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Subject: SCH#2026081110 Freedom Lane Residential Development Project, CDFW Comments
Date: Thursday, September 17, 2026 11:58:32 AM

Dear So Kim,

The California Department of Fish and Wildlife (CDFW) has reviewed the Freedom Lane Residential Project (Project) draft Initial Study/ Mitigated Negative Declaration (IS/MND) dated April 2026. The comments provided herein are based on information provided in the MND, the recognized decline of grassland in Orange County, wildlife-value of mature trees, and the occurrence data of listed species in the vicinity of the Project.

CDFW is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15281, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and other sections of the Fish and Game Code (1600 *et seq.*).

With respect to natural and semi-natural vegetation communities, the Biological Resources Supporting Information does not provide botanical survey data for the site, nor land cover maps. This lack of survey data is likely to contribute to the loss of non-native grassland that is still categorized as sensitive natural vegetation communities, even if they contain a percent of relative cover comprised of non-native floral species. CDFW recommends a Mitigation Measure which incorporates the following language:

To avoid impacts to sensitive vegetation communities a qualified biologist will survey the project site to determine the relative cover of species and the appropriate land cover types present on site. This should be classified according to the floristic alliance- and/or association-based mapping and vegetation impact assessments conducted on the Project site and within adjacent areas. The Manual of California Vegetation, second edition, (Sawyer, Keeler-Wolf, & Evens, 2009) should also be used to inform this mapping and assessment. This shall include a complete inventory of floral species, specified to a taxonomic level necessary to confidently eliminate it as having a California Rare Plant Ranking per the California Native Plant Society. This will require appropriately timed surveys spaced throughout the year to coincide with the phenology of locally occurring special-status species.

If special-status species and/ or sensitive vegetation communities are discovered the Project should include compensatory mitigation measures for the Project's significant impacts (direct and/or through habitat modification). For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore inadequate to mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed. Areas proposed as mitigation lands should be protected in perpetuity with a conservation easement and financial assurance and dedicated to a qualified entity for long-term management and monitoring.

Furthermore, the analysis provided as part of the MND does not consider potential for Crotch's bumble bee (*Bombus crotchii*) to occur on site. The coastal sage scrub habitat west of the project site contains suitable habitat and known occurrences of the species are present in the contiguous habitat adjacent to it. The taxon is known to utilize non-native plant species as a food source, and the Project site is within the known foraging range that an individual is capable of dispersing. The lack of focused surveys may contribute to the "take" of the species. CDFW recommends a Mitigation Measure which incorporates the following language:

In order to avoid impacts to Crotch's bumble bee, the Project Proponent should retain a qualified biologist familiar with the species to survey the Project site for Crotch's bumble bee and suitable habitat. Surveys should be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1 (Thorp et al. 1983). Survey should also occur within one year prior to vegetation removal and/or ground disturbance and adhere to the Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). The EIR should provide full disclosure of the presence of Crotch's bumble bee and the Project's potential impact on Crotch's bumble bee.

If the site is determined to be occupied by Crotch's bumble bee the Project proponent should consult with CDFW to determine if a CESA Incidental Take Permit (ITP) is required. In addition, the Project Proponent should provide compensatory mitigation for permanent impacts.

We appreciate the opportunity to comment on the draft MND for this project and to assist in further minimizing and mitigating project impacts to biological resources by ensuring that the proposed project is consistent with the CEQA. If you should have any questions or comments regarding this email, please contact me using the information

provided below.

Sincerely,

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