

2 Responses to Comments on the Draft IS-MND

This section includes comments received during public circulation of the Draft Initial Study-Mitigated Negative Declaration (IS-MND) prepared for the Casitas-Ojai Water System Consolidation Project (project).

The Draft IS-MND was circulated for a 30-day public review period which began on July 18, 2025 and ended on August 18, 2025. Casitas Municipal Water District (Casitas) received six comment letters on the Draft IS-MND. The commenters and the page number on which each commenter's letter appear are listed below.

Letter No. and Commenter		Page No.
1	Miya Edmonson, California Department of Transportation	2-2
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6	Heather Pert, California Department of Fish and Wildlife	2-21

The comment letters and responses follow. The comment letters are numbered sequentially and each separate issue raised by the commenter, if more than one, has been assigned a number. The responses to each comment identify first the number of the comment letter, and then the number assigned to each issue (Response 1.1, for example, indicates the response is for the first issue raised in Comment Letter 1).

DEPARTMENT OF TRANSPORTATION

DISTRICT 7

100 S. MAIN STREET, MS 16

LOS ANGELES, CA 90012

PHONE (213) 269-1124

FAX (213) 897-1337

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*Making Conservation
a California Way of Life*

August 11, 2025

Julia Aranda, Engineering Manager
Casitas Municipal Water District
1055 Ventura Avenue
Oak View, CA 93022

RE: Casitas-Ojai Water System
Consolidation Project
SCH # 2025070808
Vic. VEN-150/PM 19.95 to 16.78
VEN-33/PM 12.78
GTS # VEN-2025-00648-MND

Dear Julia Aranda:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced environmental document. The Casitas Municipal Water District, CMWD, project to integrate the Ojai and Casitas water systems involves pipeline installation, tank demolition and construction, tank rehabilitation, water treatment system upgrades, and pump station replacement in Ojai and unincorporated Ventura County.

1.1

The mission of Caltrans is to provide a safe and reliable transportation network that serves all people and respects the environment. Senate Bill 743 (2013) has codified into CEQA law and mandated that CEQA review of transportation impacts of proposed development be modified by using Vehicle Miles Traveled (VMT) as the primary metric in identifying transportation impacts for all future development projects. As a reminder, all environmental documents should include Vehicle Miles Traveled. You may reference the Governor's Office of Planning and Research (OPR) for more information:

1.2

<https://opr.ca.gov/ceqa/#guidelines-updates>

The project's construction would cause only short-term, temporary increases in vehicle miles traveled (VMT), with infrequent operations afterward. Since Casitas has no adopted VMT thresholds and operational VMT impacts would be negligible, the project would not result in a significant VMT impact or conflict with CEQA requirements.

1.3

Please be reminded that any work performed within the State Right-of-way, if any, will require an Encroachment Permit from Caltrans. Any modifications to State facilities must meet all mandatory design standard and specifications.

1.4

Any transportation of heavy construction equipment and/or materials that require the use of oversized transport vehicles on State highways will need a Caltrans transportation permit. Any large-size truck trips be limited to off-peak commute periods for the construction phase and operation phase. Construction truck loads should be covered with a tarpaulin cover.

1.5

Storm water run-off is a sensitive issue for Los Angeles County. Please be mindful that projects should be designed to discharge clean run-off water. Additionally, discharge of storm water run-off is not permitted onto State highway facilities without any storm water management plan.

1.6

If you have any questions, please feel free to contact Mr. Alan Lin, the project coordinator, at (213) 269-1124 and refer to GTS # VEN-2025-00648-MND.

Sincerely,



MIYA EDMONSON
LDR/CEQA Branch Chief

email: State Clearinghouse

Letter 1

COMMENTER: Miya Edmonson, California Department of Transportation (Caltrans)

DATE: August 11, 2025

Response 1.1

The commenter expresses appreciation for their inclusion in the environmental review process, and provides a summary of the proposed project. This comment does not warrant changes to the Draft IS-MND.

Response 1.2

The commenter reminds the lead agency of Senate Bill 743 (2013), which requires the use of vehicle miles traveled (VMT) as the primary metric for evaluating transportation impacts under the California Environmental Quality Act (CEQA). As discussed in Environmental Checklist Section 17, *Transportation*, of the Draft IS-MND, the project would result in short-term, temporary increases in VMT during construction, with negligible operational VMT impacts. Casitas has not adopted VMT thresholds, and the project would not result in a significant VMT impact. This comment does not warrant changes to the Draft IS-MND.

Response 1.3

The commenter confirms the project's construction would cause temporary increases in VMT. As described in the Draft IS-MND, operational VMT impacts would be negligible, and no significant transportation impacts are anticipated. This comment does not warrant changes to the Draft IS-MND.

Response 1.4

The commenter reminds Casitas any work within the State right-of-way would require an Encroachment Permit from Caltrans and any modifications to State facilities must comply with applicable design standards. Should any portion of the project encroach into the State right-of-way, Casitas would obtain all necessary permits, including an Encroachment Permit from Caltrans, prior to construction. The proposed project would not include modifications to State facilities. This comment does not warrant changes to the Draft IS-MND.

Response 1.5

The commenter notes transportation of heavy equipment and materials using oversized vehicles on State highways would require a Caltrans transportation permit and recommends limiting large truck trips to off-peak periods and covering loads. Casitas would comply with all applicable regulations, including obtaining necessary transportation permits and implementing best practices for construction vehicle operations. This comment does not warrant changes to the Draft IS-MND.

Response 1.6

The commenter states stormwater runoff is a sensitive issue in Los Angeles County. The project site is located in Ventura County and, as discussed in Environmental Checklist Section 10, *Hydrology and Water Quality*, and Environmental Checklist Section 19, *Utilities and Service Systems*, of the Draft IS-

MND, the project would not create substantial new impervious surfaces or exceed drainage system capacity. Additionally, the proposed project would include preparation and implementation of a Storm Water Pollution Prevention Plan, which would minimize the amount of sediment and other pollutants associated with the construction site discharged in stormwater runoff. Furthermore, the project would include implementation of Mitigation Measure BIO-4, which requires best management practices to prevent runoff and protect water quality near San Antonio Creek, such as spill containment, sediment barriers, and setbacks for material storage and equipment maintenance. The project would not involve the discharge of stormwater runoff onto State highway facilities. This comment does not warrant changes to the Draft IS-MND.

On Fri, Aug 8, 2025 at 4:03 PM Shari Herbruck <shari.herbruck@ojai.ca.gov> wrote:

Good afternoon Julia,

Thank you for the opportunity to ask questions and comment on the Notice of Intent (NOI) to adopt a mitigated negative declaration for the *"Casitas Ojai System Consolidation Project."*

Questions:

2.1

1. What is the estimated time the project will last?
2. What are the potential noise impacts of the project?
3. The City of Ojai does not permit weekend work. Is work on the weekends proposed?

Sincerely, Shari

~~~~~

*Shari Herbruck, Principal Planning & Building Technician, City of Ojai*

(805) 646-5581 x112 - email: [shari.herbruck@ojai.ca.gov](mailto:shari.herbruck@ojai.ca.gov)

*Hours, 8a-5p – Mon-Fri*

## Letter 2

**COMMENTER:** Shari Herbruck, City of Ojai

**DATE:** August 8, 2025

### **Response 2.1**

The commenter inquires about the project's timeline, potential noise impacts, and potential for weekend work. Table 2 on Page 11 of the Draft IS-MND identifies the estimated timelines for each component. Environmental Checklist Section 13, *Noise*, of the Draft IS-MND describes the potential noise impacts of the project. Initial Study Section 6, *Description of Project*, on page 8 of the Draft IS-MND states: "Construction would mostly be limited to between 8:00 am and 4:30 pm, Monday through Friday." No weekend work is proposed. Casitas provided the above responses via email to the commenter. This comment does not warrant changes to the Draft IS-MND.



GAVIN NEWSOM  
GOVERNOR



YANA GARCIA  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

## State Water Resources Control Board

Ms. Aranda  
Casitas Municipal Water District  
1055 Ventura Avenue  
Oak View, CA 93022

Dear Ms. Aranda:

INITIAL STUDY / MITIGATED NEGATIVE DECLARATION (IS/MND) FOR THE CASITAS MUNICIPAL WATER DISTRICT (WATER SYSTEM); CASITAS-OJAI WATER SYSTEM CONSOLIDATION PROJECT (PROJECT); VENTURA COUNTY; STATE CLEARINGHOUSE NO. 2025070808

### DOMESTIC WATER SUPPLY PERMIT AMENDMENT

Thank you for the opportunity to review the IS/MND for the proposed Project. The State Water Resources Control Board, Division of Drinking Water (State Water Board, DDW) is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act. This Project is within the jurisdiction of DDW Santa Barbara District. DDW Santa Barbara District issues domestic water supply permit amendments to the public water systems serviced with a new or modified source of domestic water supply or new domestic water system components pursuant to Waterworks Standards (Title 22 California Code of Regulations [Cal. Code Regs.] chapter 16 et. seq.). A public water system requires a new water supply permit if it includes the creation of a new public water system or a water supply permit amendment when changes are made to a domestic water supply source, storage, or treatment and for the operation of new water system components- as specified in the Cal. Code Regs. § 64556.

3.1

### FUNDING

We understand that the Water System is also pursuing Drinking Water State Revolving Fund (DWSRF) financing for this Project (DWSRF No. 5610024-002C). As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Board is providing the following water quality related comments on the IS/MND circulating for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the DWSRF Program (Program). The primary purpose for the Program is to implement the Safe Drinking Water Act and various state laws by providing financial assistance for drinking facilities improvements to provide clean potable drinking water, and thereby protect and promote health, safety and welfare of the inhabitants of the state.

3.2

E. JOAQUIN ESQUIVEL, CHAIR | ERIC OPPENHEIMER, EXECUTIVE DIRECTOR

All applicants seeking DWSRF funding must comply with the California Environmental Quality Act (CEQA) and provide appropriate documents to the State Water Board so that it can fulfill its CEQA responsibilities, see [CEQA Requirements](#). For additional Program information, the complete environmental application package and instructions, please visit:

[Drinking Water State Revolving Fund Forms and Instructions](#).

3.2  
(cont.)

Following are specific comments on the Water System's draft IS/MND:

- The Water System will need to apply for a water supply permit amendment from the Division of Drinking Water Santa Barbara District office for operation of a new storage reservoir, operation of new treatment, and new system expansion. (Please note that temporary tanks will also need review from the Santa Barbara District.) Under Section 8 (PDF page 15) when discussing project permits, please add a domestic water supply permit amendment.
- Documents submitted to the State Water Board during the funding application process (e.g. bid schedule and designs), include project elements that are not reflected in the IS/MND. As part of Section 4 Project Location and Section 6 Project Description please include and/or discuss, as applicable:
  - How the Casitas and Ojai water system are currently connected and the future piping that will be installed to directly connect the two systems [Bid Schedule, PDF page 23, Designs C-104, C-501]. If piping will be installed in Fairview Road, please also add Fairview Road to the maps and list of project locations.
  - The destruction of the Valley View booster pump station [Bid Schedule, PDF page 25]. Please also provide a map of the Valley View booster pump station location and correct the associated location in the Project location description (PDF page 253) [Designs C-106].
  - The construction and operation of the new chemical feed system at the Arbolada Reservoir- including operational storage and delivery of new chemicals to the site [Bid Schedule, PDF page 24]. Also discuss the operation of the new treatment system at the wellfield site (PDF page 255).
  - If a temporary tank is required, while the existing tanks are being replaced or rehabilitated.
  - Which wells will continue to be used by the Water System. If some wells will not be integrated into the Water System, discuss how will they be managed or destroyed to protect water quality.

3.3

3.4

If an application for funding will be submitted, please upload to Financial Assistance Application Submittal Tool the following applicable documents for the proposed Project: (1) one copy of the draft and final IS/MND with the Mitigation Monitoring and Reporting Program (MMRP), (2) the resolution adopting the IS/MND and the MMRP, (3) all comments received during the review period and the Water System response to those comments, and (4) the Notice of Determination filed with the Ventura County Clerk and the Governor's Office of Land Use and Climate Innovation, State Clearinghouse. In

3.5

addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board.

3.5

If funding will not be pursued, please forward the above requested documents with your permit amendment application to the State Water Board, DDW Santa Barbara District Office at [DWPDIST06@waterboards.ca.gov](mailto:DWPDIST06@waterboards.ca.gov)

3.6

Thank you for the opportunity to review the Water System's draft IS/MND. If you have any questions or concerns, please feel free to contact me at (916) 449-5285, or by email at [Lori.Schmitz@waterboards.ca.gov](mailto:Lori.Schmitz@waterboards.ca.gov) or contact Mrs. Bridget Binning at (916) 449-5641, or by email at [Bridget.Binning@waterboards.ca.gov](mailto:Bridget.Binning@waterboards.ca.gov).

3.7

Sincerely,

 Digitally signed by Lori Schmitz  
Date: 2025.08.19 11:41:38  
-0700  
Water Boards

Lori Schmitz  
Environmental Scientist  
Division of Financial Assistance  
Special Project Review Unit  
1001 I Street, 16<sup>th</sup> floor  
Sacramento, CA 95814

cc: State Clearinghouse

Bridget Binning, Division of Financial Assistance

Jason Cunningham, Division of Drinking Water

Armin Ghavim, Division of Drinking Water

## Letter 3

**COMMENTER:** Lori Schmitz, State Water Resources Control Board (SWRCB)

**DATE:** August 19, 2025

### Response 3.1

The commenter notes the SWRCB Division of Drinking Water is responsible for issuing water supply permits pursuant to the Safe Drinking Water Act and the proposed project is within the jurisdiction of the Division of Drinking Water Santa Barbara District. The commenter explains a domestic water supply permit amendment is required for public water systems which include a new or modified source of domestic water supply or new system components, in accordance with Title 22 of the California Code of Regulations. This comment does not warrant changes to the Draft IS-MND.

### Response 3.2

The commenter recognizes Casitas is pursuing Drinking Water State Revolving Fund financing and provides links to resources pertaining to CEQA requirements and environmental application package instructions. As described in the Draft IS-MND, Casitas has prepared the necessary environmental documentation to support CEQA compliance and Drinking Water State Revolving Fund eligibility. The Draft IS-MND includes a detailed evaluation of federal environmental requirements in Section *Federal Cross-Cutting Environmental Regulations Evaluation* on page 95, and addresses water quality impacts and permitting requirements in Environmental Checklist Section 10, *Hydrology and Water Quality*. These analyses demonstrate consistency with applicable state and federal regulations. This comment does not warrant changes to the Draft IS-MND.

### Response 3.3

The commenter notes the project would require a domestic water supply permit amendment from the Division of Drinking Water, Santa Barbara District, for operation of the new storage reservoir, new treatment system, and system expansion. Accordingly, Initial Study Section 8, *Other Public Agencies Whose Approval is Required*, of the Draft IS-MND has been revised to include the following addition in underline:

The proposed project may require the following permits:

- City of Ojai Encroachment Permit
- County of Ventura Transportation Department Encroachment Permit
- General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities
- National Pollutant Discharge Elimination System Permit No. CAG994004 – Discharges of Groundwater from Construction and Project Dewatering to Surface Waters in Coastal Watersheds of Los Angeles and Ventura Counties
- State Water Resources Control Board, Division of Drinking Water, Domestic Water Supply Permit Amendment

### **Response 3.4**

The commenter notes several project elements included in the SWRCB funding application materials are not reflected in the Draft IS-MND, and requests specific details regarding listed project components.

The funding application materials include previous, outdated information from prior design phases. Some project elements have since been modified or eliminated. The project description within Initial Study Section 6, *Description of Project*, of the Draft IS-MND reflects the most recent description of the project, which is also described in the funding application package.

Casitas offers the following responses to bulleted information requests:

- The Casitas and Ojai water systems are currently connected via an intertie pipeline, and no future piping would be installed to directly connect the two systems.
- Figures 1 and 2 of the Draft IS-MND have been revised to reference the location of the Valley View Booster Pump Station. Initial Study Section 6, *Description of Project*, has been revised to clearly indicate the Valley View Booster Pump Station would be demolished.
- No chemical treatment would occur at the Arbolada site. The proposed new treatment system at the OWS Wellfield would be operated to meet water quality standards.
- No temporary tanks would be required.
- All wells currently used by the Ojai water system would continue to be used and integrated into the Casitas system.

### **Response 3.5**

The commenter requests key environmental documents be uploaded to the SWRCB's Financial Assistance Application Submittal Tool if an application for funding is submitted.

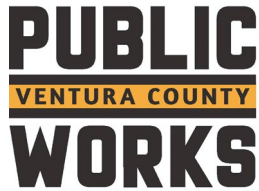
If the project is approved by the Casitas Board of Directors, Casitas will provide the following materials as part of the funding application process: (1) one copy of the Draft and Final IS-MND, including the Mitigation Monitoring and Reporting Program; (2) the resolution adopting the IS-MND and Mitigation Monitoring and Reporting Program; (3) all public comments received during the review period and Casitas' responses to those comments; and (4) the Notice of Determination filed with the Ventura County Clerk and the Governor's Office of Land Use and Climate Innovation, State Clearinghouse. Casitas will also provide notice of any hearings or meetings held regarding environmental review for projects to be funded by the SWRCB. This comment does not warrant changes to the Draft IS-MND.

### **Response 3.6**

In the event funding is not pursued, the commenter requests key environmental documents be submitted with the permit amendment application to the SWRCB Division of Drinking Water, Santa Barbara District Office. This comment does not warrant changes to the Draft IS-MND.

### **Response 3.7**

The commenter thanks Casitas for the opportunity to review the proposed project and provides contact information should Casitas have any questions for them. This comment does not warrant changes to the Draft IS-MND.



**COUNTY OF VENTURA  
PUBLIC WORKS AGENCY**

**MEMORANDUM**

**DATE:** August 14, 2025

**TO:** RMA – Planning Division  
Attention: Philip Hess

**FROM:** PWA-RT Advance Planning *CMS*  
Christopher Solis, Senior Engineering Manager  
Jesus Banuelos, Engineer IV *JB*

**SUBJECT: ENVIRONMENTAL DOCUMENT REVIEW**  
**PROJECT NO:** RMA 25-027  
**LEAD AGENCY:** Casitas Municipal Water District  
**PROJECT:** Casitas-Ojai Water System Consolidation Project

**PROJECT COMMENTS:**

Thank you for providing the County of Ventura with the opportunity to review and comment on the environmental review process for the Casitas-Ojai Water System Consolidation Project. This project involves pipeline installation, tank construction, tank rehabilitation, water treatment system upgrades, and pump station upgrades in Ojai and unincorporated Ventura County.

4.1

When designing the waterline please be aware the County has final approval for any infrastructure or installations in County right-of-way; specifically, the location of protruding facilities such as air-vac and blow-off valves. Involving the County during the plan check process would be beneficial to the project.

4.2

Please note that all work performed within the County right-of-way requires an encroachment permit. All road repairs shall be per County Standard Plates. Additionally, oversized and overweight vehicles on County roads require permits. Work-hour, seasonal, or peak-hour restrictions may apply.

4.3

Inquiries and permit applications can be submitted to the division listed below:

Ventura County Public Works – Roads & Transportation  
 800 South Victoria Avenue L#1620, Ventura, CA 93009  
 Phone: (805) 654-2055 / Fax: (805) 654-7681  
 Email: pwa.transpermits@ventura.gov

4.4

## Letter 4

**COMMENTER:** Christopher Solis, Ventura County Public Works – Roads & Transportation

**DATE:** August 14, 2025

### **Response 4.1**

The commenter thanks Casitas for the opportunity to review and comment on the environmental review process for the proposed project, and provides a summary of the proposed improvements. This comment does not warrant changes to the Draft IS-MND.

### **Response 4.2**

The commenter notes the County of Ventura has final approval authority over infrastructure or installations within County right-of-way, including the location of protruding facilities such as air-vac and blow-off valves, and recommends involving the County during the plan check process.

Casitas acknowledges the County's jurisdiction over facilities within County right-of-way and will coordinate with the appropriate County departments during the permitting process for compliance with applicable standards and requirements. This comment does not warrant changes to the Draft IS-MND.

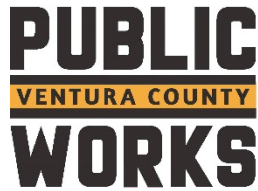
### **Response 4.3**

The commenter notes all work within County right-of-way requires an encroachment permit and road repairs must conform to County Standard Plates. The commenter also notes oversized and overweight vehicles on County roads require permits, and work-hour, seasonal, or peak-hour restrictions may apply.

Casitas would obtain all necessary permits prior to construction, including encroachment and transportation permits, and would coordinate with the County for compliance with applicable standards and restrictions. This comment does not warrant changes to the Draft IS-MND.

### **Response 4.4**

The commenter provides contact information for submitting inquiries and permit applications. This comment does not warrant changes to the Draft IS-MND.



**WATERSHED PROTECTION**  
WATERSHED PLANNING AND PERMITS DIVISION  
800 South Victoria Avenue, Ventura, California 93009

**M E M O R A N D U M**

**DATE:** August 7, 2025

**TO:** Philip Hess, Case Planner  
County of Ventura

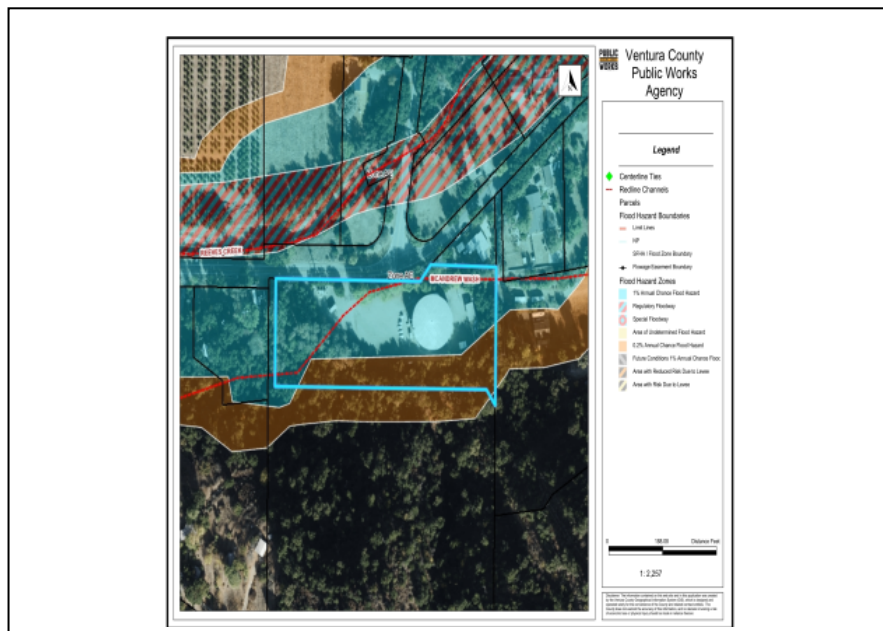
**FROM:** Yunsheng Su, PWA-WP Case Reviewer

**SUBJECT:** RMA25-027  
APN:030017007  
CEQA Review Comments and Conditions

Pursuant to your request dated 7/24/2025, this office has reviewed the submitted materials and provides the following comments.

**PROJECT LOCATION:**

Location Map:



5.1

**PROJECT DESCRIPTION:**

CMWD acquired the Ojai Water System in 2017 from Golden State Water Company. The proposed project would integrate the Ojai Water System with the Casitas Water System to address insufficient storage capacity in the Ojai Water System and provide compatible water treatment to both systems. The proposed project consists of five main components: 1) Pipeline installation, consisting of approximately 450 linear feet of a new 6-inch water pipeline at the Private Drive site in unincorporated Ventura County; as well as approximately 1,100 linear feet of a new 8-inch pipeline at the Foothill Road site, in unincorporated Ventura County and the City of Ojai; 2) Tank demolition, abandonment, and construction, consisting of demolition of the existing 1.0-million gallon concrete tank at the Arbolada Tank site in Ojai; abandonment of the existing Running Ridge tanks at the Running Ridge site in unincorporated Ventura County; and construction of a 1.0-million gallon welded steel tank at the Ojai East Tank site in Ojai; 3) Tank rehabilitation, consisting of rehabilitation of an existing 3.0-million gallon welded steel tank at the Ojai East Tank site in Ojai; 4) Water treatment, consisting of conversion of the existing treatment system at the Ojai Water System Wellfield in Ojai from chlorine to chloramines, which would involve installation of a new, approximately 2,700 linear feet discharge line, a new free chlorine analyzer, a new sample point for the analyzer, a new ammonia injection point, and new ammonia storage tanks and dosing pumps; 5) Booster pump station demolition and construction, consisting of demolition of the existing pump station at the Arbolada Tank site in Ojai; and construction of a temporary pump station and new pump station at the same site.

5.1  
(cont.)

**APPLICATION COMPLETENESS:**

Complete - from our area of concern.

5.2

**ENVIRONMENTAL IMPACT ANALYSIS:**

**Item 31a. Flood Control Facilities/Watercourses – Ventura County Public Works Agency, Watershed Protection is deemed to be Less Than Significant.**

The proposed project is situated about 50 feet from the McAndrew Wash, which is a WP jurisdictional redline channel. No new or modified direct stormwater drainage connections to this WP channel, activities within WP's easement, or activities over, under, or within the redline channel appear to be proposed or indicated on the applicant's submitted materials.

This proposed project would result in an increase of impervious area within the subject property. It is understood that impacts from the proposed increase in impervious area and stormwater drainage design within the project site will be required to be mitigated to less than significant under the conditions imposed by County of Ventura. The mitigation requires that runoff from the proposed project site be released at no greater than the existing flow rate and in such manner as to not cause an adverse impact downstream in peak discharge, velocity, or duration.

5.3

WP staff determines that the proposed project design with the conditions mentioned above mitigates the direct and indirect project-specific and cumulative impacts to flood control facilities and watercourses. Therefore, the environmental impact is less than significant (LS) on redline channels under the jurisdiction of the Ventura County Public Works Agency - Watershed Protection.

5.3  
(cont.)

**Item 17b. Hydraulic Hazards - FEMA is deemed to be Less Than Significant.**

The project site is in a location identified by the Federal Emergency Management Agency (FEMA) as an area of Special Flood Hazard Area Zone AE. This is evidenced on FEMA Map Panel 06111C0585F effective September 26, 2014. Therefore, the project must comply with the County of Ventura Floodplain Management Ordinance, which provides minimum standards for development in the Special Flood Hazard Area. The proposed development with the condition described below is therefore, deemed to be Less than Significant for Hydraulic Hazards - FEMA.

5.4

**WATERSHED PROTECTION COMMENTS:**

None.

5.5

**WATERSHED PROTECTION CONDITIONS:**

**Floodplain Development Permit**

**Purpose:** To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3 and HAZ-2.5.

**Requirement:** The Permittee shall obtain a Floodplain Development Permit from the Ventura County Public Works Agency Floodplain Manager.

**Documentation:** A Floodplain Development Permit issued by the Public Works Agency Floodplain Manager.

5.6

**Timing:** The Floodplain Development Permit shall be obtained by the Applicant prior to issuance of a building permit or prior to ground disturbance if a building permit is not required.

**Monitoring and Reporting:** A copy of the approved Floodplain Development Permit shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

**Elevation Certificate**

**Purpose:** To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies HAZ-2.2 and HAZ-2.5 by obtaining an elevation certificate.

5.7

**Requirement:** The Permittee shall provide Elevation Certificate for each permitted structure.

**Documentation:** The Elevation Certificate(s) prepared by a licensed Civil Engineer or Licensed Public Land Survey.

**Timing:** The Elevation Certificate(s) shall be prepared prior to occupancy.

**Monitoring and Reporting:** A copy of the approved Elevation Certificate(s) shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

5.7  
(cont.)

If you have any questions, please feel free to contact me by email at [Yunsheng.Su@Ventura.Org](mailto:Yunsheng.Su@Ventura.Org) or by phone at [805-654-2005](tel:805-654-2005).

5.8

END OF TEXT.

## Letter 5

**COMMENTER:** Yunsheng Su, Ventura County Public Works Watershed Protection, Watershed Planning and Permits Division

**DATE:** August 7, 2025

### Response 5.1

The commenter provides a summary of the proposed improvements. This comment does not warrant changes to the Draft IS-MND.

### Response 5.2

The commenter states the application is complete from their area of concern. This comment does not warrant changes to the Draft IS-MND.

### Response 5.3

The commenter notes the proposed project is located approximately 50 feet from McAndrew Wash, a Watershed Protection (WP) jurisdictional redline channel, and confirms no new or modified direct stormwater drainage connections, activities within WP's easement, or activities over, under, or within the redline channel are proposed. The commenter also notes the project would increase impervious area and outlines County requirements for mitigating stormwater impacts to less than significant levels, including maintaining existing flow rates and avoiding adverse downstream impacts.

Casitas acknowledges WP's jurisdiction and requirements, and confirms the project has been designed to comply with applicable County standards for stormwater management. As noted in Environmental Checklist Section 10, *Hydrology and Water Quality*, the project would not exceed drainage system capacity and would implement best management practices to prevent runoff impacts. This comment does not warrant changes to the Draft IS-MND.

### Response 5.4

The commenter notes the project site is located within Special Flood Hazard Area Zone AE as identified by the Federal Emergency Management Agency (FEMA) on Map Panel 06111C0585F, effective September 26, 2014, and references the provisions of the County of Ventura Floodplain Management Ordinance. The commenter further notes, following compliance with the Floodplain Management Ordinance, the proposed project would, in the County's opinion, have a less than significant impact for hydraulic hazards.

As discussed in Environmental Checklist Section 10, *Hydrology and Water Quality*, the project would not result in significant flood hazard impacts. The project would comply with standards for development in a Special Flood Hazard Area. This comment does not warrant changes to the Draft IS-MND.

### Response 5.5

The commenter notes there are no comments regarding watershed protection. This comment does not warrant changes to the Draft IS-MND.

### **Response 5.6**

The commenter requests Casitas obtain a Floodplain Development Permit from the Ventura County Public Works Agency Floodplain Manager, in accordance with the Ventura County Floodplain Management Ordinance and General Plan policies HAZ-2.1, HAZ-2.2, HAZ-2.3, and HAZ-2.5.

Casitas will coordinate with the Ventura County Public Works Agency Floodplain Manager to determine the appropriate permitting action.

### **Response 5.7**

The commenter requests Casitas obtain Elevation Certificates for each permitted structure, in accordance with the Ventura County Floodplain Management Ordinance and General Plan policies HAZ-2.2 and HAZ-2.5.

Casitas will coordinate with the Ventura County Public Works Agency Floodplain Manager to determine the appropriate permitting action.

### **Response 5.8**

The commenter provides contact information for submitting questions. This comment does not warrant changes to the Draft IS-MND.



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
[wildlife.ca.gov](http://wildlife.ca.gov)

GAVIN NEWSOM, Governor  
CHARLTON H. BONHAM, Director



August 22, 2025

Julia Aranda  
Casitas Municipal Water District  
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**SUBJECT: MITIGATED NEGATIVE DECLARATION FOR THE CASITAS-OJAI WATER SYSTEM CONSOLIDATION PROJECT, SCH NO. 2025070808; VENTURA COUNTY, CA**

Dear Julia Aranda:

The California Department of Fish and Wildlife (CDFW) has reviewed the Mitigated Negative Declaration (MND) from the Casitas Municipal Water District (Casitas) for the Casitas-Ojai Water System Consolidation Project (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines<sup>1</sup>.

6.1

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.

6.2

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

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

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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 law<sup>2</sup> 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.

6.2  
(cont.)

## PROJECT DESCRIPTION SUMMARY

**Proponent:** Casitas Municipal Water District

**Objective:** The proposed Project would integrate the existing Ojai Water System (OWS) with the existing Casitas Water System to address insufficient storage capacity in the OWS and provide compatible water treatment to both systems. The Project consists of five main components: pipeline installation; tank demolition and construction; tank rehabilitation; water treatment; and booster pump station demolition and construction.

**Location:** The Project site is comprised of multiple areas in unincorporated Ventura County and the City of Ojai, as described below:

- **Private Drive:** The site is a private unnamed roadway extending west from Foothill Road in unincorporated Ventura County. Latitude: 34.461829, Longitude -119.256711.
- **Foothill Road:** The site is on the border of unincorporated Ventura County and the City of Ojai, at the intersection of Foothill Road and Fairview Road. Latitude: 34.460680, Longitude -119.256172.
- **Running Ridge Tanks:** The site is near private residences and located in unincorporated Ventura County. The site consists of vegetated land north of Running Ridge Trail. Latitude: 34.461372, Longitude -119.259097.
- **Arbolada Tank and Pump Station:** The site is located in the City of Ojai and is approximately 1.2 acres, south of Fairview Road. Latitude: 34.457953, Longitude -119.259697.
- **Ojai East Tank:** The site is located in unincorporated Ventura County and is approximately 3.7 acres, south of the intersection of Reeves Road and McAndrew Road. Latitude: 34.447808, Longitude -119.184714.
- **OWS Wellfield:** The site is located in the City of Ojai and is approximately 3.2 acres, south of Grand Avenue. Latitude: 34.453174, Longitude -119.221851.

6.3

**Timeframe:** The timeframe for the Project components vary. The pipeline installation along the Private Drive site and Foothill Road would take six to eight weeks. The Arbolada and Running Ridge tanks components would take three to four months. The

<sup>2</sup> "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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Ojai East Tanks component would take six to eight months. The Ojai Water System Chloramine Conversion component would take six to eight months. The Arbolada Booster Pump Station component would take six to eight months.

**Biological Setting:** The Project sites are characterized as rural, low-density residential, vegetated open space, and agricultural land. The developed areas consist of residential neighborhoods, paved and dirt roads, and the existing Casitas infrastructure (e.g., tanks and pump stations). Vegetation communities and land cover types include black sage (*Salvia mellifera*) – California sagebrush (*Artemisia californica*) scrub, coast live oak (*Quercus agrifolia*) woodland, and mulefat (*Baccharis salicifolia*) thickets. Coast live oak, valley oak (*Quercus lobata*), and California sycamore (*Platanus racemosa*) were observed throughout the study area. Ornamental species are present and include pepper tree (*Schinus molle*), Russian olive (*Elaeagnus angustifolia*), agave (*Agave* spp.), Mexican fan palm (*Washingtonia robusta*), and rosemary (*Rosmarinus officinalis*). The herbaceous layer is primarily bare or disturbed with non-native annual species, such as short-podded mustard (*Hirschfeldia incana*), ripgut brome (*Bromus diandrus*), red brome (*Bromus rubens*), and annual yellow sweetclover (*Melilotus indicus*). Within the survey area there are two water features: San Antonio Creek and an unnamed intermittent stream. Both features are not anticipated to be impacted by Project activities.

A general survey was conducted on May 21, 2025 to document current site conditions and as part of the potential species evaluation along with desk review of various sources. Four special status species were determined to potentially occur within the survey area which include Crotch’s bumble bee (*Bombus crotchii*), California legless lizard (*Anniella* spp.), coastal whiptail (*Aspidoscelis tigris stejnegeri*), and coast patch-nosed snake (*Salvadora hexalepis virgultea*).

6.3  
(cont.)

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist Casitas in adequately identifying and/or mitigating the Project’s significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

COMMENT # 1: Impacts to Crotch’s Bumble Bee

**Issue:** The Project has the potential to impact suitable nesting habitat and foraging opportunities for Crotch’s bumble bee or may result in direct or indirect mortality.

**Specific impact:** The Project may result in temporal or permeant loss of suitable nesting and foraging habitat for Crotch’s bumble bee. Project ground disturbing activities may cause death or injury of adults, eggs, and larva; burrow collapse; nest abandonment; and reduced nest success.

**Why impact would occur:** According to CDFW’s Crotch’s Bumble Bee Range – CDFW dataset (CDFWa), the Project area is within the current range for Crotch’s bumble bee.

6.4

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The MND also acknowledges that suitable habitat for this species is near some of the Project sites. The MND specifically states that there is suitable habitat for Crotch's bumble bee near the OWS Wellfield site and the Running Ridge Tank site. The MND also states that although impacts to nesting Crotch's bumble bee is not expected, impacts to transiting bees may occur during worker presence at the Running Ridge site.

If the Project proceeds without appropriate focused surveys and mitigation, 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/or vegetation disturbance activities could result in significant impacts to Crotch's bumble bee, 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.

For reference, Crotch's bumble bees primarily nest from late February through late October and typically nest underground in abandoned small mammal burrows. However, they may also nest under perennial bunch grasses, 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).

**Evidence impact may be significant:** Crotch's bumble bee is a candidate species protected under CESA, and, as such, is granted full protection under CESA. 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. Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by Casitas (CEQA Guidelines, § 1565).

## **Recommended Potentially Feasible Mitigation Measure(s)**

### **Recommendation #1: Crotch's Bumble Bee**

The MND should be revised to provide a thorough discussion on the Project's potential direct and indirect impacts on Crotch's bumble bee throughout the entire Project area. If the Project may impact Crotch's bumble bee, the MND should incorporate measures to minimize, and/or mitigate potential impacts to Crotch's bumble bee 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.

6.4  
(cont.)

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**Recommendation #2: CESA and CEQA**

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.

**Mitigation Measure #1: Crotch's Bumble Bee Surveys**

The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct focused surveys. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project area 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 prior to implementing Project ground-disturbing and/or vegetation removal activities.

**Mitigation Measure #2: Incidental Take Permit**

If Crotch's bumble bee is detected on site, the Project proponent shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & Game Code, § 2080 et seq).

**COMMENT # 2: Impacts to Western Burrowing Owl (*Athene cunicularia*)**

**Issue:** The Project has the potential to impact wintering habitat of western burrowing owl.

**Specific impact:** The Project may result in the temporary loss of wintering habitat for western burrowing owl due to the demolition and construction of tanks as well as other Project ground disturbing activities.

**Why impact would occur:** According to CDFW's Western Burrowing Owl Range (CDFWb), the Project area lies within the current range for western burrowing owl, specifically wintering habitat. Burrowing owls are well adapted to open, dry annual and perennial grasslands, deserts, and scrublands with low-grading vegetation. They can be found on relatively flat expanses and vacant lots. Burrowing owls are dependent on burrows at all times of the year for survival and/or reproduction. Loss of access to burrows may result in varying levels of increased stress on burrowing owls and could increase predation.

6.4  
(cont.)

6.5

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**Evidence impact would be significant:** On October 10, 2024, the California Fish and Game Commission determined that listing of western burrowing owl as endangered as a candidate CESA species was warranted. If Project activities could result in take, appropriate CESA authorization (i.e., an ITP under Fish and G. Code, § 2081) should be obtained prior to commencement of Project activities. Take of any endangered, threatened, or 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). Take of individual burrowing owls and their nests is defined by Fish and Game Code, section 86, and prohibited by sections 3503, 3503.5 and 3513.

### **Recommended Potentially Feasible Mitigation Measure(s)**

#### **Recommendation #3: Western Burrowing Owl**

CDFW recommends that Casitas evaluate the direct and indirect impacts to burrowing owl within the Project areas, particularly in suitable habitat, and provide its findings in the MND. The MND should also incorporate measures to avoid, minimize, and/or mitigate potential impacts to western burrowing owl as well as its potential and/or suitable habitats.

6.5  
(cont.)

#### **Mitigation Measure #3: Western Burrowing Owl Surveys**

Protocol-level surveys shall be conducted by a CDFW-approved Designated Biologist, following the guidelines in CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) prior to ground disturbance and/or vegetation removal activities. All biologists surveying and/or monitoring for burrowing owl shall obtain a Memorandum of Understanding<sup>3</sup> issued by CDFW. Early consultation with CDFW is encouraged to ensure all necessary permits are obtained.

#### **Mitigation Measure #4: Incidental Take Permit**

If Project activities will impact western burrowing owl and their habitat, the Project proponent shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish & Game Code, § 2080 et seq).

<sup>3</sup> <https://wildlife.ca.gov/Conservation/CESA/Permitting#550391512-memorandum-of-understanding-mou--2081-a>

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### **COMMENT # 3: Impacts on California Species of Special Concern (Coastal Whiptail, California Legless Lizard, Coast Patch-Nosed Snake)**

**Issue:** The mitigation measure proposed in the MND may not sufficiently minimize Project impacts on Species of Special Concern (SSC), namely coastal whiptail, California legless lizard, and coast patch-nosed snake.

**Specific Impact:** Direct impacts to coastal whiptail, California legless lizard, and coast patch-nosed snake could result from Project activities (e.g., equipment staging, mobilization, and grading); ground disturbance; trampling or crushing from construction equipment, vehicles, and foot traffic.

**Why impact would occur:** The MND states that coastal whiptail, California legless lizard, and coast patch-nosed snake have potential to occur on the Project site(s) during Project activities. To reduce Project impacts, Mitigation Measure (MM) BIO-1 Worker Environmental Awareness Program was proposed in the MND. Mitigation Measure BIO-1 states that prior to initiation of construction activities (including staging and mobilization) at only the Running Ridge Tank and OWS Wellfield sites, all personnel associated with project construction at these sites shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist. The MND did not include any preconstruction surveys for SSC or other native species. Project ground-disturbing activities such as vegetation removal and grading would result in habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. Habitat loss on a local and regional scale is a major cause of population decline for these SSC species; removal or disturbance of confirmed SSC habitat may be considered a significant impact and should be mitigated appropriately.

**Evidence impact would be significant:** A California Species of Special Concern 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:

- 1) If the species is extirpated from the State or, in the case of birds, is extirpated in its primary season or breeding role;
- 2) If the species is listed as threatened or endangered under ESA-, but not CESA-, threatened, or endangered;
- 3) If the species meets the State definition of threatened or endangered but has not formally been listed;
- 4) If the species 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; and,
- 5) If 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 threatened or -endangered status (CDFWc).

6.6

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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). The MND does not provide mitigation for potential impacts on SSC. 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)**

### **MM BIO-1: Worker Environmental Awareness Program**

Casitas should revise MM BIO-1 to incorporate the underlined language and omit language in strikethrough. The current measure specifies that the WEAP training will be conducted for two sites of the Project. This training should occur for all Project sites:

Prior to initiation of ~~construction Project~~ activities (including staging and mobilization) ~~at the Running Ridge Tank and OWS Wellfield sites~~, all personnel associated with the Project activities ~~project construction at these sites~~ shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special status biological resources which may occur in the project site. This training shall include information about Crotch's bumblebee, special status reptiles (California legless lizard, coast whiptail, and coast patch-nosed snake), nesting birds, and protected trees.

The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project. Employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species.

### **Mitigation Measure #5: Pre-Work Biological Surveys**

A qualified biologist shall conduct two pre-Project surveys within and adjacent to the proposed work area(s) within a one-week period prior to the start of Project-related activities. Pre-Project surveys shall include: a) general surveys for botanical and wildlife resources; b) the identification of any active bird nests, burrows, and/or woodrat nests (if active, they should be recorded, monitored for species observations, and mapped); and,

6.6  
(cont.)

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c) work areas with flowing or standing water shall be visibly surveyed for any aquatic species that may be impacted by Project activities.

**Mitigation Measure #6: Injured or Dead Wildlife**

If any special status wildlife species are found harmed/injured or dead, work in the immediate area shall stop immediately, the qualified biologist should be notified, and dead or injured wildlife documented immediately. A formal report should be sent to CDFW within three 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.

6.6  
(cont.)

**COMMENT # 4: Nesting Bird Impacts**

**Issue:** The Project could impact raptors or other nesting birds through direct mortality or abandonment of nests.

**Specific impact:** Suitable bird nesting habitat occurs adjacent to the Project sites. Indirect impacts may occur from vibration, noise, dust, and increased human activity, which could lead to nest abandonment.

**Why impact would occur:** The MND incorporates avian protection measures through MM BIO-2 and MM BIO-3. BIO-2 indicates that Project activities shall occur outside of the bird breeding season (February 1 through August 31), if practicable. MM BIO-3 indicates that a biological survey will occur within seven calendar days prior to the start of construction to determine the presence or absence of nests at only the Running Ridge Tank and OWS Wellfield sites. MM BIO-3 does not specify buffer distances if an active nest is observed. Without appropriate buffers or avoidance measures, Project activities may result in take of nesting birds, violating Fish and Game Code and the Migratory Bird Treaty Act.

6.7

**Evidence impact may be significant:** California Fish and Game Code, sections 3503, 3503.5, and 3513 require the avoidance of the incidental loss of fertile eggs or nestlings, or activities that lead to nest abandonment (Fish & G. Code, § 3503, 3503.5, and 3513 et seq.).

**Recommended Potentially Feasible Mitigation Measure(s)**

**MM BIO-3: Nesting Bird Survey**

Casitas should revise MM BIO-3 to incorporate the underlined language and omit language in strikethrough.

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If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than three ~~seven~~ days prior to initiation of Project activities ~~ground disturbance and vegetation removal activities~~. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practicable. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer with a minimum width of 100 feet (up to 300-500 feet for special-status species and 500 feet for raptors) should be established around the nest ~~(dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site)~~ shall be determined and demarcated by the qualified biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season or until the young are no longer dependent on the nest, which shall be determined by the qualified biologist. No Project ~~ground-disturbing~~ activities shall occur inside this buffer until the avian biologist has confirmed breeding/nesting is completed, and the young have fledged the nest. ~~Encroachment into the buffer shall occur only at the discretion of the qualified biologist.~~ A qualified biologist should be on site daily to monitor vegetation clearing and grading activities.

6.7  
(cont.)

#### COMMENT # 5: Impacts on Oak Woodlands

**Issue:** The Project may impact coast live oak and valley oak during Project activities.

**Specific Impact:** The Project could result in the removal and/or death of oaks and other native trees that were not fully identified in the MND.

**Why impacts would occur:** The MND, Biological Resources section, page 30, states that no riparian habitat or sensitive plant communities are documented within the project site, but coast live oak woodlands are present within a 50-foot buffer of the Ojai East Tank site. On page 32, there is conflicting information where the MND states that protected trees were observed within the Project site and impacts may include construction equipment compacting soil around the trees as well as disturbance of the crown and root zone from trenching, grading, and clearance pruning. The MND incorporated MM BIO-5 Arborist Study, which states that an inventory of all trees within or adjacent to the Project footprint will be developed. MM BIO-5 also states that a Tree Protection Plan will be developed and will incorporate potential requirements for transplanting or replacement tree plantings, but no compensatory mitigation was proposed for impacts. The Project could remove or injure oak trees or other native trees, which is considered a significant impact and should be mitigated appropriately.

6.8

**Evidence impacts would be significant:** Removal of oaks or other native trees may introduce edge effects. Edge effects that could impact rare, special status, and sensitive

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biological resources include encroachment, introduction of non-native plants and pests, and increased fire risk. Oak woodlands have higher levels of biodiversity than any other terrestrial ecosystem in California. Over 330 species of birds, mammals, reptiles, and amphibians depend on oak woodlands in California at some stage in their life cycle (CalPIF 2002). Oak trees provide nesting and perching habitat for approximately 170 species of birds. 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 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.

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 G. Code, § 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 (CDFWd).

Valley oak and coast live oak woodland are Sensitive Natural Communities with a State rarity rank of S3. Sensitive Natural Communities are communities that are of limited distribution State-wide or within a county or region and are often vulnerable to environmental effects of projects. CDFW considers plant communities, alliances, and associations with a State ranking of S1, S2, and S3 as sensitive and declining at the local and regional level. An S3 ranking indicates there are 21 to 100 viable occurrences of this community in existence in California, S2 has six to 20 occurrences, and S1 has fewer than six viable occurrences (Sawyer et al. 2009). Impacts to sensitive natural communities should be considered significant under CEQA unless they are clearly mitigated below a level of significance.

6.8  
(cont.)

For reasons discussed above, 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)**

#### **Recommendation #4: Compensatory Mitigation for Impacts to Oaks**

For impacts on oak woodlands, Casitas should offset the loss by no less than 3:1 of the total acreage of woodlands lost. This should include woodlands that would be subject to permanent fuel modification requirements. Casitas should restore functioning and self-sustaining woodlands of similar composition, structure, and function to woodlands impacted. Mitigation should include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted

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natural communities. Acorns and/or seedlings should originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted.

**Recommendation #5: Woodland Restoration Plan**

Prior to removing any oak trees or the understory vegetation, Casitas should prepare a Woodland Restoration Plan. The Woodland 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 onsite/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;
- 7) Adaptive management techniques, including replacement plants if necessary; and,
- 8) Annual reporting criteria and requirements.

6.8  
(cont.)

**Recommendation #6: Off-site Mitigation**

For off-site mitigation, to ensure permanent protection and effective long-term management of habitat, Casitas should protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity qualified and approved by CDFW to hold and manage mitigation lands. An appropriate non-wasting 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.

**ADDITIONAL COMMENTS**

**Mitigation and Monitoring Reporting Plan.** CDFW recommends the 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). Casitas 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).

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## 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)<sup>4</sup> provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

6.10

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](#)<sup>5</sup>.

Casitas should ensure that any data collected for 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.)

6.11

## CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist Casitas in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to review and comment on any response that Casitas has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

6.12

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

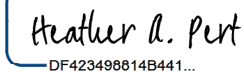
<sup>5</sup> <https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Submit>

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Questions regarding this letter or further coordination should be directed to Mayra Molina, Senior Environmental Scientist (Specialist)<sup>6</sup>.

Sincerely,

DocuSigned by:

  
DF423498814B441...

Heather A. Pert  
Environmental Program Manager  
South Coast Region

6.12  
(cont.)

## ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program

ec: California Department of Fish and Wildlife  
Heather Pert, Environmental Program Manager  
Baron Barrera, Senior Environmental Scientist (Supervisory)  
Mayra Molina, Senior Environmental Scientist (Specialist)

United States Fish and Wildlife Service  
Christine Medak

Office of Planning and Research  
[State.Clearinghouse@opr.ca.gov](mailto:State.Clearinghouse@opr.ca.gov)

## REFERENCES

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<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843>

[CDFW] California Department of Fish and Wildlife. 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species. Available from: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

[CDFWa] California Department of Fish and Wildlife. 2025. Crotch's Bumble Bee Range Dataset 3095. Available at CDFW's Biogeographic Information and Observation System, <https://wildlife.ca.gov/Data/BIOS>

[CDFWb] California Department of Fish and Wildlife. 2025. Western Burrowing Owl Range Dataset 907. Available at CDFW's Biogeographic Information and Observation System, <https://wildlife.ca.gov/Data/BIOS>

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<sup>6</sup> Phone: (562) 723-8734; Email: [Mayra.Molina@wildlife.ca.gov](mailto:Mayra.Molina@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.

| <b>Mitigation Measure</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Timing</b>               | <b>Responsible Party</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|--------------------------|
| <p><b>Recommendation #1: Crotch's Bumble Bee</b></p> <p>The Project should consider the potential direct and indirect impacts on Crotch's bumble bee throughout the entire Project area. If the Project may impact Crotch's bumble bee, the EIR should incorporate measures to minimize, and/or mitigate potential impacts to Crotch's bumble bee 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.</p>                                                                                                                                                                                                                                                    | Prior to Project Initiation | Lead Agency              |
| <p><b>Recommendation #2: CESA and CEQA</b></p> <p>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.</p> | Prior to Project Initiation | Lead Agency              |

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Timing                                                  | Responsible Party               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|---------------------------------|
| <p><b>Mitigation Measure #1: Crotch's Bumble Bee Surveys</b></p> <p>The Project proponent shall retain a qualified entomologist(s) with the appropriate handling permits to conduct focused surveys. Focused surveys shall follow CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project area 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 prior to implementing Project ground-disturbing and/or vegetation removal activities.</p> | Prior to Project Initiation/During Project Construction | Lead Agency/Qualified Biologist |
| <p><b>Mitigation Measure #2: Incidental Take Permit</b></p> <p>If Crotch's bumble bee is detected on site, the Project proponent shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish &amp; Game Code, § 2080 et seq).</p>                                                                                                                                                                                                                                                                                                                                                                                      | Prior to Project Initiation                             | Lead Agency                     |
| <p><b>Recommendation #3: Western Burrowing Owl</b></p> <p>CDFW recommends that the addendums evaluate the direct and indirect impacts to burrowing owl within the proposed AWPf site and any other Project areas that may provide suitable habitat. The addendums should incorporate measures to avoid, minimize, and/or mitigate potential impacts to western burrowing owl as well as its habitat.</p>                                                                                                                                                                                                                                                                                          | Prior to Project Initiation                             | Lead Agency                     |

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Timing                                                         | Responsible Party                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------|
| <p><b>Mitigation Measure #3: Western Burrowing Owl Surveys</b></p> <p>Protocol-level surveys shall be conducted by a CDFW-approved Designated Biologist, following the guidelines in CDFW's Staff Report on Burrowing Owl Mitigation (CDFG 2012) prior to ground disturbance and/or vegetation removal activities. All biologists surveying and/or monitoring for burrowing owl shall obtain a Scientific Collecting Permit<sup>7</sup> issued by CDFW. Early consultation with CDFW is encouraged to ensure all necessary permits are obtained.</p>                                                                                                                          | <p>Prior to Project Initiation/During Project Construction</p> | <p>Lead Agency/Qualified Biologist</p> |
| <p><b>Mitigation Measure #4: Incidental Take Permit</b></p> <p>If Project activities will impact western burrowing owl and their habitat, the Project proponent shall coordinate with CDFW to determine next steps and whether appropriate take authorization from CDFW is necessary (pursuant to Fish &amp; Game Code, § 2080 et seq).</p>                                                                                                                                                                                                                                                                                                                                   | <p>Prior to Project Initiation</p>                             | <p>Lead Agency</p>                     |
| <p><b>MM BIO-1: Worker Environmental Awareness Program</b></p> <p>Prior to initiation of construction <del>Project</del> activities (including staging and mobilization) <del>at the Running Ridge Tank and OWS Wellfield sites</del>, all personnel associated with the <u>Project activities</u> <del>project construction at these sites</del> shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special status biological resources which may occur in the project site. This training shall include information about Crotch's bumblebee, special status reptiles (California</p> | <p>Prior to Project Initiation</p>                             | <p>Lead Agency/Qualified Biologist</p> |

<sup>7</sup> <https://wildlife.ca.gov/Licensing/Scientific-Collecting>

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Timing                      | Responsible Party               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------|
| <p>legless lizard, coast whiptail, and coast patch-nosed snake), nesting birds, and protected trees.</p> <p>The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. A fact sheet conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project. Employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species.</p> |                             |                                 |
| <p><b>Mitigation Measure #5: Pre-Work Biological Surveys</b></p> <p>A qualified biologist shall conduct two pre-Project surveys within and adjacent to the proposed work area(s) within a one-week period prior to the start of Project-related activities. Pre-Project surveys shall include: a) general surveys for botanical and wildlife resources; b) the identification of any active bird nests, burrows, and/or woodrat nests (if active, they should be recorded, monitored for species observations, and mapped); and, c) work areas with flowing or standing water shall be visibly surveyed for any aquatic species that may be impacted by Project activities.</p>                                                                                                                                                                                                                                                                                           | Prior to Project Initiation | Lead Agency/Qualified Biologist |

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Timing                                                         | Responsible Party                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------|
| <p><b>Mitigation Measure #6: Injured or Dead Wildlife</b></p> <p>If any special status wildlife species are found harmed/injured or dead, work in the immediate area shall stop immediately, the qualified 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.</p>                                                                                                                                                                                                                                                                                                                                                                                                              | <p>Prior to Project Initiation/During Project Construction</p> | <p>Lead Agency/Qualified Biologist</p> |
| <p><b>MM BIO-3: Nesting Bird Survey</b></p> <p>If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than <b>seven days</b> prior to initiation of <u>Project activities</u> <del>ground disturbance and vegetation removal activities</del>. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practicable. The survey shall be conducted by a <u>qualified</u> biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer <u>with a minimum width of 100 feet (up to 300-500 feet for special-status species and 500 feet for raptors)</u> should be established around the nest <del>(dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site)</del> shall be determined and demarcated by the <u>qualified</u> biologist</p> | <p>Prior to Project Initiation</p>                             | <p>Lead Agency/Qualified Biologist</p> |

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Timing                      | Responsible Party               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|---------------------------------|
| <p>with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season or <u>until the young are no longer dependent on the nest, which shall be determined by the qualified biologist</u>. No <del>Project ground-disturbing</del> activities shall occur inside this buffer until the avian biologist has confirmed breeding/nesting is completed, and the young have fledged the nest. <del>Encroachment into the buffer shall occur only at the discretion of the qualified biologist.</del> <u>A qualified biologist should be on site to monitor activity daily during vegetation clearing and grading.</u></p> |                             |                                 |
| <p><b>Recommendation #4: Compensatory Mitigation</b></p> <p>For impacts on oak woodlands, Casitas should offset the loss by no less than 3:1 of the total acreage of woodlands lost. This should include woodlands that would be subject to permanent fuel modification requirements. Casitas should restore functioning and self-sustaining woodlands of similar composition, structure, and function to woodlands impacted. Mitigation should include restoration of structurally diverse understory vegetation species (i.e., grass, forb, shrub, subshrub, vine) occurring in the impacted natural communities. Acorns and/or seedlings should originate from plants/trees of the same species (i.e., genus, species, subspecies, and variety) as the species impacted.</p>                                   | Prior to Project Initiation | Lead Agency/Qualified Biologist |
| <p><b>Recommendation #5: Woodland Restoration Plan</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Prior to Project Initiation | Lead Agency/Qualified Biologist |

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| Mitigation Measure                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Timing                             | Responsible Party                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|----------------------------------------|
| <p>Prior to removing any oak trees or the understory vegetation, Casitas should prepare a Woodland Restoration Plan. The Woodland Restoration Plan should prescribe the following:</p> <ol style="list-style-type: none"> <li>1) Species-specific planting methods;</li> <li>2) Planting schedule;</li> <li>3) Measures to control exotic vegetation and protection from herbivory;</li> <li>4) Measurable goals and success criteria for establishing self-sustaining populations (e.g., percent survival rate, absolute cover). Measurable success criteria should be based onsite/habitat conditions prior to impact and/or functional local native oak shrublands/woodlands as reference sites;</li> <li>5) Contingency measures if the success criteria is not met;</li> <li>6) Long-term monitoring for at least 10 years;</li> <li>7) Adaptive management techniques, including replacement plants if necessary; and</li> <li>8) Annual reporting criteria and requirements.</li> </ol> |                                    |                                        |
| <p><b>Recommendation #6: Off-site Mitigation</b></p> <p>For off-site mitigation, to ensure permanent protection and effective long-term management of habitat, Casitas should protect mitigation lands in perpetuity under a conservation easement dedicated to a local land conservancy or other appropriate entity qualified and approved by CDFW to hold and manage mitigation lands. An appropriate non-wasting 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</p>                                                                                                                                                                                                                                                                                                                                                                                      | <p>Prior to Project Initiation</p> | <p>Lead Agency/Qualified Biologist</p> |

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| Mitigation Measure                                                                   | Timing | Responsible Party |
|--------------------------------------------------------------------------------------|--------|-------------------|
| otherwise executed prior to any ground-disturbing activities and vegetation removal. |        |                   |

## Letter 6

**COMMENTER:** Heather Pert, California Department of Fish and Wildlife (CDFW)

**DATE:** August 22, 2025

### Response 6.1

The commenter acknowledges receipt and review of the Draft IS-MND and expresses appreciation for the opportunity to provide comments and recommendations regarding project activities which may affect California fish and wildlife. The commenter also notes CDFW may have regulatory authority over certain aspects of the project under the Fish and Game Code. This comment does not warrant changes to the Draft IS-MND.

### Response 6.2

The commenter identifies CDFW as a Trustee Agency under CEQA, with jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitats. The commenter also notes CDFW may act as a Responsible Agency under CEQA and may exercise regulatory authority under the Fish and Game Code. Casitas acknowledges CDFW's trustee and regulatory roles and would coordinate with CDFW as needed to obtain any required permits or authorizations prior to construction. This comment does not warrant changes to the Draft IS-MND.

### Response 6.3

The commenter provides a summary of the project proponent, objective, location, time frame, and biological setting. This comment does not warrant changes to the Draft IS-MND.

### Response 6.4

The commenter identifies potential impacts to Crotch's bumble bee, a candidate species under the California Endangered Species Act (CESA), and recommends the Draft IS-MND include focused surveys and mitigation sufficient to support future Incidental Take Permit (ITP) issuance.

Item (a) in Environmental Checklist Section 4, *Biological Resources*, of the Draft IS-MND acknowledges the presence of suitable habitat elements for Crotch's bumble bee near the OWS Wellfield and Running Ridge Tank sites, specifically noting California buckwheat and scrub vegetation within a 50-foot buffer of the project footprint. No ground disturbance is proposed at the Running Ridge site, and no suitable habitat for the species would be impacted at the OWS Wellfield site. Therefore, the project would not result in temporary or permanent loss of suitable nesting and foraging habitat for Crotch's bumble bee and direct impacts are not expected. However, the Draft IS-MND recognizes a low potential for indirect impacts at the Running Ridge site due to worker presence and includes Mitigation Measure BIO-1 (Worker Environmental Awareness Program) to reduce inadvertent harm. Mitigation Measure BIO-1 would require training for all personnel working at these sites to identify and avoid impacts to special-status species, including Crotch's bumble bee. The inclusion of Mitigation Measure BIO-1 is intended to minimize the potential for transit-related indirect impacts and support compliance with CEQA Guidelines Section 15380 and CESA. Thus, the IS-MND provides sufficient analysis and mitigation regarding potential impacts to Crotch's bumble bee, and no changes to the Draft IS-MND are warranted.

## Response 6.5

The commenter identifies potential impacts to western burrowing owl, a candidate species under the CESA, and recommends focused evaluation of suitable habitat and incorporation of avoidance and minimization measures.

As informed by the Biological Resources Assessment (Appendix B), the Draft IS-MND does not identify western burrowing owl as a species with potential to occur within the project site, based on habitat conditions and available data. Specifically, suitable habitat for western burrowing owl, which is defined as open, dry, annual and perennial grasslands, deserts, and scrublands with low-growing vegetation, is not present within or near the project site. The project footprint is generally located within disturbed areas, including existing water system facilities and residential parcels, which do not support the open terrain or burrow systems typically associated with this species.

Additionally, a review of the California Natural Diversity Database conducted as part of the Biological Resources Assessment indicates there are no known occurrences of western burrowing owl within 5 miles of the project site. Based on the absence of suitable habitat and known occurrences, the Draft IS-MND concludes the western burrowing owl is not expected to occur within the project area, and no impacts to the species are anticipated. Therefore, focused surveys or mitigation measures specific to western burrowing owl are not warranted. Casitas would continue to coordinate with CDFW should new information become available. No changes to the Draft IS-MND are warranted.

## Response 6.6

The commenter identifies potential impacts to California Species of Special Concern (SSC), including California legless lizard, coastal whiptail, and coast patch-nosed snake, and recommends focused surveys and mitigation measures to avoid or minimize harm.

Item (a) in Environmental Checklist Section 4, *Biological Resources*, of Draft IS-MND acknowledges suitable habitat for these SSC reptiles is present in scrub vegetation surrounding the Running Ridge Tank site, and these species have moderate potential to occur. While no ground disturbance is proposed at Running Ridge, Casitas agrees to clarify and strengthen the mitigation framework to increase protection of SSC species. To address CDFW's recommendation regarding the Worker Environmental Awareness Program, Casitas has revised Mitigation Measure BIO-1 to incorporate CDFW's suggested content.

Revisions to Mitigation Measure BIO-1 are shown below, with additions in underline and deletions in ~~striketrough~~.

Prior to initiation of ~~construction project~~ activities (including staging and mobilization) ~~at the Running Ridge Tank and OWS Wellfield sites~~, all personnel associated with project activities ~~project construction at these sites~~ shall attend a Worker Environmental Awareness Program (WEAP) training, conducted by a qualified biologist, to aid workers in recognizing special status biological resources which may occur in the project site. This training shall include information about Crotch's bumblebee, special status reptiles (California legless lizard, coast whiptail, and coast patch-nosed snake), nesting birds, and protected trees.

The specifics of this program shall include identification of special status species and habitats, a description of the regulatory status and general ecological characteristics of special status resources, and review of the limits of construction and measures required to avoid and minimize impacts to biological resources within the work area. A fact sheet

conveying this information shall also be prepared for distribution to all contractors, their employees, and other personnel involved with construction of the project. Employees shall sign a form provided by the trainer documenting they have attended the WEAP and understand the information presented to them. The crew foreman shall be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to special status species.

To address CDFW's recommendation regarding a pre-activity biological survey, the following measure will be incorporated for the Running Ridge Tank site as a new Mitigation Measure BIO-2:

Within one week prior to the commencement of project activities at the Running Ridge site, a qualified wildlife biologist shall conduct a pre-activity survey in portions of the access and project area at the Running Ridge site containing potentially suitable scrub vegetation for California legless lizard, coastal whiptail, and coast patch-nosed snake. A 50-foot buffer around the Running Ridge site will be surveyed, with inaccessible areas (i.e., private lands) surveyed with binoculars, as practicable. The biologist will document existing conditions and search for California legless lizard, coastal whiptail, and coast patch-nosed snake. If California legless lizard, coastal whiptail, or coast patch-nosed snake are found, and could potentially be impacted by project activities at the Running Ridge site (e.g., trampling), individual animals shall be relocated to similar habitat away at least 100 feet away from project activities. The findings of the pre-activity survey will be provided to Casitas in a summary report prior to implementation of project activities.

Additionally, Casitas will incorporate CDFW's recommended Mitigation Measure #6 (Injured or Dead Wildlife) into the Draft IS-MND. This mitigation measure has been revised to be specific to the Running Ridge site, where suitable habitat for these SSC reptiles occurs. The new Mitigation Measure BIO-3 would consist of the following:

If any special-status wildlife species are found harmed/injured or dead at the Running Ridge Tank Site, the qualified biologist should be notified, and dead or injured wildlife documented immediately. A formal report shall be sent to Casitas within three calendar days of the incident or finding. The report shall include the date, time of the finding or incident (if known), and located of the carcass or injured animal and circumstances of its death or injury (if known).

## **Response 6.7**

The commenter recommends strengthening Mitigation Measure BIO-5 (Nesting Bird Survey) to avoid and minimize impacts to nesting birds, including raptors and special-status species, during construction activities. Mitigation Measure BIO-5 (Nesting Bird Survey) would apply to the entire project site, and not only the Running Ridge and OWS Wellfield sites.

To address CDFW's recommendation, Casitas has revised Mitigation Measure BIO-5 (Nesting Bird Survey) to incorporate CDFW's suggested content. Revisions to Mitigation Measure BIO-5 are shown below, with additions in underline and deletions in ~~strikethrough~~.

If construction must begin during the breeding season, then a pre-construction nesting bird survey shall be conducted no more than five ~~seven~~ days prior to initiation of project activities ~~ground disturbance and vegetation removal activities~~. The nesting bird pre-construction survey shall be conducted on foot inside the project footprint, including a 100-foot buffer (300-foot for raptors), and in inaccessible areas (e.g., private lands) from afar

using binoculars to the extent practicable. The survey shall be conducted by a qualified biologist familiar with the identification of avian species known to occur in southern California coastal communities. If nests are found, an avoidance buffer (e.g., 50 feet for common species, 300 to 500 feet for special-status species, and 500 feet for raptors) (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated at the discretion of the qualified biologist with bright orange construction fencing, flagging, construction tape, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season or until the young are no longer dependent on the nest, as determined by the qualified biologist. No project ground-disturbing activities shall occur inside this buffer until the avian biologist has confirmed breeding/nesting is completed, and the young have fledged and are no longer dependent on the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist during monitoring and with confirmation that nesting is not adversely affected by project activities.

## **Response 6.8**

The commenter raises concerns regarding potential impacts to oak woodland and recommends consideration of restoration or long-term management measures. The Draft IS-MND acknowledges the presence of coast live oak woodland within a 50-foot buffer of the Ojai East Tank site but confirms no ground disturbance is proposed within this area.

The overall project footprint is generally limited to previously disturbed areas, including existing water infrastructure sites and residential parcels. Impacts to individual protected trees are expected to be very limited but may include construction equipment compacting soil around the trees as well as disturbance of the crown and the root zone from trenching, grading, and clearance pruning. The proposed project would comply with the tree ordinance guidelines of the County of Ventura or City of Ojai prior to the start of any tree-disturbing construction activities, as necessary. As such, the project would not result in a significant impact on oak woodland communities or individual protected trees under CEQA. No changes to the Draft IS-MND are warranted.

## **Response 6.9**

The commenter recommends the environmental document include the mitigation measures recommended in the comment letter. Where relevant, the mitigation language provided has been integrated into the Final IS-MND as well as a comprehensive Mitigation Monitoring and Reporting Plan (MMRP) prepared in accordance with CEQA Guidelines Section 15097 and Public Resources Code Section 21081.6. Each measure is assigned a responsible party (e.g., Casitas, construction contractor, qualified biologist), a specific implementation timeframe (e.g., prior to project activities, during construction, post-construction), and performance standards to increase enforceability. The MMRP also reflects revisions made in response to CDFW's comments.

## **Response 6.10**

The commenter notes CEQA requires environmental data developed during the review process to be incorporated into databases which support future environmental determinations, and requests any special-status species and natural communities detected during project surveys be submitted to the California Natural Diversity Database (CNDDDB) and the Vegetation Classification and Mapping Program. Casitas acknowledges this requirement and will provide relevant biological data collected

for the Draft IS-MND to the appropriate databases in accordance with CEQA Guidelines and CDFW recommendations. This comment does not warrant changes to the Draft IS-MND.

### **Response 6.11**

The commenter notes the project would have an impact on fish and/or wildlife and payment of environmental document filing fees is required under CEQA to support CDFW's environmental review efforts. Casitas acknowledges this requirement and will pay the appropriate filing fees upon submittal of the Notice of Determination, in accordance with California Code of Regulations, Title 14, Section 753.5, Fish and Game Code Section 711.4, and Public Resources Code Section 21089. This comment does not warrant changes to the Draft IS-MND.

### **Response 6.12**

The commenter expresses appreciation for the opportunity to comment on the Draft IS-MND and requests notification of any forthcoming hearing dates and an opportunity to review and comment on Casitas' responses to CDFW's comments, pursuant to CEQA Guidelines Section 15073(e). Casitas will provide responses to CDFW's comments for review. This comment does not warrant changes to the Draft IS-MND.