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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
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GAVIN NEWSOM, Governor
VALERIE TERMINI, Acting Director

January 15, 2026

David Norris
Los Angeles Department of Water and Power
111 N Hope Street
Los Angeles, CA 90012
David.Norris@ladwp.com

Subject: Mitigated Negative Declaration for the Encino Reservoir Floating Solar Pilot Project, SCH No. 2025120093, Los Angeles County, CA

Dear David Norris:

The California Department of Fish and Wildlife (CDFW) reviewed the Mitigated Negative Declaration (MND) from the Los Angeles Department of Water and Power (LADWP) for the Encino Reservoir Floating Solar Pilot Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines[1].

Thank you for the opportunity to provide comments and recommendations regarding 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 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

[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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example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law[2] of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, §1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: LADWP

Objective: The objective of the Project is to construct a 5-megawatt (MW), 10-acre floating solar panel array that would be located on the southwest portion of Encino Reservoir. An electric conduit would connect the floating solar panels to the approximately 4,000 square-foot 30-kilowatt (kW) ground-mount solar panels and associated electrical components, which include inverters, a transformer, and switchgear located to the southwest of the reservoir. Those components would connect to the existing 34.5-kilovolt (kV) above ground distribution line within the Encino Reservoir property, which would tie into an approximately 6,500 square-foot 5-megawatt (MW), 20-megatwatt hour (MWh) battery energy storage system (BESS) located north of the reservoir (see Attachment B). The purpose of the proposed project is to test the efficacy and efficiency of floating solar panels for potential long-term usage.

Primary Project activities include site preparation, including vegetation clearing, grading, leveling, and excavation. Vegetation clearing would occur at the existing boat ramp for construction of the temporary floating dock, at the site of the BESS, at the site of the ground-mount solar panels, and for the installation of the conduit between the water and the concrete sidewall. To facilitate construction and deployment of the floating panels, maintenance of the existing boat ramp would include approximately 4,500 square feet of vegetation clearance at the bottom of the ramp. Additionally, installation of the conduit may require clearing or trimming vegetation, specifically in the area between the water surface and the concrete reservoir sidewall. Construction activities for the ground-mount solar panels will be limited to previously disturbed flat portions of this area.

Location: The Project will be located in the Santa Monica Mountains at 4500 Encino Avenue in the Encino neighborhood of the City of Los Angeles. The Encino Reservoir property is approximately 960 acres and owned and operated by LADWP. Within the property is the approximately 130-acre reservoir, encircled by a paved perimeter access road. A pump station and microfiltration plant are in the northern portion of the property, north of the reservoir.

[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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Timeframe: Construction of the Project is expected to begin in July 2026 with anticipated completion in July 2027. It will consist of five phases of varying durations that are likely to overlap. First, the installation of the proposed floating solar panels will last approximately three months. Second, electrical connections, installation of the conduit, and installation of the inverter and switchgear will take approximately six months. Third, energization of the floating solar panels and system testing will take approximately one to two months. Fourth, the BESS will be installed, taking approximately five months. Finally, the ground-mount solar panels will be installed, which will take approximately three months. The estimated schedule for the project components is shown below.

Phase	2026						2027						
	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul
Floating Solar Installation													
Conduit and Electrical Connections													
Energization and System Testing													
BESS Installation													
Ground-Mount Solar Installation													

Figure 1: Construction timeline for the Encino Reservoir Floating Solar Pilot Project.

Biological Setting: The Project site occurs entirely within the Santa Monica Mountains and proposes construction and maintenance activities to occur at the Encino Reservoir property within existing developed facilities.

An Initial Study with botanical surveys, least Bell's vireo surveys, and a jurisdictional delineation was provided with the MND. Although there is potential for rare plants and least Bell's vireo (V*ireo bellii pusillus; ESA- and CESA-listed endangered*) occurring on the Project site, rare plants and least Bell's vireo were not observed during surveys. The biological survey area consists of multiple vegetation communities, including laurel sumac scrub, coast live oak woodland and forest, sycamore-coast live oak woodland, California buckwheat scrub, southern mixed chaparral, Goodding's willow-red willow riparian woodland and forest, cattail marsh, wild oats-annual brome grassland, and upland mustards. Mitigation measures pertaining to vegetation clearing, least Bell's vireo, nesting birds, species of special concern (SSC), bats, and Crotch's bumble bee (*Bombus crotchii; CESA candidate*) are currently proposed in the MND for this Project. The Project site is not within designated Significant Ecological Areas within Los Angeles County or critical habitat areas for special-status species. The Project has the potential to impact water quality, riparian vegetation, nesting bird habitat, and/or work in or adjacent to Encino Reservoir. No trees are currently proposed to be removed.

Based on a preliminary review, CDFW is concerned that the Project may potentially impact the following special-status species: least bell's vireo, Crotch's bumble bee, two-striped garter snake (*Thamnophis hammondii*; *SSC*), coastal whiptail (*Aspidoscelis tigris stejnegeri; SSC*), and pallid bat (*Antrozous pallidus; SSC*).

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Project History: LADWP and CDFW have regular ongoing meetings to discuss upcoming and current projects. During October 2025, the Project was discussed regarding recommendations for the Initial Study, including tentative designs, timelines, potential impacts, and potential mitigation measures.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist LADWP 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 Encino Reservoir

Issue: The Project may impact the hydrology of Encino Reservoir and associated riparian vegetation.

Specific impact: Construction activities associated with the Project could affect water quality and the banks of the Encino Reservoir by removing vegetation, increasing soil exposure to erosion, and altering the reservoir's hydrology.

Why impact would occur: The Project proposes vegetation removal at at the existing boat ramp, at the site of the BESS, at the site of the ground-mount solar panels, and for the installation of the conduit between the open water and the concrete reservoir sidewalls. To facilitate construction and deployment of the floating panels and the installation of the conduit, approximately 6,000 square feet of vegetation clearance, including Goodding's willow–red willow riparian woodland and forest (*Salix gooddingii-Salix laevigata*) would be cleared. This area is considered suitable habitat for least Bell's vireo. These actions will impact the bank of Encino reservoir as well as the adjacent riparian vegetation that exists on-site.

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

- Divert or obstruct the natural flow of any river, stream, or lake[3];
- Change the bed, channel, or bank of any river, stream, or lake; and/or,
- Use material from any river, stream, or lake; or

[3] "Any river, stream, or lake" includes those that are dry for periods of time (ephemeral/episodic) as well as those that flow year-round (perennial). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a water body.

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- Deposit or dispose of material into any river, stream, or lake.

CDFW requires a Lake and Streambed Alteration (LSA) Notification when a project activity may substantially adversely affect fish and wildlife resources. The Project could result in reasonably foreseeable impacts on the reservoir and associated streams. Accordingly, the Project may have a significant impact on the reservoir and associated streams by modifying the banks of the reservoir and riparian vegetation within the Project's footprint during construction.

Recommended Potentially Feasible Mitigation Measure(s)

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

Mitigation Measure #1: The Project proposes to alter the bank of Encino Reservoir. Therefore, the Project applicant shall notify CDFW pursuant to Fish and Game Code section 1602. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. Please visit CDFW's Lake and Streambed Alteration Program[4] webpage for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal[5].

Mitigation Measure #2: If impacts to riparian vegetation occur, LADWP shall provide compensatory mitigation for impacts to the plant communities. Any off-site mitigation shall occur where a lake or stream supports the same plant communities impacted by the Project and preferably within the same watershed.

Recommendation #1: CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from LADWP for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, the Project's CEQA document should fully identify the Project's potential impacts on stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.

To compensate for any on- and off-site impacts to aquatic and riparian resources, additional mitigation conditioned in any LSA Agreement may include the following: erosion and pollution control measures, avoidance of resources, protective measures for downstream resources, on- and/or off-site habitat creation, enhancement, or restoration, and/or protection, and management of mitigation lands in perpetuity.

[4] https://wildlife.ca.gov/Conservation/LSA
[5] https://epims.wildlife.ca.gov/index.do

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COMMENT # 2: Impacts to Wildlife Resulting From Collisions

Issue: The Project may lead to potentially significant impacts to wildlife, including increased wildlife mortality due to collision and entanglement.

Specific impact: The introduction of solar panels and associated artificial structures may lead to increased wildlife mortality resulting from collision and entanglement.

Why impact would occur: Solar facilities impact fauna through habitat loss and fragmentation, altered microclimates, and the creation of novel habitat. Evidence suggests increases in insect, bird, and bat species richness and abundance around solar facilities constructed over degraded landscapes. This is likely due to the introduction of novel habitat and presence of generalist species, but decreases in species richness and abundance are observed when comparisons are made with intact reference landscapes (Fleming 2025). Increased wildlife activity in proximity to project infrastructure elevates the risk of collision and entanglement beyond baseline conditions.

The introduction of solar facilities may alter wildlife behavior and fitness in several ways. The reflective surfaces of solar panels can attract insects (Montag et al. 2016), providing new feeding opportunities for bird and bat species (Copping et al. 2025; Golawski et al. 2025). Floating solar arrays present an additional risk because their placement on water bodies can create a strong “lake effect” illusion, in which birds perceive the panels as open water and attempt to land, resulting in collisions or injuries (Diehl et al. 2024; Kagan et al. 2014). This phenomenon has been documented at large solar installations and is considered a significant source of avian mortality. The glare from solar farms can also create a visual disturbance (i.e., an illusion of open water) potentially altering animal behavior and increasing collision risk (Diehl et al. 2024). Thus, the physical presence of solar panels can disrupt migratory flight routes as well as foraging and nesting sites, thereby increasing the likelihood of wildlife injury or mortality (Kagan et al. 2014).

Evidence impact would be significant: Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds, as listed under the Federal Migratory Bird Treaty Act (MBTA). It is unlawful to take, possess, or needlessly destroy the nest or eggs of any raptor. Bats are considered non-game mammals and are afforded protection by State law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs, § 251.1). Additionally, pallid bats are considered SSC by CDFW. CEQA provides protection not only for CESA-listed species, but for any species including but not limited to SSC that can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Take or injury of SSC or other protected wildlife could require a mandatory finding of significance by the Lead Agency (CEQA Guidelines, § 15065).

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Recommended Potentially Feasible Mitigation Measure(s)

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

Mitigation Measure #3: Prior to start of operations, LADWP shall develop and implement a Wildlife Monitoring Response Protocol for monitoring the solar panels and all associated infrastructure to detect and respond to potential injuries or deaths. The protocol shall include regular inspection of solar panels and associated infrastructure for trapped, injured, or dead wildlife at least once per week during the first year of operation and monthly thereafter, unless monitoring data indicate a need for increased frequency. All observations of trapped, injured, or dead wildlife shall be documented, including species identification, the number and type of occurrences, date, location and details of the incident. LADWP shall immediately release any live wildlife found trapped or entangled when safe to do so and report injured or dead wildlife to CDFW within 24 hours of detection[6]. Monitoring data shall be analyzed annually to identify patterns such as seasonal collisions, and corrective measures shall be implemented as needed, including increased monitoring frequency, installation of deterrents, or design modifications to reduce future impacts. If monitoring identifies repeated collision-related facilities or injuries to the same species within a 12-month period, LADWP shall consult with CDFW within 30 days to implement additional avoidance or minimization measures. LADWP shall submit an annual report to CDFW summarizing monitoring results, responsive actions taken, and any adaptive management measures implemented.

Mitigation Measure #4: Prior to start of operations, LADWP shall install high-visibility deterrents on all floating solar panels and associated infrastructure to reduce risk of wildlife collisions and entanglements. Deterrents shall include the addition of high-visibility wire, flagging, or other approved materials that create visual contrast and break up reflective surfaces of the panels. LADWP shall coordinate with CDFW during the design phase to select deterrent types, colors, and configurations that are scientifically supported and effective for reducing avian strike risk. The deterrents shall be installed in a manner that ensures visibility from multiple approach angles and maintained in good condition for the life of the Project. LADWP shall inspect deterrents at least quarterly and replace any damaged or missing materials within 14 days of detection. Documentation of installation, coordination with CDFW, and any effectiveness-based adjustments informed by monitoring results shall be included in the annual report submitted to CDFW.

[6] A Scientific Collecting Permit or a Lake or Streambed Alternation Agreement may be required prior handling and relocating non special status wildlife species.

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COMMENT #3: Impacts to Species of Special Concern

Issue: CDFW is concerned that Project-related activities may result in significant impacts to the following SSC:

- *Reptiles*: two-striped garter snake; coastal whiptail; and/or,
- *Mammals:* pallid bat.

Specific Impact: Project construction and related activities, directly or through habitat modification, may result in direct injury or mortality of SSC.

Why impact would occur: Mitigation measure BIO-4 of the MND states that "[i]f these species, or any other special-status species, are detected within the construction area, the qualified biologist shall relocate or flush the individual out of the work area."

While relocation is one option for mitigating impacts, it may not fully account for impacts to an SSC, such as loss of individuals, loss of habitat, or loss of natal dens/middens/burrows. Capturing, handling, or relocating are acts that may have multiple unintended negative consequences, including increased stress and mortality of relocated animals, negative impacts on resident animals at release sites, increased conflicts with human interests, and the spread of diseases (Dodet et al. 2008). Attempts to avoid impacts to SSC should be the first option. Seeking a scientific collecting permit in order to trap and relocate individuals should only be done if impacts cannot be avoided.

Evidence impact would be significant: An SSC[7] is a species, subspecies, or distinct population of an animal native to California that currently satisfies one or more of the following (not necessarily mutually exclusive) criteria:

- Is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role.
- Is listed as ESA-, but not CESA-, threatened or endangered; meets the State definition of threatened or endangered but has not formally been listed.
- Is experiencing, or formerly experienced, serious (noncyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify it for State threatened or endangered status.
- Has naturally small populations exhibiting high susceptibility to risk from any factor(s), that if realized, could lead to declines that would qualify it for CESA status (CDFW 2020).

Project construction and activities, directly or through habitat modification, may result in direct mortality, reduced reproductive capacity, population declines, or local extirpation of SSC. CEQA provides protection not only for State and federally listed species, but for

[7] https://wildlife.ca.gov/Conservation/SSC

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any species including but not limited to SSC which can be shown to meet the criteria for State listing. These SSC meet the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15065). Take of SSC could require a mandatory finding of significance by LADWP, (CEQA Guidelines, § 15065).

Recommended Potentially Feasible Mitigation Measure(s)

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

Mitigation Measure #5: Pursuant to the California Code of Regulations, title 14, section 650, [LADWP] must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2024a). An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement.

CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).

Mitigation Measure #6: LADWP shall retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the following species: two-striped garter snake, coastal whiptail, and pallid bat. The qualified biologist shall conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist shall conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location shall be mapped and photographed. The qualified biologist shall provide a summary report of SSC surveys to LADWP prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist shall develop species-specific mitigation measures for implementation during the Project.

Mitigation Measure #7: Wildlife shall be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC shall be captured only by a qualified biologist with proper handling permits. The qualified biologist shall prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan shall be submitted to LADWP prior to implementing any Project-related ground-disturbing activities and vegetation removal.

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Mitigation Measure #8: LADWP, in consultation with a qualified biologist, shall prepare a worker environmental awareness training. The qualified biologist shall communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.

Mitigation Measure #9: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately. The qualified biologist shall be notified and the dead or injured wildlife specimen shall be documented. A formal report shall be sent to CDFW within three calendar days of the incident or finding. Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

Recommendation #2: LADWP should update Mitigation Measure BIO-5 to include pallid bats in surveys as they have the potential to occur at the Project site, according to historic records in California Natural Diversity Database (CNDDB). While not typically a tree roosting species, the introduction of solar panels to the reservoir may increase insect abundance which in turn may lead to the use of the Project site by pallid bats for foraging. Inclusion of pallid bats in survey protocol will create a more robust mitigation measure for adequately avoiding impacts to bat species.

ADDITIONAL COMMENTS

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

Injured or Dead Wildlife. If any special status wildlife species are found, harmed during relocation, or a dead or injured animal is found, work in the immediate area shall stop immediately, the designated biologist should be notified, and dead or injured wildlife documented immediately. A formal report should be sent to CDFW within 3 calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and location of the carcass or injured animal and circumstances of its death or injury (if known). Work in the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.

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Scientific Collecting Permit. Focused surveys for special-status species (i.e., Crotch's bumble bee and two-striped garter snake) require specific handling permits prior to conducting surveys. The Project proponent should retain a qualified biologist(s) with appropriate handling permits, or should obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650). Please visit CDFW's Scientific Collection Permits[8] webpage for information (CDFW 2024d).

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 CNDDB. The CNDDB website[9] 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[10].

LADWP 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.)

[8] https://wildlife.ca.gov/Licensing/Scientific-Collecting#53949678
[9] https://wildlife.ca.gov/Data/CNDDB
[10] https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit

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CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist LADWP in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that LADWP 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 Andrew Valand[11], Senior Environmental Scientist (Specialist).

Sincerely,

DocuSigned by:
Heather A. Pert
DF423498814B441...

Heather A. Pert
Environmental Program Manager
South Coast Region

ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

Attachment B: Proposed Site Plan

ec: California Department of Fish and Wildlife
Baron Barrera, Senior Environmental Scientist (Supervisor)
Andrew Valand, Senior Environmental Scientist (Specialist)
Cindy Hailey, Staff Services Analyst
CEQA Program Coordinator – Sacramento

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

REFERENCES

[CDFW] California Department of Fish and Wildlife. 2020. Species of Special Concern. Accessed at: https://wildlife.ca.gov/Conservation/SSC.

[CDFW] California Department of Fish and Wildlife. 2024a. *Scientific Collecting Permits*. Available at: https://wildlife.ca.gov/Licensing/Scientific-Collecting.

[11] Phone: 562-292-6821; Email: Andrew.Valand@wildlife.ca.gov

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[CDFW] California Department of Fish and Wildlife. 2024c. *Threatened and Endangered Species*. Available at: https://wildlife.ca.gov/Conservation/CESA.

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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: The Project proposes to alter riparian vegetation along the banks of Encino Reservoir. Therefore, the Project applicant shall notify CDFW pursuant to Fish and Game Code section 1602. Based on this notification and other information, CDFW shall determine whether a Lake and Streambed Alteration (LSA) Agreement is required prior to conducting the proposed activities. Please visit CDFW's Lake and Streambed Alteration Program[12] webpage for information about LSA Notification and online submittal through the Environmental Permit Information Management System (EPIMS) Permitting Portal[13].	Prior to Project Initiation	Lead Agency
Mitigation Measure #2: If impacts to riparian vegetation occur, LADWP shall provide compensatory mitigation for impacts on the reservoir and associated plant communities. Any off-site mitigation shall occur where a lake or stream supports the same plant communities impacted by the Project and preferably within the same watershed.	Prior to Project Initiation	Lead Agency
Mitigation Measure #3: Prior to start of operations, LADWP shall develop and implement a Wildlife Monitoring Response Protocol for monitoring the solar panels and all associated infrastructure to detect and respond to potential injuries or deaths. The protocol shall include regular inspection of solar panels and associated infrastructure	Prior to Project Initiation	Lead Agency/ Designated Biologist

[12] https://wildlife.ca.gov/Conservation/LSA
[13] https://epims.wildlife.ca.gov/index.do

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Mitigation Measure	Timing	Responsible Party
for trapped, injured, or dead wildlife at least once per week during the first year of operation and monthly thereafter, unless monitoring data indicate a need for increased frequency. All observations of trapped, injured, or dead wildlife shall be documented, including species identification, the number and type of occurrences, date, location and details of the incident. LADWP shall immediately release any live wildlife found trapped or entangled when safe to do so and report injured or dead wildlife to CDFW within 24 hours of detection. Monitoring data shall be analyzed annually to identify patterns such as seasonal collisions, and corrective measures shall be implemented as needed, including increased monitoring frequency, installation of deterrents, or design modifications to reduce future impacts. If monitoring identifies repeated collision-related facilities or injuries to the same species within a 12-month period, LADWP shall consult with CDFW within 30 days to implement additional avoidance or minimization measures. LADWP shall submit an annual report to CDFW summarizing monitoring results, responsive actions taken, and any adaptive management measures implemented.		
Mitigation Measure #4: Prior to start of operations, LADWP shall install high-visibility deterrents on all floating solar panels and associated infrastructure to reduce risk of wildlife collisions and entanglements. Deterrents shall include the addition of high-visibility wire, flagging, or other approved materials that create visual contrast and break up reflective surfaces of the panels. LADWP shall coordinate with CDFW during the design phase to select deterrent types, colors, and configurations that are scientifically supported and effective for reducing avian strike risk. The deterrents shall be installed in a manner that ensures visibility from multiple approach angles and maintained in good condition for the life of the project. LADWP shall inspect deterrents at least quarterly and replace any damaged or missing materials within 14 days of detection. Documentation of installation, coordination with CDFW, and any	During Project Construction/ During Project Operation	Lead Agency

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Mitigation Measure	Timing	Responsible Party
effectiveness-based adjustments informed by monitoring results shall be included in the annual report submitted to CDFW.		
Mitigation Measure #5: Pursuant to the California Code of Regulations, title 14, section 650, LADWP/qualified biologist must obtain appropriate handling permits to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with Project construction and activities. Please visit CDFW's Scientific Collection Permits webpage for information (CDFW 2024a). An LSA Agreement may provide similar take or possession of species as described in the conditions of the agreement. CDFW has the authority to issue permits for the take or possession of wildlife, including mammals; birds, nests, and eggs; reptiles, amphibians, fish, plants; and invertebrates (Fish & G. Code, §§ 1002, 1002.5, 1003). Effective October 1, 2018, a Scientific Collecting Permit is required to monitor project impacts on wildlife resources, as required by environmental documents, permits, or other legal authorizations; and, to capture, temporarily possess, and relocate wildlife to avoid harm or mortality in connection with otherwise lawful activities (Cal. Code Regs., tit. 14, § 650).	During Project Construction/ During Project Operation	Lead Agency
Mitigation Measure #6: LADWP shall retain a qualified biologist(s) with experience surveying for or is familiar with the life history of each of the following species: two-striped garter snake, coastal whiptail, and pallid bat. The qualified biologist shall conduct focused surveys for SSC and suitable habitat no more than one month from the start of any ground-disturbing activities or vegetation removal where there may be impacts to SSC. In addition, the qualified biologist shall conduct daily biological monitoring during any activities involving vegetation clearing or modification of natural habitat. Positive detections of SSC and suitable habitat at the detection location shall	During Project Construction	Lead Agency

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Mitigation Measure	Timing	Responsible Party
be mapped and photographed. The qualified biologist shall provide a summary report of SSC surveys to LADWP prior to implementing any Project-related ground-disturbing activities and vegetation removal. Depending on the survey results, a qualified biologist shall develop species-specific mitigation measures for implementation during the Project.		
Mitigation Measure #7: Wildlife shall be protected, allowed to move away on its own (non-invasive, passive relocation), or relocated to adjacent appropriate habitat on site or to suitable habitat adjacent to the project area. SSC shall be captured only by a qualified biologist with proper handling permits. The qualified biologist shall prepare a species-specific list (or plan) of proper handling and relocation protocols and a map of suitable and safe relocation areas. A relocation plan shall be submitted to LADWP prior to implementing any Project-related ground-disturbing activities and vegetation removal.	During Project Construction	Lead Agency/ Designated Biologist
Mitigation Measure #8: LADWP, in consultation with a qualified biologist, shall prepare a worker environmental awareness training. The qualified biologist shall communicate to workers that upon encounter with an SSC (e.g., during construction or equipment inspections), work must stop, a qualified biologist must be notified, and work may only resume once a qualified biologist has determined that it is safe to do so.	Prior to Project Construction	Lead Agency/ Designated Biologist
Mitigation Measure #9: If any SSC are harmed during relocation or a dead or injured animal is found, work in the immediate area shall stop immediately. The qualified biologist shall be notified and dead or injured wildlife documented. A formal report shall be sent to CDFW within three calendar days of the incident or finding. Work in	During Project Construction	Lead Agency/ Designated Biologist

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Mitigation Measure	Timing	Responsible Party
the immediate area may only resume once the proper notifications have been made and additional mitigation measures have been identified to prevent additional injury or death.		
Recommendation #1: CDFW's issuance of an LSA Agreement for a Project that is subject to CEQA will require CEQA compliance actions by CDFW as a Responsible Agency. As a Responsible Agency, CDFW may consider the CEQA document from LADWP for the Project. To minimize additional requirements by CDFW pursuant to Fish and Game Code section 1600 et seq. and/or under CEQA, the Project's CEQA document shall fully identify the Project's potential impacts on stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA Agreement.	Prior to Project Initiation	Lead Agency
Recommendation #2: LADWP should update Mitigation Measure BIO-5 to include pallid bats in surveys as they have the potential to occur at the Project site, according to historic records in California Natural Diversity Database (CNDDB). While not typically a tree roosting species, the introduction of solar panels to the reservoir may increase insect abundance which in turn may lead to the use of the Project site by pallid bats for foraging. Inclusion of pallid bats in survey protocol will create a more robust mitigation measure for adequately avoiding impacts to bat species.	Prior to Project Initiation	Lead Agency

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Attachment B: Proposed Site Plan



Source: Google Earth Pro, October 2025

LA DWP Los Angeles Department of Water & Power

NOT TO SCALE

ENCINO RESERVOIR FLOATING SOLAR PILOT PROJECT

Proposed Project Components

Figure 3