Draft PEIR, as has a range of construction activities, the Draft PEIR should include analysis of the impacts of the proposed activities on the identified species, and should identify specific mitigation measures for each species that would reduce those impacts to less-than-significant.

Why impact would occur: Future individual Projects could occur in locations containing sensitive plants or wildlife species. The Draft PEIR identifies 41 special-status plant species and 25 special-status wildlife species that could be directly or indirectly impacted during construction activities and acknowledges the impacts could be potentially significant. Moreover, biological surveys have not been conducted to support the Draft PEIR. Mitigation Measure BIO-1 in the Draft PEIR calls for the City to retain a biologist to conduct a Project-specific biological resources technical report for ground- or vegetation-disturbing Projects that will occur wholly or partially within moderate or high biological resource sensitivity zones. The measure requires the report to include an evaluation of the potential for direct and indirect impacts and an outline of avoidance and minimization measures to avoid those impacts. The report is also required to specify any additional compensatory measures to reduce impacts to below a level of significance. The measure does not indicate whether surveys would be conducted, or if the report would be based on literature review alone. Furthermore, the measure does not require any review for individual Projects within the low sensitivity zone, despite the acknowledgement that sensitive species, such as Crotch's bumble bee (*Bombus crotchii*), could occur.

If ground disturbance or vegetation removal associated with individual Project activities occurs without appropriate surveys, then impacts to sensitive species could occur. Grading, excavation, installation of structures, and vegetation removal may result in injury or mortality to individual species and habitat destruction. Measures requiring biological surveys for all sensitivity zones, as well as measures for avoidance and minimization of and, if necessary, compensation for impacts are warranted.

Ground disturbance and vegetation removal associated with individual Project activities occurring during the bird breeding season could result in nest abandonment or otherwise lead to the incidental loss of breeding success of birds. Requirements to conduct all Project activities outside of bird nesting season, or measures requiring surveys to detect nesting birds and a protective buffer between Project activities and nests, are warranted.

Vegetation in and adjacent to individual Project sites may provide cover and habitat for wildlife, especially small reptiles and amphibians. Ground disturbing activities may result in habitat destruction for sensitive wildlife, causing the death or injury of adults, juveniles, eggs,

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or hatchlings. In addition, the Project may remove habitat by eliminating native vegetation that may support essential foraging and breeding habitat. Measures to avoid impacts to special status wildlife are warranted.

There is potential for Crotch's bumble bee to occur within Project sites. Crotch's bumble bee are generalist foragers and can be found throughout most of southwestern California in areas that have suitable nesting habitat and floral resources. Crotch's bumble bee primarily nest in late February through late September underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, beneath brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2012). Overwintering sites utilized by Crotch bumble bee mated queens include soft, disturbed soil (Goulson 2010) or under leaf litter or other debris (Williams et al. 2014).

Without appropriate avoidance and minimization measures for Crotch's bumble bee and their habitat, Project-related activities involving ground and vegetation disturbance could result in potential significant impacts, including loss of foraging resources, changes in foraging behavior, burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs, young, and/or queens, and direct mortality. Measures requiring Crotch's bumble bee surveys, as well as measures for avoidance and minimization of and, if necessary, compensation for impacts are warranted.

The analysis of impacts and formulation of mitigation measures should not be left to the biological report. The Draft PEIR should contain the full range of potentially-applicable mitigation measures. The Project-specific and species-specific biological reports should be used to determine which of the impacts and mitigation measures that were analyzed in the PEIR are applicable for an individual Project.

Evidence impact may be significant: Public agencies have a duty under CEQA to prevent significant, avoidable damage to the environment by requiring changes in a Project through the use of feasible alternatives or mitigation measures (CEQA Guidelines, §§ 15002(a)(3), 15021). All phases of Project planning, implementation, and operation must be considered in the Initial Study of the Project (CEQA Guidelines § 15063(a)(1)). The Initial Study requires an analysis of the Project's potential to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations or by CDFW or the U.S. Fish and Wildlife Service. Additionally, impacts to CESA-listed species and their habitat meet the definition of endangered, rare, or threatened under CEQA (CEQA Guidelines § 15380). Impacts to CESA listed species and their habitats may result in a mandatory finding of

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significance because the Project has the potential to substantially reduce the number or restrict the range of an endangered, rare, or threatened species (CEQA Guidelines § 15065).

The potential of the Project to impact special status species has not been evaluated in the Draft PEIR. These effects have not been disclosed, evaluated, or mitigated. Instead, the document acknowledges that impacts could occur from individual Projects and defers the evaluation and mitigation of impacts to a later time. The Draft PEIR states, “[w]here potentially significant impacts are identified, the PEIR specifies mitigation to be adopted as conditions of approval or incorporated into the individual planned and future projects to avoid or minimize the significance of impacts resulting from the project.” While CEQA allows for deferred analysis, it requires evaluation of known impacts in a comprehensive fashion, and provision for further environmental review where warranted. Likewise, certain aspects of mitigation may be deferred, but the Draft PEIR must include the specific criteria and performance standards that future mitigation will meet. (Center for Biological Diversity et al. v. Department of Fish and Wildlife (2015) 234 Cal. App. 4th 214; 183 Cal. Rptr. 3d 736; CEQA Guidelines §§ 15126.4, 15146, 15168)

The City intends to use this PEIR to streamline the CEQA process for individual Projects. The Draft PEIR states, “[i]n accordance with CEQA Guidelines Section 15168, this PEIR may serve as the environmental document for individual Projects, provided it contemplates and adequately analyzes the potential environmental impacts of those future actions.” It is CDFW’s view that the document does not adequately analyze the potential environmental impacts to biological resources, and therefore individual Projects that could impact biological resources will require additional CEQA review.

Furthermore, if any individual Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the City will be required to obtain appropriate take authorization from CDFW, which may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and Game Code §§ 2080.1, 2081, subds. (b), (c)). Unless the PEIR addresses all Project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP, CDFW may be required to issue a separate CEQA document for the issuance of take authorization. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.

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Recommended Potentially Feasible Mitigation Measure(s)

CDFW recommends the City re-evaluate the effects of the Project on sensitive species and formulate appropriate mitigation measures to reduce impacts to less-than-significant. CDFW further recommends the City consult with CDFW to discuss potential impacts to fish and wildlife resources and develop mitigation measures that will reduce Project impacts to a less than significant level.

To evaluate and mitigate potential impacts of the Project on sensitive species, CDFW recommends the following mitigation measures, at a minimum, as conditions of approval in the PEIR.

Recommendation 1: Botanical Surveys

Prior to authorizing any individual project under the Project, the City should require a thorough, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special status plants are present.

The City should fully disclose any impacts on rare plants, which should include at a minimum where impacts would occur, number of individual plants impacted, population size and density, and acres of habitat/plant communities impacted.

Recommendation 2: Sensitive Plant Avoidance

CDFW recommends the City provide measures to fully avoid impacts to sensitive plant species. If adverse impacts to sensitive plants cannot be avoided during Project activities or during the life of the Project, the City should provide measures to compensate for those impacts.

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For unavoidable impacts, onsite habitat restoration or enhancement should be discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore does not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. The City should prepare a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods, annual success criteria, contingency actions should success criteria not be met, long-term management and maintenance goals, and a funding mechanism to assure in-perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Government Code §§ 65965-65968).

Recommendation 3: Wildlife Surveys

Prior to authorizing any individual Project under the Project, the City should require a complete assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas as a condition of approval. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines available at <https://wildlife.ca.gov/Conservation/Survey-Protocols> for established survey protocols. Acceptable species-specific survey procedures may be developed in consultation with CDFW.

Recommendation 4: Sensitive Wildlife Avoidance

CDFW recommends the City provide measures to fully avoid impacts to sensitive wildlife species. Mitigation measures should be feasible, effective, implementable, and fully enforceable. Mitigation measures should emphasize avoidance and minimization of Project-related impacts.

Measures such as pre-Project surveys, onsite biological monitors, plans for capture and relocation of reptiles and amphibians (including necessary take authorizations), fencing to preclude wildlife from entering the Project site during construction, and workforce education should all be considered by the City as methods to reduce the Project impacts to a less than significant level. The City should consult with CDFW to further discuss appropriate mitigation measures.

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Recommendation 5: Crotch's Bumble Bee Surveys

A habitat assessment should be conducted prior to individual Project implementation. A qualified biologist should determine if the Project area or its immediate vicinity contains habitat suitable to support Crotch's bumble bee. The assessment should include historical and current species occurrences as well as proximity to the last known sighting. The habitat assessment should include data from site visits to observe and document potential habitat including potential foraging, nesting, and/or overwintering resources. The habitat assessment should quantify which plant species are in bloom along with percent area cover of land cover types. General plant diversity should also be assessed and documented. The foraging resources should be quantified across multiple site visits, corresponding with the Colony Active Season (April - August). Foraging resources recorded should not be limited to the preferred plant species known to be favored by Crotch's bumble bee but should include all flowering plants including non-natives and invasives. Nesting resources quantified can include bare ground, rodent burrows, and other potential nesting sites that may support bumble bee colonies. Leaf litter and woody forest edge that could provide overwintering habitat should also be described.

Surveys should be designed to follow the methodology described in Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023)³. The results of the assessment should be provided to CDFW prior to initiating Project activities. Please note that even the best survey may fail to detect the presence of the species.

Surveys involving capture and handling of Crotch's bumble bee should only be conducted by individuals who possess a CESA Memorandum of Understanding authorizing take of the species for scientific, educational, or management purposes.

Recommendation 6: Crotch's Bumble Bee Habitat Compensation

Any floral resources associated with Crotch's bumble bee that are removed or damaged by Project implementation should be replaced at a 1:1 ratio at a minimum. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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distance requirements for multiple nests. These floral resources should be maintained in perpetuity and should be replanted and managed as needed to ensure the habitat is preserved.

Recommendation 7: Nesting Bird Avoidance

To protect nesting birds that could occur on or near individual Project sites, the City should include a measure that precludes ground- and vegetation-disturbing Project activities between February 15 and August 31. If Project activities during this period must occur, the City should conduct a complete survey for nesting bird activity within a 500-foot radius of the Project site. If any nests are found, they should be protected by a protective buffer between Project activities and the nest. The buffer should be adequately large to prevent disturbance to the breeding birds. The City should have a biological monitor onsite to evaluate the effectiveness of the buffer and increase its width as needed.

Recommendation 8: CESA Take Authorization

Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered, threatened, or rare, or a candidate for listing under CESA, CDFW recommends that the City seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or, in certain circumstances, a consistency determination, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. The PEIR should address all Project impacts to CESA-listed species and specify a mitigation monitoring and reporting program that will meet the requirements of an ITP.

ADDITIONAL COMMENTS

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

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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](https://wildlife.ca.gov/Data/CNDDDB)⁴ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit)⁵.

The City should ensure data collected for the preparation of the PEIR 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 Draft PEIR to assist the City in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

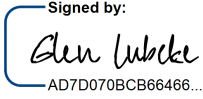
⁴ <https://wildlife.ca.gov/Data/CNDDDB>

⁵ <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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Questions regarding this letter or further coordination should be directed to Kelly Fisher⁶, Environmental Scientist.

Sincerely,

Signed by:

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Glen M. Lubcke
Environmental Program Manager
South Coast Region

ec: California Department of Fish and Wildlife
Glen M. Lubcke, Environmental Program Manager
Melanie Burlaza, Senior Environmental Scientist (Supervisor)
Kelly Fisher, Environmental Scientist

REFERENCES

California Department of Fish and Wildlife [CDFW]. 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities.

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Williams, P. H., R. W. Thorp, L. L. Richardson, and S. R. Colla. 2014. Bumble Bees of North America: An Identification Guide. Princeton University Press.

⁶ Phone: 858-354-5083; Email: kelly.fisher@wildlife.ca.gov

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Attachment A: Draft Mitigation Monitoring and Reporting Program (MMRP)

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

Mitigation Measure/Recommendation	Timing	Responsible Party
Recommendation 1: Botanical Surveys Prior to authorizing any individual project under the Project, the City should require a thorough, floristic-based assessment of special status plants and natural communities following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities (CDFW 2018). Botanical field surveys should be comprehensive over the entire Project site, including areas that will be directly or indirectly impacted by the Project. Adjoining properties should also be surveyed where direct or indirect Project effects could occur, such as those from fuel modification, herbicide application, invasive species, and altered hydrology. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually, this is during flowering or fruiting. Botanical field survey visits should be spaced throughout the growing season to accurately determine what plants exist in the Project site. This usually involves multiple visits to the Project site (e.g., in early, mid, and late season) to capture the floristic diversity at a level necessary to determine if special status plants are present. The City should fully disclose any impacts on rare plants, which should include at a minimum where impacts would occur, number of individual plants impacted, population size and density, and acres of habitat/plant communities impacted.		

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Mitigation Measure/Recommendation	Timing	Responsible Party
Recommendation 2: Sensitive Plant Avoidance CDFW recommends the City provide measures to fully avoid impacts to sensitive plant species. If adverse impacts to sensitive plants cannot be avoided during Project activities or during the life of the Project, the City should provide measures to compensate for those impacts. For unavoidable impacts, onsite habitat restoration or enhancement should be discussed in detail. If onsite mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, offsite mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. The City should prepare a restoration plan, to be approved by CDFW prior to any ground disturbance. The restoration plan should include restoration and monitoring methods, annual success criteria, contingency actions should success criteria not be met, long-term management and maintenance goals, and a funding mechanism to assure in-perpetuity management and reporting. Areas proposed as mitigation should have a recorded conservation easement and be dedicated to an entity which has been approved to hold/manage lands (Government Code §§ 65965-65968).		
Recommendation 3: Wildlife Surveys Prior to authorizing any individual Project under the Project, the City should require a complete assessment of endangered, rare, or threatened species and other sensitive species within the Project site and adjacent areas as a condition of approval. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, may be required if suitable habitat is present. See CDFW's Survey and Monitoring Protocols and Guidelines available at https://wildlife.ca.gov/Conservation/Survey-Protocols for established survey		

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Mitigation Measure/Recommendation	Timing	Responsible Party
protocols. Acceptable species-specific survey procedures may be developed in consultation with CDFW.		
Recommendation 4: Sensitive Wildlife Avoidance CDFW recommends the City provide measures to fully avoid impacts to sensitive wildlife species. Mitigation measures should be feasible, effective, implementable, and fully enforceable. Mitigation measures should emphasize avoidance and minimization of Project-related impacts. Measures such as pre-Project surveys, onsite biological monitors, plans for capture and relocation of reptiles and amphibians (including necessary take authorizations), fencing to preclude wildlife from entering the Project site during construction, and workforce education should all be considered by the City as methods to reduce the Project impacts to a less than significant level. The City should consult with CDFW to further discuss appropriate mitigation measures.		
Recommendation 5: Crotch's Bumble Bee Surveys A habitat assessment should be conducted prior to individual Project implementation. A qualified biologist should determine if the Project area or its immediate vicinity contains habitat suitable to support Crotch's bumble bee. The assessment should include historical and current species occurrences as well as proximity to the last known sighting. The habitat assessment should include data from site visits to observe and document potential habitat including potential foraging, nesting, and/or overwintering resources. The habitat assessment should quantify which plant species are in bloom along with percentage area cover of land cover types. General plant diversity should also be assessed and documented. The foraging resources should be quantified across multiple site visits, corresponding with the Colony Active Season (April - August). Foraging resources recorded should not be limited to the preferred plant species known to		

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Mitigation Measure/Recommendation	Timing	Responsible Party
be favored by Crotch's bumble bee but should include all flowering plants including non-natives and invasives. Nesting resources quantified can include bare ground, rodent burrows, and other potential nesting sites that may support bumble bee colonies. Leaf litter and woody forest edge that could provide overwintering habitat should also be described. Surveys should be designed to follow the methodology described in Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). The results of the assessment should be provided to CDFW prior to initiating Project activities. Please note that even the best survey may fail to detect the presence of the species. Surveys involving capture and handling of Crotch's bumble bee should only be conducted by individuals who possess a CESA Memorandum of Understanding authorizing take of the species for scientific, educational, or management purposes.		
Recommendation 6: Crotch's Bumble Bee Habitat Compensation Any floral resources associated with Crotch's bumble bee that are removed or damaged by Project implementation should be replaced at a 1:1 ratio at a minimum. Floral resources should be replaced as close to their original location as is feasible. If active Crotch's bumble bee nests have been identified and floral resources cannot be replaced within 200 meters of their original location, floral resources should be planted in the most centrally available location relative to identified nests. This location should be no more than 1.5 kilometers from any identified nest. Replaced floral resources may be split into multiple patches to meet distance requirements for multiple nests. These floral resources should be maintained in perpetuity and should be replanted and managed as needed to ensure the habitat is preserved.		

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Mitigation Measure/Recommendation	Timing	Responsible Party
Recommendation 7: Nesting Bird Avoidance To protect nesting birds that could occur on or near individual Project sites, the City should include a measure that precludes ground- and vegetation-disturbing Project activities between February 15 and August 31. If Project activities during this period must occur, the City should conduct a complete survey for nesting bird activity within a 500-foot radius of the Project site. If any nests are found, they should be protected by a protective buffer between Project activities and the nest. The buffer should be adequately large to prevent disturbance to the breeding birds. The City should have a biological monitor onsite to evaluate the effectiveness of the buffer and increase its width as needed.		
Recommendation 8: CESA Take Authorization Take of any endangered, threatened, candidate species, or NPPA-listed plant species that results from the Project is prohibited, except as authorized by state law (Fish & G. Code §§ 2080, 2085; Cal. Code Regs., tit. 14, §786.9). Consequently, if the Project or any Project-related activity will result in take of a species designated as endangered, threatened, or rare, or a candidate for listing under CESA, CDFW recommends that the City seek appropriate take authorization under CESA prior to implementing the Project. Appropriate authorization from CDFW may include an Incidental Take Permit (ITP) or, in certain circumstances, a consistency determination, among other options [Fish & G. Code, §§ 2080.1, 2081, subds. (b) and (c)]. Early consultation is encouraged, as significant modification to a Project and mitigation measures may be required to obtain a CESA Permit. The PEIR should address all Project impacts to CESA-listed species and specify a mitigation monitoring and reporting program that will meet the requirements of an ITP.		