

Requested Incidental Take Permit for Crotch's Bumble Bee (Canyon Hills Project)

7000 La Tuna Canyon Road, City of Los Angeles, California

Final Supplemental Environmental Impact Report

City of Los Angeles Case No. ENV-2002-2481-EIR
State Clearinghouse No. 2002091018

February 2026

Responsible Agency:
California Department of Fish and Wildlife



South Coast Region 5
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Table of Contents

<u>Section</u>		<u>Page</u>
1	Introduction	1-1
2	Responses to Comments	2-1
3	Additions and Corrections.....	3-1

Appendices

- A Comment Letters
- B Take Minimization Measure

1. Introduction

1. Introduction

This document is a Final Supplemental Environmental Impact Report (Final Supplemental EIR) associated with the Canyon Hills Project (Approved Project), City of Los Angeles Case No. ENV-2002-2481-EIR and State Clearinghouse No. 2002091018. The City Council of the City of Los Angeles (City) certified a Final Environmental Impact Report (Final EIR) on October 19, 2005, for the Approved Project.

In accordance with the California Environmental Quality Act (CEQA), a Draft Supplemental EIR was prepared to analyze the Approved Project's impact on Crotch's Bumble Bee (CBB), which was recently discovered on the remaining project site of approximately 300 acres of undeveloped land located at 7000 La Tuna Canyon Road (Project Site).

The Draft Supplemental EIR was prepared in connection with the request by the applicant Whitebird, Inc. doing business in California as California Whitebird, Inc. (Applicant), for an Incidental Take Permit (ITP) under Section 2081(b) of the California Endangered Species Act (CESA). The Applicant is seeking authorization from the California Department of Fish and Wildlife (CDFW) for the incidental take of CBB in connection with the removal of up to 164 acres of potentially occupied CBB habitat within the Project Site.

The Draft Supplemental EIR demonstrated that the Approved Project would have a potentially significant impact on CBB associated with the requested ITP and that the significant impact will be mitigated below a level of significance as a result of the permanent preservation of approximately 579 acres of the original, approximately 900-acre project site (Original Project Site) as open space (Public Open Space).

CDFW is acting as a responsible agency under CEQA with respect to the requested ITP and has prepared this Final Supplemental EIR. This document, in conjunction with the Draft Supplemental EIR, comprises the Final Supplemental EIR.

2. Purpose

While the following discussion of the CEQA Guidelines references a CEQA Lead Agency, they are relevant here although, as mentioned above, CDFW is acting as a responsible agency under CEQA with respect to the requested ITP.

As described in Sections 15088, 15089, 15090 and 15132 of the State CEQA Guidelines, the Lead Agency must evaluate comments received on the Draft EIR and prepare written responses

and consider the information contained in a Final EIR before approving a project. Pursuant to State CEQA Guidelines 15132, a Final EIR consists of: (a) the Draft EIR or a revision of the draft; (b) comments and recommendations received on the Draft EIR either verbatim or in summary; (c) a list of persons, organizations, and public agencies commenting on the Draft EIR; (d) the responses of the Lead Agency to significant environmental points raised in the review and consultation process; and (e) any other information added by the Lead Agency.

For the requested ITP, the Final Supplemental EIR consists of:

- (a) The Draft Supplemental EIR.
- (b) Verbatim comments and recommendations received on the Draft Supplemental EIR.
- (c) A list of persons, organizations, and public agencies commenting on the Draft Supplemental EIR.
- (d) The responses of CDFW to significant environmental points raised in the review and consultation process.
- (e) Other information added by CDFW.

3. Organization of the Final Supplemental EIR

Pursuant to Section 15132 of the CEQA Guidelines, this document includes the following sections, which combined with the Draft Supplemental EIR, constitutes the Final Supplemental EIR for the Project:

Section 1. Introduction: This section provides an introduction to the Final Supplemental EIR and the list of persons and agencies that submitted comments on the Draft Supplemental EIR.

Section 2. Responses to Comments: This section includes responses to each of the significant environmental points raised in the comments submitted.

Section 3. Additions and Corrections to the Draft Supplemental EIR: This section provides corrections and additions to the Draft Supplemental EIR, based on and in response to comments received.

Appendices: The appendices to this document include copies of all the comments received on the Draft Supplemental EIR and additional information cited to support the responses to comments.

4. Overview of the CEQA Public Review Process for the Draft Supplemental EIR

In compliance with the State CEQA Guidelines, CDFW, as a responsible agency, has provided opportunities for the public to participate in the environmental review process.

(a) Notice of Preparation

In compliance with Section 15082 of the CEQA Guidelines, a NOP of the Draft Supplemental EIR was prepared by CDFW and distributed to the State Clearinghouse, California Governor's Office of Land Use and Climate Innovation (LCI), and other interested parties on August 1, 2025. The NOP was circulated for public review and comment for a minimum 30-day review period beginning on August 1, 2025, and ending on September 2, 2025. The NOP was included as Appendix A to the Draft Supplemental EIR and public comments received during the NOP circulation period are provided in Appendix B to the Draft Supplemental EIR.

(b) Draft Supplemental Environmental Impact Report

In accordance with the provisions of Sections 15085(a), 15087(a)(1), and 15163 of the State CEQA Guidelines, CDFW, serving as a responsible agency: (1) posted a Notice of Completion and Availability (NOA) of the Draft Supplemental EIR with the Los Angeles County Clerk, indicating that the Draft Supplemental EIR was available for review at CDFW's South Coast Region Office (3883 Ruffin Road, San Diego, CA 92123); (2) posted the NOA and Draft Supplemental EIR on CDFW's website (<https://wildlife.ca.gov/Notices/CEQA>); (3) prepared and transmitted a Notice of Completion (NOC) as well as an electronic copy of the Draft Supplemental EIR to the State Clearinghouse, California Governor's Office of Land Use and Climate Innovation (LCI) for distribution to State Agencies; and (4) sent a NOA via email to all organizations and individuals who previously requested such notice in writing. The public review period for the Draft Supplemental EIR commenced on October 31, 2025, and ended on December 15, 2025.

Comments received during the public review period are presented and responded to in Section 2, Responses to Comments, of this Final Supplemental EIR. This Final Supplemental EIR, which includes the Draft Supplemental EIR, will be submitted to the decision-maker for certification in connection with action on the requested ITP.

5. Review of the Final Supplemental EIR

The Final Supplemental EIR is available for public review at the following location:

CDFW South Coast Region Office
3883 Ruffin Road
San Diego, California 92123
Email: R5CEQA@wildlife.ca.gov

The Final EIR is also available online at <https://wildlife.ca.gov/Notices/CEQA>.

6. List of Commenters on the Draft Supplemental EIR

CDFW received a total of 10 comment letters or emails on the Draft Supplemental EIR. Each comment letter and email has been assigned a corresponding number, and distinct comments within each comment letter and email are also numbered. Comment letters and emails from organizations are denoted with the prefix "A", while comment letters and emails from private individuals are denoted with the prefix "B".

Each comment letter and email has been divided into individual comments, which are numbered "1-1", "2-1", "3-1", etc., with the first number indicating the comment letter or email number and the second number indicating the individual comment number within that letter or email.

The organizations and persons listed below provided written comments on the Draft Supplemental EIR to CDFW during the formal public review period, which was from October 31, 2025, to December 15, 2025. Copies of the comments are included in Appendix A to this Final Supplemental EIR.

a) Organizations

- A1. Santa Monica Mountains Conservancy
- A2. Endangered Habitats League
- A3. Angeles Chapter – Sierra Club
- A4. Friends of Griffith Park
- A5. Center for Biological Diversity
- A6. Crescenta Valley Community Association

b) Private Individuals

- B1. Evelyn Serrano
- B2. Leif Richardson, Ph.D.
- B3. Delvin Gandy
- B4. Michael Bartz

2. Responses to Comments

1. Introduction

While the following discussion of the CEQA Guidelines reference a CEQA Lead Agency, they are relevant here although, as mentioned above, CDFW is acting as a responsible agency under CEQA with respect to the requested ITP.

Sections 21091(d) and 21092.5 of the Public Resources Code (PRC) and CEQA Guidelines Section 15088 govern the lead agency's responses to comments on a Draft Environmental Impact Report (EIR). Section 15088(a) of the CEQA Guidelines states that “[t]he lead agency shall evaluate comments on environmental issues received from persons who reviewed the draft EIR and shall prepare a written response. The Lead Agency shall respond to comments that were received during the noticed comment period and any extensions and may respond to late comments.” In accordance with these requirements, this section of this Final Supplemental EIR provides responses to each of the written comments on the Draft Supplemental EIR received during the public comment period.

CDFW received a total of 10 comment letters and emails on the Draft Supplemental EIR. Each comment letter and email has been assigned a corresponding number, and distinct comments within each comment letter and email are also numbered. Comment letters and emails from organizations are denoted with the prefix “A”, while comment letters and emails from private individuals are denoted with the prefix “B”.

Each comment letter has been divided into individual comments, which are numbered “1-1”, “2-1”, “3-1”, etc., with the first number indicating the comment letter or email number and the second number indicating the individual comment number within that letter or email.

As required by the CEQA Guidelines, Section 15088(c), the focus of the responses to comments is on the “disposition of significant environmental issues raised.” Therefore, detailed responses are not provided to comments that do not relate to environmental issues.

Topical responses have been prepared for comments related to commonly occurring themes raised in the comment letters. The topical responses include the following:

- Topical Response 1: Scope of Supplemental Draft EIR Analysis
- Topical Response 2: Environmental Baseline
- Topical Response 3: Habitat Connectivity
- Topical Response 4: Adequacy of Mitigation

Note that there may be spelling and/or grammar errors in the comment letters and emails. These are replicated here exactly as they were delivered to CDFW.

Topical Response 1: Scope of Supplemental Draft EIR Analysis

Several comments were received, both in response to the Notice of Preparation (included as Appendix B to the Supplemental Draft EIR) and the analysis in the Supplemental Draft EIR, that the scope of the Supplemental Draft EIR should be expanded to evaluate other environmental topics, including the Approved Project's impact on the mountain lion, flora and fauna, traffic, hydrology and wildfire risk.

As discussed in Section 1.3 of the Supplemental Draft EIR, the analysis in the Supplemental Draft EIR is properly focused on the Project's impact on Crotch's Bumble Bee (CBB) because the requested incidental take permit (ITP) for CBB relates solely to the Approved Project's impact on CBB. As noted in that discussion, Sections 15041(b) and 15096(g)(1) of the CEQA Guidelines impose significant restrictions on the scope of a responsible agency's authority to lessen or avoid the impacts of a project. Section 15041(b) states that a responsible agency has more limited authority than a lead agency, and the responsible agency may only require changes in a project to lessen or avoid the project impact that the responsible agency has been called on to approve. Section 15096(g)(1) includes very similar language. Section 1.3 then further notes, consistent with Sections 15041(b) and 15096(g)(1), that the environmental review conducted by a responsible agency with respect to a discretionary approval must be limited to the environmental impacts within the scope of the discretionary approval before it, citing *Friends of Westwood, Inc. v. City of Los Angeles*, 191 Cal. App. 3d 259, 266-267, 272 (1987), in support.

Notwithstanding this discussion, several comments in response to the Notice of Preparation and the Draft Supplemental EIR claim that the scope of CDFW's authority as a responsible agency should be significantly expanded due to the existence of significant new information that has emerged since the Final EIR was certified. However, the alleged existence of new information regarding the Approved Project's environmental impacts is not relevant here because CDFW, acting as a responsible agency, lacks the authority to consider or impose environmental mitigation measures with respect to environmental impacts of the Approved Project other than its impact on CBB because the requested ITP relates solely to that impact.

One commenter takes issue with the discussion in Section 1.3 of the Draft Supplemental EIR. (See RTC No. B3-6 [Gandy]) The commenter does not dispute the limits on a responsible agency's authority in Section 15041(b), but claims that the discussion in Section 1.3 directly contradicts CEQA Guidelines §15096(g)–(h), which requires a responsible agency to consider the environmental effects of the project as shown in the EIR, reach its own conclusions regarding approval, and require feasible mitigation for significant effects within its jurisdiction.

CDFW interprets Sections 15096(g) and (h) different from the commenter. To begin with, the commenter appears to ignore the limits on a responsible agency's authority set forth in Section 15096(g)(1) discussed above. Instead, the commenter focuses on Section 15096(g)(2), which discusses other restrictions on a responsible agency's authority. Section 15096(g)(2) does not state, however, as the commenter claims, that the responsible agency must "require feasible

mitigation for significant effects **within its jurisdiction.**" Rather, it states that a responsible agency shall not approve the project as proposed if it finds any feasible mitigation measures "**within its powers**" would substantially lessen or avoid a significant impact. As just discussed, pursuant to Section 15096(g), CDFW lacks the power to impose any mitigation measure for any significant impact of the Approved Project outside the scope of the requested ITP, which relates solely to the Approved Project's impact on CBB. Furthermore, Section 15096(h) requires a responsible agency to make required findings for each significant project impact, which is unrelated to the commenter's claim.

The commenter also claims that, regarding the discussion in Section 1.3 that the environmental review conducted by a responsible agency with respect to a discretionary approval must be limited to the environmental impacts within the scope of the discretionary approval before it, that discussion "represents a misstatement of both CEQA and the holding of *Friends of Westwood*." The commenter claims that *Friends of Westwood* 'holds precisely the opposite. Friends of Westwood affirms that responsible agencies must exercise independent judgment under CEQA and may not simply defer to or rubber-stamp the lead agency's analysis."

However, *Friends of Westwood* does not include the statement or holding that the commenter attributes to it. Rather, the court held, as summarized in Section 1.3, that an EIR does not have to evaluate a project's environmental impacts where the governmental agency lacks the authority to mitigate those impacts. 191 Cal. App. 3d at 259, 266-267, 272. Here, CDFW lacks the authority to mitigate any of the Approved Project's impacts other than its impact on CBB. Therefore, it is not required to analyze those impacts because, in the court's words, that "would constitute a useless -- and indeed wasteful -- gesture." *Id.* at 272.

Topical Response 2: Environmental Baseline

Several comments were received about the environmental baseline of the Draft Supplemental EIR and the analysis in the Draft Supplemental EIR, including that the Draft Supplemental EIR does not adequately analyze the Approved Project's impact on Crotch's bumble bee (CBB) because it does not establish a baseline of environmental conditions on the Project Site regarding the presence of CBB or its suitable habitat. For example, one commenter stated that "the DSEIR should have conducted robust surveys for Crotch's bumble bee, as outlined in CDFW's own *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species* (California Department of Fish and Wildlife, 2023)", noting that "[the consultant] did not survey the approximately 300-acre Project Site since the presence of the CBB has already been documented there." (Draft Supplemental EIR, p. 3-2). The same commenter stated that "without surveys there is no way to know how many bees or nests might be impacted and how much suitable habitat will be lost. Without such information, it is impossible to determine the significance of the Project's impacts, whether such impacts could be avoided or minimized, and what mitigation would be required for unavoidable impacts." Another commenter stated that the Draft Supplemental EIR "does not describe the abundance of foraging CBB at various seasons, the density and distribution of CBB nests onsite, any use of the site for hibernation by the bees."

Focused surveys are not needed to establish an environmental baseline here because the Applicant assumed the entire Project Site was occupied based on prior reported observations and the impact assessment was based on loss of habitat. Because the impact assessment assumed full occupancy, focused surveys are unlikely to yield any additional useful information, particularly given the difficulty in detecting nests and overwintering sites.

CDFW's *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species* (California Department of Fish and Wildlife, 2023), referred to here as the "Survey Considerations," states that the information provided in the *Survey Considerations* document is "intended to assist CDFW staff, project proponents, and consultants in developing, proposing, and evaluating survey protocols and surveys on a project- and site-specific basis, but that the document should not be interpreted as an order or mandatory protocol for species surveys." In support of development projects in general, the search methods described in the *Survey Considerations* have customarily been applied for purposes of determining presence/absence (not abundance), and the best application of those methods is in conducting surveys for foraging bumble bees. Because surveys may not be effective in locating the species, *Survey Considerations* goes on to state "[w]hile surveys conducted using these flight seasons/active periods as a guide are considered the most effective and protective to the species, surveys may fail to detect the presence of candidate bumble bee species. Therefore, some project proponents may choose to assume presence and rely on habitat as an indicator of presence in lieu of, or in addition to, surveys" (emphasis added).

Although the *Survey Considerations* presents methods for performing nesting surveys, the methods also refer to the "challenging" nature of such efforts. Regarding the detection of overwintering (i.e., hibernation) sites, the *Survey Considerations* state that "overwintering

habitat for the majority of North American bumble bees is poorly understood and therefore surveys for it are not recommended.” As such, it is assumed that CBB likely uses the Project Site for overwintering and the Draft Supplemental EIR worst-case assumption of habitat loss accounts for that.

The determination of the Approved Project's impact on CBB is instead based on the extent of habitat loss, *i.e.*, vegetation communities containing floral resources to support CBB foraging, which in turn could support nesting and/or overwintering uses. The Draft Supplemental EIR analyzed impacts on CBB as a species assuming the maximum extent of assumed occupied habitat for the Project Site (166.72 acres of grading and 64.66 acres of fuel modification)—*i.e.*, that CBB used all 231.38 acres for foraging, nesting, or overwintering. The determination was initially based on two public records of CBB detections (page 3-1 of the Draft Supplemental EIR) on the Project Site from 2023 and the assumption of suitable habitat was extrapolated based on the presence of suitable floral resources throughout the Project Site, as well as habitat with the potential to support both nesting colonies and overwintering individuals.

The same principles apply to the assessment of the approximately 579 acres of Public Open Space. The identification of suitable mitigation lands to offset impacts resulting from habitat loss must be based on those same habitat parameters, *i.e.*, mitigation lands must contain habitat of an equivalent or greater composition and quality. Surveys on the Public Open Space confirmed CBB was present there and used the site's floral resources. While no nests or overwintering were detected, one should not assume nesting and overwintering does not occur due to the difficulty in detecting, especially when suitable nesting and overwintering habitat is present as it is within the Public Open Space.

See Topical Response 4 on the purpose of CBB MM-1 and repeating surveys after periods of inactivity.

Topical Response 3: Habitat Connectivity

Several comments were received, both in response to the Notice of Preparation (included as Appendix B to the Supplemental Draft EIR) and the analysis in the Supplemental Draft EIR, that the Approved Project would separate two portions of the Verdugo Mountains, restricting habitat connectivity.

As an initial matter, it is important to note that bees, including CBB, can fly and have been documented flying over and through development. As such, development of the Approved Project would not materially restrict habitat connectivity for CBB by the development of the Approved Project in the Verdugo Mountains between habitat blocks.

The most detailed comments regarding this issue are in a comment letter in response to the Notice of Preparation submitted by the Mountains Recreation & Conservation Authority (MRCA). Therefore, this Topical Response focuses on the MRCA letter, but it is also responsive to several similar, but less detailed, comments in other letters.

The MRCA comment letter first states that the Approved Project provides zero east-west habitat connectivity between two large habitat blocks (A and B) of undeveloped land to the west, north and east of the current Project Site. (See RTC NOP1-1 [MRCA].) However, there are several issues with how the commenter presents these habitat blocks. To start with, the exhibit attached to the comment ignores undeveloped land that already provides a connection between Habitat Blocks A and B. For Habitat Block A, the commenter includes lands north of Interstate 210 that were part of the original, approximately 900-acre project site (Original Project Site) that are part of the approximately 579 acres of land (Public Open Space) that have already been permanently preserved as open space, as well as additional undeveloped land north of the Public Open Space. In addition, the commenter ignores 90-100 acres of mostly undeveloped land contiguous to the northern and eastern boundaries of Habitat Block B. This mostly undeveloped land provides an intermittent habitat connection between what the commenter depicts as Habitat Blocks A and B. Therefore, as a threshold matter, no portion of the remaining Project Site is needed to provide connectivity between Habitat Blocks A and B.

In addition, in referencing “zero east-west habitat connectivity,” the commenter does not provide evidence to support why it is important to have a direct connection between the two identified habitat blocks, and specifically why it is critical to have a direct habitat connection between the two areas for Crotch’s bumble bee (CBB), which is the focus of the Draft SEIR. Applied properly to CBB, if CBB utilizes habitat within Habitat Block B, a direct and contiguous habitat connection is not necessary for CBB to disperse between habitat areas. As noted above, CBB individuals fly over development areas (and through them depending on landscaping and intermixed open space), including over freeways (such as Interstate 210).

Furthermore, in addition to the approximately 579 acres of Public Open Space that were part of the Original Project Site, the remaining Project Site also includes substantial open space that will continue to provide habitat for CBB. Specifically, the Approved Project’s development

footprint includes multiple parcels with a total of approximately 90 acres of internal open space, including one larger parcel in the middle of the footprint that will provide both live-in and dispersal habitat for CBB. As such, CBB has the opportunity to disperse between Habitat Blocks A and B, as well as between these habitat blocks and Habitat Block C (i.e., the Verdugo Mountains open space south of the freeway as depicted on the comment letter exhibit).

The habitat located both north and south of the freeway collectively represents one larger habitat area for CBB live-in habitat and dispersal, and the construction of the Approved Project will not adversely affect the overall use of the habitat areas for CBB in collective open space. The way the Habitat Blocks are presented by the commenter creates an artificial view of habitat usage by CBB in this area, suggesting that the freeway and other development acts as an impenetrable barrier for CBB dispersal, which is not the case.

The claim is also made that the Final EIR failed to recognize the “avoidable, significant project impact of ecologically severing the Verdugo Mountains ecosystem north of the 210 freeway for virtually all wildlife species despite timely EIR comments from the Santa Monica Mountains Conservancy identifying the issue.”

The comment addresses “virtually all wildlife species,” which is inappropriate because the Draft SEIR only analyzes, and is only required to analyze, the Approved Project's impact on CBB, consistent with the requested ITP (see Topical Response 1). Therefore, this Topical Response focuses on CBB.

The Approved Project will not “ecologically sever” habitat areas north of Interstate 210 for CBB. The comment also does not provide evidence to support the statement that the Approved Project would result in a significant impact on these habitat areas relative to CBB. In addition to the comment's representations of Habitat Blocks A and B, there are additional undeveloped lands to the north of Habitat Block B as well as vegetation intermixed between residential properties.

Moreover, CBB individuals fly over development areas (and through them depending on landscaping and intermixed open space), including over freeways (such as Interstate 210). In addition to the Public Open Space that was part of the Original Project Site, the Project's development footprint includes multiple parcels of internal open space, including one larger parcel in the middle of the footprint that will provide both live-in and dispersal habitat for CBB. As such, CBB will disperse between Habitat Bock A and B, as well as between these habitat blocks and Habitat Block C (i.e., Verdugo Mountains open space south of the freeway as depicted on the MRCA comment letter exhibit).

The habitat located both north and south of the freeway collectively represents one larger habitat area for CBB live-in habitat and dispersal, and the construction of the Approved Project will not adversely affect the overall use of the collective open space for CBB. The presentation of the habitat blocks by the commenter suggests that freeway and other development will act as an impenetrable barrier for CBB dispersal, which is not the case.

The MRCA comment letter also suggests that CBB individuals require a contiguous vegetation/habitat connection between other larger habitat areas, in this case between what the commenter refers to as Habitat Block A and Habitat Block B. As previously noted, however, CBB individuals fly over development areas (and through them depending on landscaping and intermixed open space), including over freeways (such as Interstate 210). CDFW is not aware of any scientific information indicating that a direct habitat connection, what the comment refers to as an “ecologically adequate, permanently protected east-west habitat linkage,” is needed for CBB individuals to disperse between habitat areas to the west, north and east of the Project Site, or south of Interstate 210 to the overall Verdugo Mountains open space. Furthermore, the comment does not provide scientific evidence based on the biology of CBB to support why such a connection is necessary that “must be free of all other structures and infrastructure” and “must also be wide enough to support year-round native vegetation conducive to at least the movement and presence of Crotch’s bumble bee.”

In addition to the Public Open Space that was part of the Original Project Site, the remaining Project Site includes multiple parcels of open space intermixed with the areas to be developed, including a large parcel of native habitat in the middle of the footprint that will provide live-in and/or dispersal habitat for CBB. As a result, it is unnecessary to redesign the siting of the Approved Project in any manner, including the removal of the “cluster of four houses in the southwest project corner,” to provide a contiguous habitat corridor through the Approved Project’s development footprint as was suggested by the commenter. Even if the entire Project Site was developed, CBB individuals would still be able to disperse between habitat areas west, north and east of the Project Site, and south of the freeway. However, the Approved Project does in fact include the additional, intermixed open space parcels, which will further benefit the species.

Topical Response 4: Adequacy of Mitigation

Several comments were received in response to the analysis in the Draft Supplemental EIR questioning the adequacy of mitigation on various grounds, including appropriateness of the use of the approximately 579 acres of Public Open Space that were part of the Original Project Site as mitigation because it has already been conserved, whether the preservation of the Public Open Space is sufficient in terms of quantity and character to offset the Approved Project's impact on CBB, whether preservation of the Public Open Space can constitute mitigation, and whether it was possible to mitigate for take of a species protected under the California Endangered Species Act (CESA).

As an initial matter, several commenters made observations regarding the status of CBB as a candidate species proposed for listing as Endangered under CESA and the protections that are afforded to it by virtue of this status. Such comments are acknowledged, but some comments inaccurately or incompletely characterized the circumstances under which take can be authorized and the requirements for doing so. Under CESA, take of a candidate species is prohibited unless otherwise authorized. The Applicant has applied for the incidental take permit to obtain authorization for take that could occur incidental to its otherwise lawful development of the Approved Project. CESA requires that the impacts of the authorized take be minimized and fully mitigated and that measures required be roughly proportional to the impact of the authorized take. Contrary to several assertions, CESA provides for CDFW to authorize take of listed species.

Several comments asserted that the Draft Supplemental EIR cannot rely on the Public Open Space to mitigate the Approved Project's impact on CBB because the Public Open Space is already permanently protected by a conservation easement and cannot be recharacterized as new mitigation under CEQA. The comments are correct that the Public Open Space proposed to mitigate the Approved Project's significant impact on CBB has already been preserved under a conservation easement as mitigation for other impacts of the Approved Project, but this preexisting conservation easement does not render the Public Open Space ineligible to mitigate for the impact on CBB. The Public Open Space was preserved to mitigate for potentially significant impacts caused by the Approved Project, the same project that is the subject of the requested ITP. CEQA requires that a significant project impact be feasibly mitigated to a level that is less than significant. It does not mandate that separate, additional mitigation be provided for each project impact.

Rather, it is common practice that the same mitigation measure may offset impacts to different resources. For example, an area set aside as project mitigation that contains both cultural and biological resources can provide mitigation for the project's cultural and biological impacts. One comment references *California Native Plant Society v. City of Rancho Cordova (CNPS)*, 172 Cal. App. 4th 603 (2009), in support of the rule that a supplemental EIR must provide "additional and enforceable" mitigation measures for newly identified impacts. However, the holding of CNPS deals with deferred mitigation and does not address the cited "additional and

enforceable" requirements or otherwise address the use of already conserved lands as mitigation.

The fact that the Public Open Space has already been preserved also does not disqualify it from serving as CBB mitigation. To the contrary, the earlier preservation, in advance of any project impacts, could be considered advanced mitigation. CDFW policy allows mitigation on already protected lands, provided certain criteria are met. (CDFW, "Policy for Mitigation on Publicly Owned, Department Owned, and Conserved Lands," Departmental Bulletin No. 2012-02 [the "Policy"].) The Policy states:

Mitigation for impacts to fish and wildlife resources may occur on publicly owned, Department owned, and conserved lands if it has been determined by the Department that: 1) the mitigation is consistent with requirements of the law under which the mitigation is being sought; 2) its relative value as mitigation is equal to or greater than it would be if the same mitigation were situated on non-public or non-conserved lands; 3) it results in a clear and quantifiable improvement or positive change above that currently present or reasonably expected to exist under current conditions on the site; 4) the future uses of the land, including encumbrances or easements, will not preclude or diminish the mitigation; 5) the mitigation will not preclude, diminish or interfere with the funding or purpose of acquisition, encumbrances, or management plan for the property; and 6) it will not result in a net loss of existing conservation values.

The use of the Public Open Space meets all of these criteria. The ITP would require amending the existing conservation easement to include measures to enhance the Public Open Space for the benefit of CBB. Preservation and enhancement of occupied habitat is consistent with CESA and are standard forms of compensatory mitigation in ITPs. The proposed enhancement measures would have the same relative value on non-conserved lands. The measures, which include invasive species removal, fencing and signage to prevent trespass, and trash and debris collection, are expected to improve the habitat in the Public Open Space for CBB. The existing conservation easement and the amendments required under the requested ITP will ensure that the value of the habitat is not impacted by future uses. Finally, the amendment of the existing conservation easement and implementation of the required management measures will not negatively impact the existing conservation value of the Public Open Space.

Several comments questioned the adequacy of the approximately 2.5:1 mitigation ratio and whether the mitigation offsets all impacts such as habitat fragmentation, and multiple comments asserted that the proposed mitigation is inadequate because the mitigation does not completely eliminate the Approved Project's impact on CBB. As demonstrated by the Policy, CDFW assesses adequacy by habitat type, quality, and quantity, not a fixed ratio. The Draft Supplemental EIR and the underlying GLA Report (attached as Appendix C to the Draft Supplemental EIR) demonstrate that the Public Open Space provides a substantial quantity of high quality habitat types suitable for the CBB and that the Approved Project's significant impact on CBB will be reduced to a less-than-significant level through the preservation of the Public

Open Space, and will be further reduced by the minimization and avoidance measures under Mitigation Measure CBB-MM-1, consistent with *Save Panoche Valley v. San Benito County*, 217 Cal. App. 4th 503, 528-529 (2013).

Furthermore, the potential impact related to habitat fragmentation is likely to be minimal, as CBB is a mobile species that can fly and is documented in urbanized areas. In addition, fragmentation impacts have been minimized by the Approved Project's configuration. A large portion of the Public Open Space is on the opposite (south) side of the Interstate 210 Freeway from the Project Site, so that the development area for the Approved Project does not touch or fragment this portion of the Public Open Space. The remainder of the Public Open Space that is on the same (north) side of the freeway as the development area for the Approved Project is contiguous with and adjacent to other natural landscapes that are not fragmented by the Approved Project. Finally, because the Public Open Space is already protected, there is no risk of future habitat fragmentation due to future development.

One comment questioned the necessity of conducting CBB surveys after periods of project inactivity under Mitigation Measure CBB-MM-1, since CBB inventory surveys were not performed for the Draft Supplemental EIR. These post-inactivity surveys are required to avoid impacts to individual bees that may have moved onto the Project Site during inactivity. Because CBB is confirmed to exist on and around the site, ongoing presence is a reasonable assumption, and additional inventory surveys were not necessary for the environmental baseline. The post-inactivity surveys ensure compliance by minimizing the risk of disturbing individual bees that may be present before resuming project activities.

LETTER NO. NOP1

Mountains Recreation & Conservation Authority
George Lange, Chairperson
King Gillette Ranch
26800 Mulholland Highway
Calabasas, CA 91302

September 3, 2025

Note that while this comment letter was received in response to the Notice of Preparation, it contains the most detailed comments regarding habitat connectivity. Therefore, it is included here as part of the Responses to Comments on the Draft Supplemental EIR.

Comment No. NOP1-1

Dear CDFW Staff:

The Mountains Recreation and Conservation Authority (MRCA) owns conservation easements on more than 600 acres of land abutting the subject project (see attached maps). The MRCA is in the process of accepting fee title to the same 600 acres from the Desert and Mountain Conservation Authority (DMCA).

The proposed project provides zero east-west habitat connectivity between two large habitat blocks in the portion of the Verdugo Mountains north of the 210 freeway. These habitat blocks are shown as habitat blocks A and B on the attached figure. Block B includes at least 20 acres of additional habitat within the subject project boundary. Block B includes both MRCA and City of Los Angeles open space.

The Final EIR failed to recognize this avoidable, significant project impact of ecologically severing the Verdugo Mountains ecosystem north of the 210 freeway for virtually all wildlife species despite timely EIR comments from the Santa Monica Mountains Conservancy identifying the issue.

To remedy this significant biological impact, which includes severing of Crotch's bumble bee habitat, the project footprint must include an ecologically adequate, permanently protected east-west habitat linkage between habitat blocks A and B. That new habitat linkage can (and presumably must) be bisected by two of the new circulation roads shown in the proposed development, but it must be free of all other structures and infrastructure. It must also be wide enough to support year-round native vegetation conducive to at least the movement and presence of Crotch's bumble bee. The SDEIR must address what the spatial requirements of

such a habitat connection must be. Its minimum vegetation composition, must be include a contiguous natural area with a reduced-intensity fuel modification requirement (except 10 feet on roadsides) that connects to habitat outside of the project- proposed fuel modification areas in blocks A and B. Fortunately, such an east-west habitat linkage can be achieved with only the elimination of a cluster of four houses in the southwest project corner. To be able to strictly abide by the approved, meticulously crafted grading plan, those four lots could be graded as proposed and then be revegetated. Roadside cut and fill slopes can be vegetated with appropriate native species. The project mitigation measures must include the establishment of all necessary Crotch's bumble conducive vegetation in disturbed portions of the linkage.

As proposed, the project would result in an avoidable significant adverse impact to continued Crotch's bumble bee presence in the Verdugo Mountains north of the 210 freeway without the inclusion of this above-described habitat linkage design modification permanently integrated into the project. The SDEIR must include an alternative with an equivalently functional east-west habitat linkage for Crotch's bumble bee, or it shall remain deficient.

That habitat linkage would also benefit every other wildlife species in the Verdugo Mountains including the evolutionarily significant listed mountain lion population. Please address any questions to Chad Christensen, Deputy Chief of Natural Resources and Planning, at chad.christensen@mrc.ca.ca.gov or at 310-589-3230 ext. 121.

Response to Comment No. NOP1-1

Regarding habitat connectivity, refer to Topical Response No. 3.

Comment No. NOP1-2

In conclusion, the CVCA recommends the No Build Alternative as the environmentally superior alternative. And, a new EIR if California Whitebird, Inc. plans to proceed. All current conditions should be studied before moving forward with this inappropriate housing project.

Response to Comment No. NOP1-2

As discussed on page 4-6 of the Draft Supplemental EIR, Section 15126.6(a) of the CEQA Guidelines requires that an environmentally superior alternative be selected, which generally is the alternative that would be expected to generate the least amount of adverse impacts. Here, under the No Project Alternative, the entire Project Site would remain undeveloped, which would result in no impact on CBB. However, Section 15126.6(e)(2) states that if the No Project Alternative is the environmentally superior alternative, then the EIR shall also identify an environmentally superior alternative among the other alternatives. In other words, the No Project Alternative cannot be the environmentally superior alternative. Therefore, the Reduced Development Footprint/Reduced Density Alternative was determined to be the environmentally superior alternative. As discussed on pages 4-5 and 4-6 of the Draft Supplemental EIR, the Reduced Development Footprint/Reduced Density Alternative would not meet certain project

objectives and would not meet other project objectives to the same extent as the Approved Project.

The remainder of the comment requesting a new EIR is acknowledged for the record and will be considered as part of CDFW's decision-making process.

LETTER NO. A1

Santa Monica Mountains Conservancy
Steve Veres, Chairperson
Los Angeles River Center & Garden
570 West Avenue Twenty-Six, Suite 100
Los Angeles, CA 90065
WWW.SMMC.CA.GOV

November 17, 2025

Comment No. A1-1

Dear CDFW:

As a trustee agency, the Santa Monica Mountains Conservancy offers the following comments on the above-referenced Draft Supplemental Environmental Impact Report (DSEIR). The DSEIR concludes that the proposed project will result in a significant impact to Crotch's Bumble Bee (CBB) habitat. CEQA requires that significant impacts be avoided or minimized if possible. In stark contrast, the DSEIR asserts that the direct loss of 164 acres of habitat can be adequately mitigated just because 579 acres with some potential CBB habitat was dedicated to a public agency 20 years ago. That dedication of land does nothing to minimize the project's adverse impacts on either CBB habitat or listed mountain lion habitat. The CBB habitat would be gone, and the residential development would effectively separate the two natural portions of the Verdugo Mountains on the north side of the 210 freeway. Construction conditions and biological monitoring mitigations do not replace habitat.

Response to Comment No. A1-1

The comment provides introductory information about the commenter, and also provides a summary of the specific comments contained in this comment letter. Responses to the specific comments raised in this letter are provided in Responses to Comment Nos. A1-2 through A-1-4, below.

Comment No. A1-2

The DSEIR is deficient because it provides no factual basis for either why or how the 20-year-old dedication specifically offsets the project impacts to CBB habitat. The DSEIR just asserts that the presence of related protected land will erase the impacts on 164 acres of CBB habitat. The DSEIR shall remain deficient until additional mitigation either in the form of extensive targeted long-term habitat restoration and/or additional protection of adjacent private land with

sufficient habitat quality is definitely required. The applicant could pay a substantial in lieu fee to a public agency to acquire such lands and not be slowed down in the entitlement process.

Response to Comment No. A1-2

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. A1-3

Because the proposed residential development, streets, and detention basins would effectively separate the two natural portions of the Verdugo Mountains on the north side of the 210 freeway, the capacity of the two severed sides of the range to exchange CBB, and even listed mountain lions, would be adversely affected. The DSEIR fails to analyze how significant that impact could be, and it therefore remains deficient. Apparently, the applicant is providing a minimum 20-foot-wide habitat linkage along the Caltrans rights-of-ways. But that linkage plan has never been publicly circulated nor has an analysis of how effective it is likely to be for the movement of CBB ever been circulated. Effective mitigation could be to widen this referenced freeway adjacent habitat swath.

Response to Comment No. A1-3

Regarding habitat connectivity, refer to Topical Response No. 3.

Comment No. A1-4

But the most effective way to reduce impacts to CBB habitat is to reduce the project footprint. The DSEIR concludes that the Reduced Development Footprint/Reduced Density Alternative with 154 large lot homes is the environmentally superior alternative. By definition, EIR alternatives must be feasible. But the DSEIR concludes that this alternative is not feasible because it, "would not meet certain project objectives, and would not meet other project objectives to the same extent as the Approved Project, due to the substantial reduction in the number of housing units in the City." However, all the eleven project objectives are qualitative, and all can be definitively met with the Reduced Development Footprint/Reduced Density Alternative. Project objective eleven addresses financial feasibility or viability with no metric or required economic statement. As far the project's economic viability to dedicate open space, the project already dedicated the 574 acres of habitat 20 years ago with zero operational funding. As far as the project's viability to provide the following benefits, the project does not include the development of public and private equestrian and other recreational amenities on the project site. The DSEIR is deficient because it concludes that the environmentally superior alternative is not feasible with zero measurable basis for that conclusion. The project makes no attempt to reduce significant biological impacts. The project footprint must be reduced to reduce impacts to CBB and by default to listed mountain lion habitat.

Response to Comment No. A1-4

The commenter first suggests that the Reduced Development Footprint/Reduced Density Alternative is improper because the Draft Supplemental EIR ultimately concludes that it is infeasible. This, however, conflates two different concepts of "feasibility." An alternative must be "potentially feasible" to be examined in an EIR. CEQA Guidelines § 15126.6(a). The Reduced Density Alternative, which includes a 30% reduction in the number of homes and a 25% reduction in the amount of developed land, is potentially feasible. Reduced density alternatives are commonly included in EIRs.

The second consideration of feasibility is at the project approval stage. CDFW disagrees that the project objectives can be met with the Reduced Development Footprint/Reduced Density Alternative. "Infeasible" in this context "means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." Cal. Pub. Res. Code § 21061.1.

The commenter then states that "all the eleven project objectives are qualitative, and all can be definitively met with the Reduced Development Footprint/Reduced Density Alternative." As a general matter, that is incorrect. As discussed on pages 4-5-6, this alternative would not provide a substantial amount of high-quality housing and would not be financially viable. As further discussed, the Reduced Development Footprint/Reduced Density Alternative would satisfy three other project objectives, but to a lesser extent than the Approved Project.

The comment then states that "[p]roject objective eleven addresses financial feasibility or viability with no metric or required economic statement." A detailed financial analysis is unnecessary to assess financial feasibility because the alternative would reduce the quantity of homes by 45% as compared to the Original Project. The Original Project evaluated in the Draft EIR included 280 homes. The Approved Project reduced the number of homes by 59 to 221, a reduction of about 22%, and eliminated all homes on the south side of Interstate 210 (which eliminated biological impacts on that side of the freeway and preserved a contiguous block of open space). The Reduced Development Footprint/Reduced Density Alternative would reduce the number of homes by another 67 (i.e., 30%, from 221 to 154), leaving only 55% of the 280 homes from the Original Project. In addition, in 2011-2013, the Applicant donated approximately 579 acres, or approximately 65%, of the Original Project Site to the Desert and Mountain Conservation Authority, subject to a conservation easement over the land granted to Mountains Recreation & Conservation Authority, an affiliate of the commenter. The Reduced Development Footprint/Reduced Density Alternative would reduce the remaining developable portion of the Project Site by 25%, from 164 to 123 acres, which is approximately 13% of the Original Project Site.

When the Applicant voluntarily agreed years ago, after much discussion and debate with the City and community, to donate, with no compensation, approximately two-thirds of the Original Project Site and thereby substantially reduce the number of homes, that agreement reflected the minimum development that could potentially yield a reasonable return for the Applicant.

For these reasons, the further, substantial reduction in the size of the Approved Project pursuant to the Reduced Development Footprint/Reduced Density Alternative would not be economically feasible. Furthermore, this alternative would satisfy Project Objectives 1 and 11 to a substantially lesser extent than the Approved Project by providing 67 fewer homes (i.e., reduction by 30%) and proportionately less recreational amenities.

The commenter next states that "[a]s far the project's economic viability to dedicate open space, the project already dedicated the 574 acres of habitat 20 years ago with zero operational funding." It is not understood what this comment means, but it appears to have no bearing on whether the Reduced Development Footprint/Reduced Density Alternative is economically feasible. If, however, the commenter is somehow implying that there is excess funding, the dedication and transfer of the Public Open Space is a sunk cost and with carrying costs accumulating over 20 years, economic feasibility of the Approved Project as analyzed in the Draft Supplemental EIR is not a foregone conclusion.

The commenter next contends that "[a]s far as the project's viability to provide the following benefits, the project does not include the development of public and private equestrian and other recreational amenities on the project site." Although the comment does not state so, CDFW assumes the comment relates to Project Objective 5 to "provide ample and other recreational amenities, as well as significant passive open space and landscaping areas."

Contrary to the comment, the Approved Project includes recreational amenities and passive open space and landscaping areas. As discussed in Section III of the Draft EIR, those amenities include open space areas for walking and hiking, pedestrian walkways, tot lots, active play areas, a vista point with picnic area and gazebo and a pool with a jacuzzi, restroom building and barbecue area. The Approved Project also includes substantial open space areas for walking and hiking and landscaped common areas. These amenities would be scaled back in proportion with the reduced number of homes and reduced development footprint.

In response to the comment that "[t]he project makes no attempt to reduce significant biological impacts," refer to Topical Response No. 4.

Comment No. A1-5

Please direct all future questions and documents to Paul Edelman, Deputy Director for Natural Resources and Planning at the above letterhead address.

Response to Comment No. A1-5

The comment provides general concluding information, which is acknowledged for the record.

LETTER NO. A2

Endangered Habitats League
Dan Silver, Executive Director
505 S. Flower Street, #71001
PO Box 71001
Los Angeles, CA 90071
www.ehleague.org

December 2, 2025

Comment No. A2-1

Gentlepersons:

Endangered Habitats League (EHL) appreciates the opportunity to comment on this proposed ITP for Crotch's bumble bee. In doing so, we incorporate concerns expressed by the Santa Monica Mountains Conservancy and the Mountains & Recreation Authority (MRCA).

Response to Comment No. A2-1

The comment provides introductory information, which is acknowledged for the record. Responses to the specific comments provided by the MRCA are included in the Response to Letter No. A1 of this Final Supplemental EIR.

Comment No. A2-2

An ITP issued by the Department does not have to rely on the exact same mitigation strategies used by the project's EIR (which in this case is 20 years old). It may find that other alternative approaches are biologically necessary or superior. The DSEIR proposes to use the previous set aside of land as full mitigation, along with relatively minor additional management measures. It does so on the basis of ~2:1 mitigation for suitable habitat, along with occupancy data. There is no analysis, however, showing that the proposed ratio actually fully compensates for the loss, for example, to the local bee population, and additional land conservation should be considered.

Response to Comment No. A2-2

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. A2-3

Furthermore and critically, the impact analysis ignores that effect of the development on *connectivity* for the bee north of the 210 Freeway. The development cuts off connectivity between what the MRCA terms Habitat Blocks A and B. According to MRCA, connectivity can be retained “with only the elimination of a cluster of four houses in the southwest project corner.” (See MRCA NOP scoping comments of Sept. 2, 2025.) At a minimum, the ITP should require project such *minimal* redesign, with either elimination of the units or more effective clustering, with some smaller lots and resultant retention of the proposed unit count, or even exceeding it.

Response to Comment No. A2-3

Regarding habitat connectivity, refer to Topical Response No. 3.

Comment No. A2-4

In regard to alternatives, the “Environmentally Superior” alternative, with a *massive* decrease in unit count of 30% is a “straw man” designed to be infeasible. The minor project redesign described above, especially with no loss of units, must be considered completely feasible unless an objective economic analysis proves otherwise.

Response to Comment No. A2-4

CDFW disagrees with the characterization that a reduced density alternative with a 25-30% reduction in the number of homes is “massive.” The Approved Project reduced the number of homes by 22% as compared to the Original Project.

The commenter suggests that the modification of the Approved Project to promote habitat connectivity is an alternative that should have been studied in the Draft Supplemental EIR. As discussed in Topical Response No. 3 (Habitat Connectivity), there is no evidence indicating the Approved Project would have a significant effect on connectivity for CBB. Relatedly, there is no indication the suggested project redesign would improve connectivity for CBB to mitigate any such effect on connectivity for CBB. As set forth in Sections 15126.6(c) and (f) of the CEQA Guidelines, an EIR is not required to analyze an alternative if it would not avoid or substantially lessen one or more of the project's significant environmental impacts. Given that (1) there is no evidence that the Approved Project would have a significant effect on connectivity for CBB and (2) there is no evidence the suggested modification above would improve or otherwise mitigate any impact on connectivity for CBB, analyzing an alternative that includes the suggested project design is not required.

Comment No. A2-5

In conclusion, “fully compensatory” mitigation, as required by CESA, includes both habitat and connectivity. The final ITP should maintain both. Thank you for your consideration.

Response to Comment No. A2-5

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

LETTER NO. A3

Angeles Chapter – Sierra Club
Fred Dong
617 W. 7th Street, Suite 702
Los Angeles, CA 90017

December 4, 2025

Comment No. A3-1

Gentlemen:

We are commenting on the Canyon Hills Project Draft Supplemental Environmental Impact Report (DSEIR). We disagree with the report finding that significant impact will be mitigated below a level of significance as a result of the permanent preservation of approximately 579 acres of the original. **As no mitigation is done on the land that will be developed at the project site, our organization, reaches the conclusion that the project will cause significant irreparable loss of habitat for the Crotch's Bumble Bee and destruction of the bumble bee on site that currently has protected status under California law. It is not a justifiable taking and must be mitigated as we will further discuss.**

Response to Comment No. A3-1

The comment provides introductory information, which is acknowledged for the record. The comment also provides the commenter's opinion that the Approved Project would result in a significant impact on CBB, which is addressed in the Responses to Comment Nos. A3-2, A3-5, and A3-7, below.

Comment No. A3-2

No mitigation efforts are being proposed in the DSEIR for the 164 acres that will be developed and other acreage that will be degraded from being Crotch's Bumble Bee habitat due to the developed acres. If the project's 164 acres are developed it will further fragment the remaining undeveloped part of the northern area of the project impacting about 140 additional acres. This would render much of the undeveloped portion of the northern area uninhabitable to Crotch's Bumble Bee.

Response to Comment No. A3-2

Regarding the adequacy of mitigation, refer to Topical Response No. 4. Regarding habitat connectivity for CBB, refer to Topical Response No. 3.

Comment No. A3-3

Similarly, the fragmentation of the northern area would impact the habitat and range of mountain lions. Mountain lions have been documented in the northern project area that is proposed to be developed. Some of the dead deer mentioned in the DSEIR could be a result of mountain lion kills. If the northern area is developed, this would result in loss of mountain lion hunting grounds which could further imperil the few mountain lions in the area that may depend upon that habitat area. Though the development would not result in a direct kill of mountain lions, the loss of habitat and range would endanger the resident mountain lion.

Response to Comment No. A3-3

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining that because the Approved Project is not anticipated to take mountain lion, the Applicant is not seeking an ITP for mountain lion. Therefore, the requested ITP is limited to CBB and, as a result, the Draft Supplemental EIR was only required to analyze the Approved Project's impact on CBB.

Comment No. A3-4

The DSEIR also fails to mention other potential projects which could further imperil the Crotch's Bumble Bee. The 6433 La Tuna Canyon Road (Formerly Verdugo Hills Golf Course) Project is located less than one mile from the subject project site and that project would further degrade the bumble bee habitat. It is marked on the figure 3-1 Wildlife Movement map in the DSEIR. The 6433 La Tuna Canyon Road project was not approved by the Los Angeles City Council but it still remains a proposal put forth by a developer that could become viable in the future.

Response to Comment No. A3-4

Entitlements for the former Verdugo Hills Golf Course Project were denied by the City of Los Angeles in 2019, and there is currently no application on file with the City for any proposed development on that site. Therefore, the consideration of a related project on that site would be speculative. Regarding “other potential projects,” the comment does not provide information about any other specific projects that should have been considered. See Section 2.4 of the Draft Supplemental EIR describing how CDFW identified related projects for purposes of analyzing cumulative effects.

Comment No. A3-5

The Crotch's bumble bee (*Bombus crotchii*) is a candidate species for California state endangered status and receives the same legal protections as a listed endangered species. In 2019, the California Fish and Game Commission voted to list it as a candidate under the California Endangered Species Act (CESA), a status that was upheld in court in 2022. Because it is a candidate species, taking the bee is prohibited under CESA.

This bumble bee was once common in the Central Valley of California, but is now scarce in that area.¹ The Crotch bumble bee (*Bombus crotchii*) was historically common in the southern two-thirds of California, but now appears to be absent from most of it, especially in the center of its historic range (Hatfield et al. 2014; Richardson et al. 2014); analyses suggests sharp declines in both relative abundance (98% decline) and persistence (80% decline) over the last ten years.²

Bumble bees are among the most iconic and well understood group of native pollinators in North America. They are generalist pollinators that play a valuable role in the reproduction of a wide variety of plants, including California specialty crops such as tomato, squash, melon, and pepper, and numerous wildflowers. Pollinators are critical components of our environment and essential to our food security. Insects - and primarily bees - provide the indispensable service of pollination to more than 85% of flowering plants (Ollerton et al. 2011), contributing to 35% of global food production (Klein et al. 2007). Many vitamins and other nutrients essential to human nutrition are found primarily in plants that require insect pollination (Eilers et al. 2011); as such, the loss of pollinators may pose challenges to human nutrition.³

Each of the following factors pose a substantial threat to the survival of the four species of bumble bees included in this petition: present or threatened modification or destruction of its habitat; overexploitation; competition; disease; and other natural events and human-related activities, including pesticide use, population dynamics and structure, global climate change, and for the Suckley cuckoo bumble bee, loss of its host species.⁴

The Crotch's bumble bee may over winter (hibernate) on the project site. This would mean that any development activity no matter what time of year would kill and destroy the habitat of any bumble bees on site whether it is during their peak activity months or dormancy months. Very little is known about the hibernacula, or overwintering sites utilized by *Bombus crotchii*. Generally, bumble bees overwinter in soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014).⁵

We take issue with the DSEIR finding that significant impact will be mitigated below a level of significance as a result of the permanent preservation of approximately 579 acres of the original, approximately 900-acre Project Site (Original Project Site) as open space. The DSEIR concludes that because of the 579 acres of the former project site being preserved as open space that therefore, no mitigation or alternatives that are considerably different from the

¹ Hatfield, R.; Jepsen, S.; Thorp, R.; Richardson, L. & Colla, S. (2015). "Crotch's bumblebee". IUCN Red List of Threatened Species. 2015: e.T44937582A46440211.

² Petition to list the Crotch bumble bee (*Bombus crotchii*), Franklin's bumble bee (*Bombus franklini*), Suckley cuckoo bumble bee (*Bombus suckleyi*), and western bumble bee (*Bombus occidentalis occidentalis*) as an Endangered Species by The Xerces Society for Invertebrate Conservation, Defenders of Wildlife, Center for Food Safety October 2018 Page 5 <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=161902&inline>

³ Ibid Page 6

⁴ Ibid Page 6

⁵ Ibid Page 33

permanent preservation of approximately two thirds of the Original Project Site are necessary to reduce the Approved Project's impact on the CBB to below a level of significance.⁶

The DSEIR logic to reach the conclusion is bad at best. It would be like saying that if you had a forest of a protected species such as the Giant Sequoia that was 1,000 acres that it would be alright to destroy 300 or 400 acres of the Giant Sequoia forest because the remaining 600 to 700 acres would serve as mitigation for the taking and the taking would be below the level of significance. But it is not true that the preservation of the 600 to 700 acres would mitigate the significance of a project to destroy the other redwoods in this example.

Another example of what could result from the convoluted logic used in the DSEIR in reaching the conclusion that the impact on the bumble bee is below a level of significance would be if you had 500 giant panda bears. You will kill 170 of the pandas but preserve 330. The logic in the DSEIR is that by preserving the 330 bears it will mitigate the loss of the 170 bears below a level of significance. But the loss of the 170 bears would result in a high level of significance that in fact has not been mitigated.

Likewise, the current subject project would result in a taking of an endangered species that is protected by law and still remains above the level of significance due to resulting destruction of the bumble bee habitat and the bumble bees themselves that are on the project site.

Response to Comment No. A3-5

Regarding the adequacy of mitigation, refer to Topical Response No. 4. It is also noted that Section 15370(e) of the CEQA Guidelines specifically contemplates using conservation easements as a form of mitigation, by defining mitigation to include, “[c]ompensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.”

The general comments about bees are acknowledged for the record and will be forwarded to the decision-making body for its review and consideration.

Comment No. A3-6

The DSEIR only provides one alternative besides the no project alternative to the project. There should be several alternatives discussed to examine the potential impact on the Crotch's bumble bee and mountain lions to see how different potential mitigation measures with each alternative impact these species. The alternatives must be discussed without economic consideration to the development as economic viability cannot be used to decide if an alternative is feasible as economic viability is not considered on California CEQA law. The alternative discussed in the DSEIR is dismissed by the report writer seemingly based on economic viability of the project, contrary to CEQA law.

⁶ Canyon Hills Project-Draft Supplemental Environmental Impact Report page 1-7

Response to Comment No. A3-6

The commenter first suggests that several other alternatives exist that should have been studied in the Draft Supplemental EIR regarding the potential impact on CBB and mountain lions. Regarding mountain lions, refer to Topical Response 1 (Scope of Draft Supplemental EIR). Regarding CBB, the commenter provides no example of an additional potentially feasible alternative that should have been studied and otherwise provides no evidence to support the commenter's claim.

The commenter then contends that "alternatives must be discussed without economic consideration to the development as economic viability cannot be used to decide if an alternative is feasible as economic viability is not considered on California CEQA law." Contrary to the commenter's statement, as set forth in Section 21061.1 of the California Public Resources Code, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account a variety of factors, including "economic" factors.

Finally, it is not accurate that the alternative discussed in the Draft Supplemental EIR (which appears to be a reference to the Reduced Development Footprint/Reduced Density Alternative) "is dismissed by the report writer seemingly based on economic viability of the project." Rather, Section 4.6.2 of the Draft Supplemental EIR discusses that the Reduced Development Footprint/Reduced Density Alternative does not satisfy, or satisfies to a lesser extent than the Approved Project, 5 of the 11 project objectives, only one of which relates to financial feasibility.

Comment No. A3-7

The petition to list the Crotch's bumble bee discussed a serious decline both in the range and numbers of the species present. This species was historically common throughout much of the southern two-thirds of California, but now appears to be absent from most of it especially in the California Central Valley.⁷ As the species is endangered⁸ and is legally protected under California law, there should be no taking of the species on the project site. Any development on the site would result in a taking. A potential mitigation could include habitat restoration for the bumble bee of 300 or more acres in high habitat value area that would be contiguous with existing habitat.

Response to Comment No. A3-7

Regarding the adequacy of mitigation and whether a species protected under CESA can be taken, refer to Topical Response No. 4.

⁷ Ibid Page 9

⁸ Hatfield, R., Jepsen, S., Thorp, R., Richardson, L. & Colla, S. 2015. *Bombus crotchii*. The IUCN Red List of Threatened Species 2015: e.T44937582A46440211. <https://doi.org/10.2305/IUCN.UK.2015-2.RLTS.T44937582A46440211.en>.

Comment No. A3-8

We understand that the DSEIR was done as a result of condition that changed from the original EIR which was the discovery of an endangered species, the Crotch's bumble bee, on the project site. The work for the original EIR was done 22-23 years ago. During the subsequent years, many conditions discussed in the original EIR have changed and must be revisited before the project is allowed to proceed.

As we have seen with recent wildfires over the past few years since the publication of the original EIR that safety mitigation measures regarding wildfires need to be re-evaluated. The Pacific Palisades and Altadena fires have shown that even with multiple exit points, that everyone may not be safely evacuated and trying to leave the development due to mass evacuation is difficult at best. The proposed development has only one public street in and out of the property. There is supposed to be another emergency entrance/exit that would be guarded by a locked gate. In a fast moving wildfire, the main exit to the project could be cut-off and even if the emergency exit is opened in time and is not also impacted by the wildfire, could result in people trying to flee that are trapped in the development.

Traffic has become significantly worse in the over twenty-two years since the original study was done. Additional traffic mitigation measures should be done especially if it would mitigate danger from wildfires to potential residents of the subject project.

Response to Comment No. A3-8

Regarding wildfires and traffic, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR).

LETTER NO. A4

Friends of Griffith Park
Garry Hans, President
P.O. Box 27573
Los Angeles, CA 90027-0573
friendsofgriffithpark.org

December 11, 2025

Comment No. A4-1

As stewards of Griffith Park's rich habitat that is strikingly similar to areas which would be adversely impacted by the full proposed project in the Verdugo Mountains, we advocate that the Reduced Development Footprint/Reduced Density Alternative not be dismissed based on economic grounds. The "environmentally superior alternative" under CEQA demands higher attention and consideration.

Response to Comment No. A4-1

The Reduced Development Footprint/Reduced Density Alternative has not been dismissed based solely on economic grounds. Rather, Section 4.6.2 of the Draft Supplemental EIR discusses that the Reduced Development Footprint/Reduced Density Alternative does not satisfy, or satisfies to a lesser extent than the Approved Project, 5 of the 11 project objectives, one of which relates to financial feasibility. See also Response to Comment No. A3-6.

It is unclear what the commenter means by the environmentally superior alternative demanding "higher attention and consideration." Section 15126(e)(2) of the CEQA Guidelines requires the identification of the environmentally superior alternative (other than the "no project" alternative), which is presented in Section 4.7 of the Draft Supplemental EIR.

Comment No. A4-2

Documentation in the DSEIR confirms the proposed project would destroy approximately 164 acres of Crotch's bumblebee habitat, a species occasionally seen in nearby Griffith Park. The bumblebee is a candidate species under the California Endangered Species Act within the Los Angeles County Significant Ecological Area (SEA); mitigation is difficult to gage and execute. Certainly, relying on previously dedicated land across the freeway neither minimizes adverse impacts of the proposed project, nor does it suffice as appropriate mitigation.

Response to Comment No. A4-2

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. A4-3

Fragmented habitat reduces wildlife connectivity for our local species from apex predators to pollinators, with mountain lions and Crotch's bumblebees being no exceptions. Reducing the project size and stepping up mitigation measures would benefit the continued ecological integrity of the Verdugo Mountains.

Response to Comment No. A4-3

Regarding the portion of the comment about wildlife connectivity for CBB, refer to Topical Response No. 3.

Regarding the portion of the comment about “reducing the Project size,” refer to Topical Response No. 4..

Regarding the portion of the comment about “stepping up mitigation measures,” refer to Response to Comment No. A4-2.

Regarding mountain lions, refer to Topical Response No. 1.

LETTER NO. A5

Center for Biological Diversity
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December 15, 2025

Comment No. A5-1

These comments are submitted on behalf of the Center for Biological Diversity (the “Center”) regarding the Draft Supplemental Environmental Impact Report (“DSEIR”) for the requested Incidental Take Permit for Crotch’s Bumble Bee in connection with the development of the proposed Canyon Hills Project (“Project”).

The Center has reviewed the DSEIR closely and has found that the DSEIR’s analyses and mitigation for the Project’s impacts to Crotch’s bumble bee are inadequate. Additionally, the DSEIR fails to analyze or mitigate impacts to mountain lion, wildlife connectivity, and wildfire, despite significant new information emerging since the last environmental review for the proposed Project in 2005. The Center urges the California Department of Fish and Wildlife (“CDFW”), at a minimum, to correct the deficiencies identified below and recirculate a revised DSEIR to ensure adequate and informed public review of the Project, and require the applicant to apply for an Incidental Take Permit for mountain lions before proceeding with the Project.

Response to Comment No. A5-1

The comment provides introductory information and also provides a summary of comments that are provided in this letter. Responses to specific comments are provided in Responses to Comment Nos. A5-3 through A5-23, below.

Comment No. A5-2

The Center is a non-profit, public interest environmental organization dedicated to the protection of native species and their habitats through science, policy, and environmental law. The Center has over 1.7 million members and online activists throughout California and the United States.

The Center has worked for many years to protect imperiled plants and wildlife, open space, air and water quality, and overall quality of life for people in Los Angeles and the surrounding region.

Response to Comment No. A5-2

The comment provides information about the commenter, which is acknowledged for the record.

Comment No. A5-3

I. The DSEIR Fails to Adequately Analyze and Mitigate Impacts to Crotch's Bumble Bee.

Bumble bees are integral members of native ecosystems, not only due to their pollination services but for their roles in the food web, nutrient cycling and decomposition, and pest control (R. G. Hatfield & Jepsen, 2021). They pollinate countless native plants as well as many crops, playing an important role in both ecosystem health and agriculture (Cameron et al., 2011). Unfortunately, numerous bumble bees have experienced significant declines in recent decades due to multiple factors including novel pathogens, habitat loss, and pesticides (Cameron et al., 2011; Colla et al., 2012; Goulson et al., 2015).

Crotch's bumble bee is one such species. Their populations have plummeted over the last few decades, largely due to habitat loss and modification, among other factors (R. Hatfield et al., 2018). Once widespread across the Central Valley and much of southern California, Crotch's bumble bee is now rare, and primarily restricted to xeric and coastal sites in southwestern California, like the proposed Project site (Fisher et al., 2022; R. Hatfield et al., 2018). The species (along with three other bumble bees) was granted "candidate" status under CESA in 2022. As such, it is of utmost importance that any impacts to this species be fully avoided or mitigated to prevent further decline and extirpation.

Yet the DSEIR fails to adequately analyze or mitigate impacts to Crotch's bumble bee. In fact, the DSEIR does not establish a baseline of environmental conditions regarding the presence of Crotch's bumble bee or suitable habitat at all, making it impossible to determine what impacts are expected to occur, let alone to mitigate these impacts. Under CEQA, an environmental review document must evaluate the potential environmental impacts of the project as compared to the existing environmental conditions (the "baseline"), so that the Project's impacts can be meaningfully analyzed and compared to alternatives. (CEQA Guidelines⁹ § 15125(a); see *County of Amador v. El Dorado County Water Agency* (1999) 76 Cal.App.4th 931, 952; *Neighbors for Smart Rail v. LA County Metropolitan Transit Authority* (2013) 57 Cal.4th 310, 315.)

The DSEIR should have conducted robust surveys for Crotch's bumble bee, as outlined in CDFW's own *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species* (California Department of Fish and Wildlife, 2023). The DSEIR fails to accomplish

⁹ The CEQA Guidelines are found at 14 California Code of Regulations section 15000 et seq.

this, stating that “[the consultant] did not survey the approximately 300-acre Project Site since the presence of the CBB has already been documented there.” (DSEIR p. 3-2). However, without surveys there is no way to know how many bees or nests might be impacted and how much suitable habitat will be lost. Without such information, it is impossible to determine the significance of the Project’s impacts, whether such impacts could be avoided or minimized, and what mitigation would be required for unavoidable impacts. Thus, DSEIR’s failure to include any actual assessment of existing conditions regarding Crotch’s bumble bee or suitable habitat, violates CEQA.

Response to Comment No. A5-3

Regarding the environmental baseline, refer to Topical Response No. 2.

Comment No. A5-4

The DSEIR not only fails to adequately establish a reliable environmental baseline, it also fails to provide adequate mitigation for impacts. Instead, the DSEIR claims that because land that was identified for preservation in the 2005 FEIR was *already* set aside to mitigate for other Project impacts, no additional mitigation is necessary (DSEIR p. 1-7, 3-2). The DSEIR provides no justification for this reasoning. Land that was earmarked for preservation decades ago does not minimize or mitigate impacts to individual Crotch’s bees, the resident population, or current habitat in the Project area. This land, which was previously preserved as a separate mitigation measure for other impacts not related to Crotch’s bumble bee, cannot retroactively be claimed as mitigation for Crotch’s bumble bee impacts, especially given the complete lack of evidence or justification that this mitigation would be sufficient. The proposed Project will still result in take of individual bumble bees and destruction of suitable habitat, which must be mitigated.

Response to Comment No. A5-4

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. A5-5

Additionally, the proposed Project would disrupt connectivity between remaining habitat patches east and west of the proposed Project. Habitat connectivity is vital for wildlife movement and biodiversity conservation. Limiting movement and dispersal by creating barriers (e.g., development, roads, or fenced-off croplands) negatively affects animals’ behavior, movement patterns, reproductive success, and physiological state, resulting in significant impacts on individual wildlife, populations, communities, and landscapes (Ceia-Hasse et al., 2018; Cushman, 2006; Haddad et al., 2015; Trombulak & Frissell, 2000; Van Der Ree et al., 2011). Individuals can die off, populations can become isolated, sensitive species can become locally extinct, and important ecological processes like plant pollination and nutrient cycling can be lost. In addition, connectivity between high quality habitat areas in heterogeneous landscapes is important to allow for range shifts and species migrations as climate changes (Cushman et al., 2013; Heller & Zavaleta, 2009). If the proposed Project is constructed, the remaining Crotch’s

bumble bee in the surrounding area would no longer be able to move between remaining habitat patches around the Project, and the populations would become isolated in smaller patches adjacent to the Project site. These isolated populations would also experience additional edge effects from the proposed development and would be less resilient to changes in local or regional climate or environmental disturbances like wildfire. The impact to Crotch's bee habitat connectivity was not considered, analyzed, or mitigated in the DSEIR, a significant deficiency.

The DSEIR thus fails to adequately analyze and mitigate direct impacts to Crotch's bumble bee and suitable habitat, in violation of CEQA.

Response to Comment No. A5-5

Regarding habitat connectivity, refer to Topical Response No. 3.

Comment No. A5-6

II. Given Significant New Information, The DSEIR Must Include Analysis and Mitigation of Impacts to Mountain Lion.

Significant new information regarding the status and threats to southern California mountain lions has emerged since the EIR was certified in 2005. Mountain lions in the Project area are part of the San Gabriel/San Bernardino Mountains population, which were granted "candidacy status" in April 2020 under CESA, such that they are afforded the same protections as other CESA-listed species. Very recently, on December 10, 2025 CDFW recommended these mountains lions be listed as threatened, so their protections are likely to become permanent in early 2026. Many studies released after the EIR's certification have found that the region's mountain lions are facing an extinction vortex. New research demonstrates that impediments to connectivity between habitat and habitat destruction and degradation through human development are the principal factors challenging these populations. The Project sits in an essential area for regional mountain lion movement. Its development would directly and indirectly destroy and degrade habitat, along with pinching this already narrow habitat corridor. While the habitat destruction poses serious threats to near-term population viability, the increased human presence in the area could also lead to direct mortalities. The DSEIR is deficient because it fails to incorporate and evaluate this significant new information; fails to make a mandatory finding of significance; and fails to mitigate the Project's significant impacts.

We have urged the City of Los Angeles and CDFW to analyze these impacts in previous letters to the City¹⁰ and in our previous comment letter regarding the Notice of Preparation for the current project (enclosed here as Exhibit 1 and 2).¹¹ However, no analyses of impacts to

¹⁰ Rose, J.P. Re: Canyon Hills Project (SCH #2002091018). October 28, 2024. Letter to Los Angeles City Council and Vince P. Bertoni, AICP, Los Angeles City Planning Department. Incl. additional enclosed letters (Exhibits 1-5).

¹¹ Prado-Irwin, Sofia. Re: Canyon Hills ITP – NOP Scoping Comments, SCH No. 2002091018. Letter to California Department of Fish and Wildlife.

mountain lion have been conducted. This omission is unacceptable given the significant new information regarding the mountain lion's status as a CESA candidate and numerous sightings of mountain lions in and around the Project area, as detailed below.

Response to Comment No. A5-6

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-7

a. The DSEIR Improperly Minimizes the Importance of the Project Site for Local Mountain Lions.

The DSEIR makes some corrections to the faulty assumptions made in the 2005 FEIR, but continues to minimize the importance of the Project area to local mountain lions.

In its section on impacts to Biological Resources, the 2005 FEIR made no mention of mountain lion at all. In its section in Wildlife Movement, the FEIR states that "No mountain lions or American badgers were detected on the project site... In any event, development of the proposed project would not affect any of the potential regional or local movement corridors that these species could potentially use, as discussed above. Therefore, it is not expected that the proposed project would impact the ability of any of these species to move regionally or locally through the project site." (FEIR p. II-25). The FEIR's Responses to Comments states that "There is no evidence in the scientific literature that the Verdugo Mountains are used by mountain lions" (FEIR p. IV-112) and that "mountain lions do not regularly use the project site and therefore there would be no impacts to this species associated with the development of the proposed project due to edge effects." (FEIR p. IV-113)

These claims are incorrect. The DSEIR acknowledges this, explaining that mountain lions occur in and around the Project area and that the species is now a CESA candidate (DSEIR p. 3-11). However, the DSEIR still fails to conduct a robust analysis of impacts to this sensitive species, including impacts to movement and habitat connectivity.

There is widespread evidence that mountain lions inhabit the Verdugo Mountains as well as the San Gabriel Mountains (Erikson, 2022; Kuykendall, 2015; Kuykendall & Hughan, 2017). As detailed in a September 11, 2024, letter to the City of Los Angeles¹² and the materials enclosed therein (enclosed here as Exhibit 3), numerous mountain lions have been documented around the Project site. Indeed, local advocates have documented many direct and indirect

¹² Carstens, Douglas P. RE: CANYON HILLS PROJECT – NOTICE OF PRESENCE OF PROTECTED SPECIES CALIFORNIA MOUNTAIN LION (*Puma concolor*) AND OBJECTION TO EIR ADDENDUM AND ISSUANCE OF INCIDENTAL TAKE PERMIT (ITP) FOR CROTCH'S BUMBLEBEE (*Bombus Crotchii*). September 11, 2024. Letter to Vince P. Bertoni, AICP, Los Angeles City Planning Department and Hydee Feldstein Soto, City of Los Angeles.

observations of mountain lions in and around the Project area since 2014, as detailed in an online map (included here as Exhibit 4)¹³

One high-profile example is P-41, the male mountain lion collared and monitored in the Verdugo Mountains by the National Parks Service from 2015 until his death in 2017, shortly after the La Tuna fire (National Parks Service, 2023). P-41 likely fathered four cubs, two of which were hit and killed on freeways, as reported by the LA Times (D. Smith, 2017). Also in 2015, the National Parks Service documented a mountain lion killed by a vehicle strike near the La Tuna Canyon underpass near the Project area. In 2021, another mountain lion was killed very near this same location.¹⁴

More recently, camera traps have captured images of numerous mountain lions in and around the Project area. In 2018, a male lion was observed in camera traps traveling “in close proximity” to P-41’s former mate (Cardine, 2018). In January 2024, a female lion was observed within the project boundaries, and later that year a male lion was observed multiple times between June and August, indicating that the Project area is likely a part of his territory (Exhibit 3 at p. 2).

Despite this significant new information documenting mountain lion presence in and around the Project area, and their status as a protected CESA candidate species, the DSEIR continues to default to the FEIR’s conclusion that no impacts to mountain lions are expected to occur from the Project, without providing any analysis or evidence to support that conclusion.

The DSEIR further claims that the Project is unlikely to kill any mountain lions because it will “not introduce any new condition that could affect mountain lions, but rather would simply extend the existing residential areas.” (DSEIR p. 3-12). However, as detailed below, extending residential areas—i.e. introducing new development into undeveloped areas of the wildland-urban interface (“WUI”)—can indeed have significant impacts on mountain lion behavior, population health, and movement. This kind of development can also increase the likelihood of morbidity and mortality from vehicle strikes, rodenticides, increased wildfire risk, and other development-related impacts. As such, the proposed Project may indeed result in impacts to the species, including lethal take, as well as non-lethal harm including disruption of feeding, mating, and movement, among other necessary functions. While the DSEIR briefly considers potential vehicle strikes, it provides no information to support its claim that vehicle strikes are unlikely to occur. The DSEIR simply states that “the roadways within the completed development will not allow for high-speed travel and associated collisions with mountain lions and other wildlife.” The DSEIR provides no information to support this claim. Additionally, the DSEIR does not consider the impacts of reduced movement that would result from the proposed Project, and the potential

¹³ Live map available at: <https://www.google.com/maps/d/viewer?mid=1XPLHGf9jAqOnytzTq78NSU2KRUcwCds&ll=34.23749214671761%2C-118.29226879597437&z=15>

¹⁴ Observation from the California Roadkill Observation system, available at: <https://wildlifecrossing.net/california/observations/153093>

for the proposed Project to funnel mountain lions closer to the 210 Freeway, where at least one lion has already been killed by vehicle strike, as described below.

By failing to collect and analyze this significant new information to determine the impacts the Project would have on mountain lions, the DSEIR violates CEQA.

Response to Comment No. A5-7

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-8

b. Recent Studies Reveal That Mountain Lions in the Project Area are Imperiled.

As detailed in the Center's petition to the California Fish and Game Commission to protect Southern California and Central Coast mountain lions under the California Endangered Species Act ("CESA"), pumas in and around the Project area are facing an extinction vortex due to high levels of inbreeding, low genetic diversity, high human-caused mortality rates from car strikes on roads, depredation kills, rodenticide poisoning, poaching, disease, and increased human-caused wildfires (Yap et al., 2019). Just last week, on December 10, 2025, CDFW released their Status Review regarding the petition and recommended listing mountain lions in Southern California and the Central Coast as threatened under CESA in recognition of the dire conditions of these populations and their myriad ongoing threats (California Department of Fish and Wildlife, 2025).

The Project area is located between the San Gabriel/San Bernardino ("SGSB") population and the Central Coast South ("CCS") population nearby to the west, which includes lions in the Santa Monica Mountains, Simi Hills, and Santa Susana Mountains. Scientists have documented physical and reproductive signs of inbreeding depression in these mountain lions due to being boxed in by roads and development (Huffmeyer et al., 2021). These populations also have the smallest effective population sizes and the smallest areas of available habitat (Dellinger et al., 2020; Gustafson et al., 2021). Low genetic diversity and high human-caused mortalities are driving local mountain lions in the Santa Monica and Santa Ana mountains towards an extinction vortex, and scientists predict that these populations will almost certainly become extinct within 50 years if gene flow with other mountain lion populations is not improved (Benson et al., 2016, 2019; Gustafson et al., 2018, 2021). Scientists also suggest that the SGSB population "may be approaching levels of genetic drift and inbreeding similar to the well-monitored and genetically depauperate Santa Ana and Central Coast South populations (Ernest et al., 2014; Gustafson et al., 2017; Riley et al., 2014)" (Gustafson et al., 2021). This evidence of inbreeding depression in mountain lions surrounding the Project area emphasizes the importance of protecting the population that remains, specifically through maintaining and enhancing connectivity among and between the subpopulations, as well as preserving habitat.

Response to Comment No. A5-8

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-9

c. New Development in the Project Area Will Impact Mountain Lions, Potentially Including Lethal Take.

Numerous studies highlight the impacts of human activities on mountain lions. Human-caused mortalities—including vehicle strikes, rodenticide poisoning, depredation kills, poaching, and wildfire—are the leading cause of death for mountain lions across California, exceeding natural mortality rates (Benson et al., 2023; Benson, Sikich, et al., 2020; Nisi et al., 2023; T. W. Vickers et al., 2015). In fact, at least two mountain lions have been killed by vehicle strikes directly adjacent to the proposed Project area in recent years, one apparently crossing La Tuna Canyon Road just south of the 210 in 2015¹⁵ and one crossing the 210 Freeway in 2021.¹⁶ By introducing additional development, including roads and traffic, into mountain lion habitat, the proposed Project will increase the likelihood of vehicle strikes in the area.

In addition, human activities also alter these large carnivores' behavior in ways that likely further impede important movement and gene flow. For example, researchers found that mountain lions are so fearful of humans and noise generated by humans that they will abandon the carcass of a deer and forgo the feeding opportunity just to avoid humans (J. A. Smith et al., 2017). The authors concluded that even "non-consumptive forms of human disturbance may alter the ecological role of large carnivores by affecting the link between these top predators and their prey" (J. A. Smith et al., 2017). In addition, mountain lions have been found to respond fearfully upon hearing human vocalizations, avoiding the area and moving more cautiously when hearing humans (J. A. Smith et al., 2017; Suraci et al., 2019). The Project would add 221 residences to undeveloped, occupied mountain lion habitat and introducing noise from cars, construction, and ongoing residential activities. This noise would degrade habitat quality and deter mountain lions from using and moving through the Project area.

Other studies have demonstrated other shifts in behavior and movement patterns of pumas in response to human activities, like increased avoidance behavior in areas with more roads and higher development densities and increased nocturnal activity as human presence increases (Bolas et al., 2025; Dougherty et al., 2025; Lucas, 2020; Nickel et al., 2020, 2021; Nisi et al., 2022, 2023; J. A. Smith et al., 2015, 2019; Wang et al., 2017; Wilmers et al., 2013, 2021; Yovovich et al., 2020). Pumas have also been found to generally avoid areas with nearby night

¹⁵ Observation from the California Roadkill Observation system, available at: <https://wildlifecrossing.net/california/observations/3005>

¹⁶ Observation from the California Roadkill Observation system, available at: <https://wildlifecrossing.net/california/observations/153093>.

lighting (Barrientos et al., 2023). Thus, the increased human presence due to the Project's new roads, cars, construction, and 221 stand-alone residences could have significant negative impacts on puma survival and behavior, reducing the genetic health of the local population and ultimately diminish the long-term survival of the SGSB population.

Human activities can also affect mountain lion communication and reproductive behaviors that are important for their survival (Yovovich et al., 2020). Males prefer to use relatively flat areas away from human influence as scrape sites (areas where mountain lions scrape and deposit urine and droppings as a means of intraspecific communication) to delineate territories as well as attract potential mates (Allen et al., 2015, 2016; Yovovich et al., 2020). Similarly, when nursing females (with kittens less than 8 weeks old) shrink their home ranges to an average of 9 km² while their young were most vulnerable; they prefer undeveloped lands away from human disturbance, opting for habitat with protective cover and sufficient water and prey availability (Yovovich et al., 2020). The loss of adequate undisturbed communication and nursery habitat will disrupt important communication and reproductive behaviors that facilitate social structure and overall survival.

In a study conducted from 2002 to 2019 in the Central Coast South puma population scientists found high human-caused mortality rates in puma adults and high intraspecific mortalities among subadults (Benson, Sikich, et al., 2020). Most known causes of death among adults and subadults (14 out of 20) were directly human-caused: vehicle strikes, rodenticide poisoning, poaching, and wildfire. The remaining six known (6 out of 20) causes of deaths were intraspecific killing (Benson, Sikich, et al., 2020). And while intraspecific killings have been documented to naturally occur in mountain lion populations, it was likely exacerbated in the Santa Monica Mountains with the presence of significant movement barriers that prevent subadults from being able to adequately disperse, which likely led to increased conflicts with territorial males (Benson, Sikich, et al., 2020; Riley et al., 2014). Both the Santa Monica Mountains and San Bernardino-San Gabriel puma populations are relatively small, extremely isolated, and geographically limited. This highlights the need to reduce human-caused mortalities, in part, by protecting existing intact habitats and improving connectivity within and between subpopulations. In addition to increasing the likelihood of human-caused killings, the Project would reduce habitat and connectivity along an already narrow movement corridor north of the 210, potentially increasing the likelihood male-on-male encounters leading to intraspecific killings (see Figure 1).

Numerous scientific studies on the profound impacts of human activities and infrastructure on mountain lion survival emphasize the need to adequately assess and mitigate impacts to the CESA-candidate mountain lions in the Project area. These studies add to the accumulating evidence that mountain lions require a habitat mosaic that provides sufficient room to roam away from human-disturbed areas and connected to expansive, intact, heterogeneous habitats (Dickson et al., 2005; Dickson & Beier, 2002; Kertson et al., 2011; Zeller et al., 2017). This Project is emblematic of continued construction of roads and development in mountain lion habitat with little regard for their movement and behavioral needs. The Project will have direct and indirect lethal and sublethal impacts that threaten the persistence of Southern California

and Central Coast puma populations. CEQA therefore requires that the DSEIR analyze these potential impacts, yet it has failed to do so.

Response to Comment No. A5-9

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-10

d. New Development in the Project Area Will Impact Mountain Lion Movement and Habitat Connectivity.

Mountain lions are also a key indicator species of wildlife connectivity and healthy ecosystems. As the last remaining wide-ranging large carnivore in Southern California, mountain lions' ability to move through large swaths of interconnected habitat is vital for genetic connectivity and their long-term survival. Local extinction of mountain lions in the region could have severe ecological consequences. Many scavengers, including many raptors, foxes, and numerous insects, would lose a reliable food source of leftovers from mountain lion kills (Barry et al., 2019; Elbroch et al., 2017; Ruth & Elbroch, 2014). Fish, birds, amphibians, reptiles, rare native plants, and butterflies could potentially diminish if this apex predator were lost (Ripple et al., 2014; Ripple & Beschta, 2006, 2008). Loss of important predator-prey dynamics could have cascading effects on other plant and animal species, potentially leading to a decrease in biodiversity and diminished overall ecosystem function (Barry et al., 2019; Benson, Mahoney, et al., 2020; Elbroch et al., 2017; Ripple et al., 2014).

The DSEIR (like the FEIR before it) minimizes the importance of the Project area to wildlife connectivity, particularly for mountain lions and other wide-ranging species. The DSEIR relies on conclusion from the FEIR's movement study, which was conducted in 2003 and is woefully out of date. Much of the research on human impacts to mountain lion, including significant edge effects and impacts on behavior, has emerged after the 2003 movement study was conducted and after the 2005 FEIR was approved. By relying on the results of the 22-year-old study, the DSEIR ignores an enormous body of new scientific evidence showing that new development in mountain lion habitat has many impacts, including significant impacts to connectivity and movement in and around the development, as described above.

Additionally, the 2003 movement study was conducted on the assumption, presented in the FEIR, that mountain lions do not regularly move through the Verdugo Mountains or the specific Project site, an assumption that been outright disproven by many sightings of mountain lions in the area over the last decade, as described above. To date, no additional wildlife connectivity analyses for the proposed Project have been performed. As such, the single movement study failed to incorporate considerations of mountain lion movement patterns and habitat needs and

is therefore completely irrelevant, inaccurate, and insufficient as an analysis of impacts to mountain lion movement and connectivity.

A more recent analysis conducted by the Los Angeles City Planning Department identified areas important to wildlife movement and connectivity within the city (Los Angeles City Planning, 2021). This analysis acknowledges the importance of the Verdugo Mountains for regional wildlife movement, and even identified a Verdugo Mountains Protection Area for Wildlife (“PAW”), stating that “This PAW has a high potential to support medium and large mammals, as well as a variety of other wildlife species... Wildlife species have potential to move through this PAW, as well as to the larger expanses of undeveloped areas of the Verdugo Mountains to the south. This area is identified as part of the Rim of the Valley Corridor and connects to a South Coast Wildlands Missing Linkage.” The report also acknowledges that signs of mountain lion have been observed in the area.

Despite this, rather than conducting a robust and up-to-date movement analysis using the best available science regarding mountain lion movement and the most recent data regarding mountain lion presence in and around the Project site, the DSEIR simply refers back to the 2003 movement study and states that “Since GLA completed the 2003 Study, no material changes have occurred with respect to the Approved Project that affect the ability of mountain lions to use the tenuous regional movement path or the identified local movement path.” (DSEIR at 3-8). While the proposed Project may not have changed, the information now available about the existing conditions in the Project area regarding mountain lion presence and the developments in scientific literature regarding mountain lion population health, behavior, and the impacts of human activity on mountain lions are all vastly different from what existed in 2003. By failing to acknowledge the obvious and highly concerning shortcomings of the 2003 analysis, as well as the fact that our understanding of existing conditions is much improved and indicates with significant evidence that mountain lions inhabit and move through the Project area and surrounding open space (and even occasionally surrounding neighborhoods), the DSEIR fails to adequately analyze, let alone mitigate, impacts to this sensitive species.

Response to Comment No. A5-10

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project’s impact on CBB.

Comment No. A5-11

As shown in a map prepared by the Santa Monica Mountains Conservancy (Figure 1), the proposed Project would sit right between two intact habitat blocks north of the 210 Freeway (Habitat Block A and B), removing valuable habitat in the limited remaining open space north of the 210 Freeway and completely isolating the remaining habitat blocks from one another, severely impairing habitat connectivity. The Project would also severely impede the efficacy of

the 210 Freeway undercrossing, as the proposed Project lies directly adjacent to the crossing on the north side of the freeway. This undercrossing currently connects Habitat Blocks A and B with the larger Habitat Block C south of the 210, and the impairment of this crossing that would result from the proposed Project and its associated edge effects would likely sever connectivity between intact and high-quality habitats north and south of the 210 Freeway.

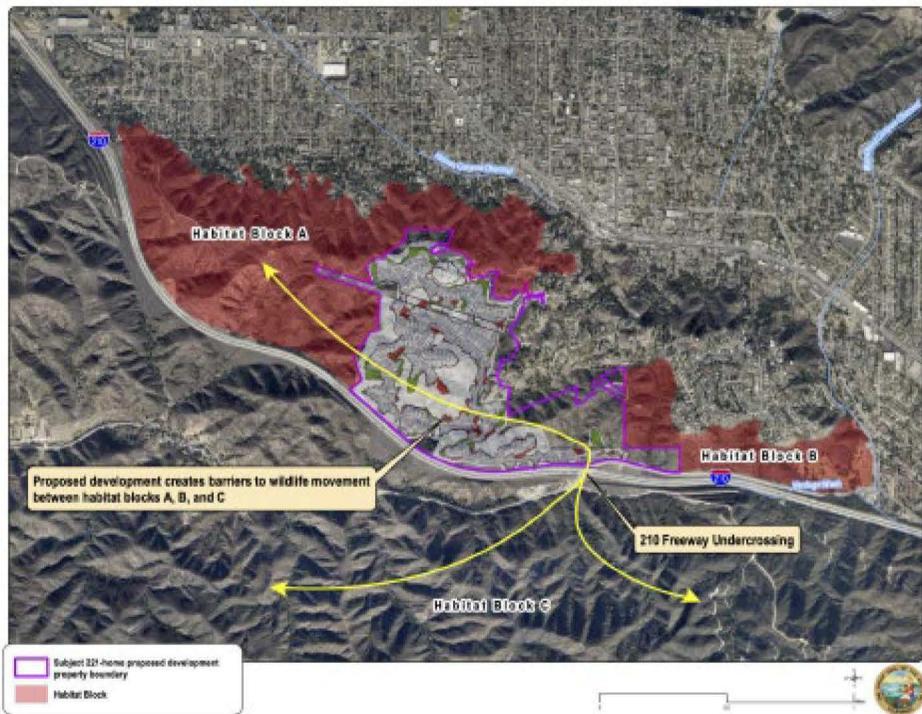


Figure 1. Santa Monica Mountains Conservancy map showing the proposed Canyon Hills Project and surrounding habitat and connectivity impacts. Also present in Exhibit 3.

The Project proponent has argued that these changes will not significantly impede connectivity, which is clearly false. We have reviewed the one-page document entitled “Wildlife Movement Path” that appears to have been prepared by the developer’s consultant, and it is woefully deficient as a basis for analyzing or mitigating impacts to mountain lions and wildlife connectivity (Figure 2). Indeed, the “movement path” outlined in the document appears designed to funnel animals into narrow areas next to the 210 Freeway with no pathway for actual wildlife movement. Mountain lions are very sensitive to human activities, noise, and light (as documented above), all of which would be abundant along the 210 Freeway as well as along the edges of the proposed development. The plan presented in the “Wildlife Movement Path” is clearly not an appropriate or workable pathway for wildlife movement. The proposed Project will thus interfere with both local and regional connectivity, further fragmenting the limited habitat that remains available to the struggling local mountain lion population.

F Wildlife Movement Path

Site plan showing the proposed fencing and screening used to provide a movement path.

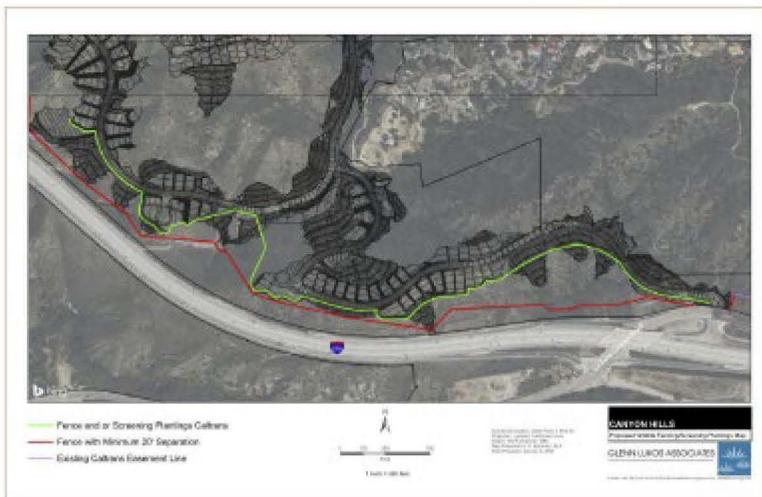


Figure 2. Proposed Wildlife Movement Path for the Canyon Hills Project.

The DSEIR thus fails to establish a proper baseline, ignores an enormous amount of new information that has emerged since the FEIR's initial certification in 2005, supplies an inaccurate and insufficient analysis, and thereby fails to adequately analyze and mitigate direct and indirect significant impacts to mountain lion and mountain lion movement that are likely to occur from the proposed Project, in violation of CEQA.

Response to Comment No. A5-11

Regarding mountain lion movement, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-12

e. Significant New Information Requires the Draft Supplemental EIR to Evaluate and Mitigate the Project's Significant Impacts to Mountain Lions.

As demonstrated above, CDFW must recirculate the DSEIR to analyze the Project's impacts on mountain lions because of significant new information regarding mountain lions. The new information includes the species' listing as a CESA candidate species, new scientific research

illuminating the vulnerability of the region's puma populations, and the documented presence of mountain lions using the Project site.

As a responsible agency under CEQA, CDFW is required to complete a supplemental EIR when there is significant new information that "could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified" concerning a resource over which CDFW has jurisdiction. (CEQA Guidelines, §§ 15096, 15162, 15381.)

The listing of mountain lions is significant new information requiring analysis. CEQA requires a "mandatory finding of significance" when a project has the potential to impact a CESA-listed species. (CEQA Guidelines, § 15065(a)(1); *Endangered Habitats League, Inc. v. County of Orange* (2005) 131 Cal.App.4th 777, 792 fn. 12.) And such a finding triggers a duty to consider and adopt all feasible alternatives or mitigation measures to reduce such impacts. (Pub. Resource Code, § 21002.) Moreover, CESA provides that agencies should not approve projects that could jeopardize the continued existence of this population or result in destruction of essential habitat (Fish & Game Code, § 2053(a)) and agencies must require that appropriate mitigation measures be implemented for projects that could destroy mountain lion habitat or impair connectivity. (See Fish & Game Code, § 2054).

In addition to the puma's listing, there is significant new information concerning (1) the vulnerability of the region's mountain lions to extinction, (2) discovering the importance of the Project area for mountain lion habitat connectivity (and therefore metapopulation health), and (3) documenting the repeated use of the Project site by mountain lions. This mountain of evidence—supplied in this comment, the Center's previous comments, and the Center's CESA petition to list the species—illuminates the major deficiencies in the decades-old EIR and precipitates the dire need of new analysis in the DSEIR. (See *Moss v. County of Humboldt* (2008) 162 Cal.App.4th 1041 [finding supplemental environmental review was required when there was mere anecdotal evidence of a listed species newly occurring in the project area].)

The presence of mountain lions, their extreme vulnerability, and the Project site's importance to the regional population is all new information because it could not have been known with reasonable diligence before the EIR was certified.

Most of the studies cited above were published within the last ten years, and virtually all of them were conducted and released *after* the EIR was certified in 2005. Only since then have scientists uncovered the importance of the Verdugo mountains for regional mountain lion connectivity and diagnosed the pressing threat of inbreeding on the regional populations. The extensive documentary evidence of pumas using the Project site have likewise all been since the EIR's certification. (See Exhibit 4 [showing all 70 sightings and signs of mountain lions in and around the Project area occurring since 2014].)

The 2005 EIR does not—and cannot—adequately analyze or mitigate impacts of the Project on mountain lions given this wealth of new information. The techniques used by the Project's biologists to detect mountain lions are outdated and were insufficient to detect mountain lions,

meaning that mountain lion presence could not have been known with “reasonable diligence” when the EIR was certified. The EIR demonstrates that the project’s biologists tried various methods to detect mountain lions, all of which failed. These methods included literature review, personal communications with mountain lion experts, creating wildlife track stations, studying roadkill records, and conducting biological surveys (DEIR at IV D-136, 147–48.) While these techniques were successful in verifying the presence of other wildlife species, such as coyote, mice, gray fox, spotted skunk, raccoon, mule deer, a snake, and western fence lizard, the fact that those methods did not detect mountain lions shows the difficulty of confirming mountain lion presence at the time the EIR was certified. (Id. at D-137.) The biologists “carefully documented all potential travel routes” and concluded that the Verdugo Mountains were “not a viable corridor for mountain lions.” (Id. at D-142, 144.)

Only with the widespread use of new technologies since the EIR’s certification have scientists and others begun to gather more extensive evidence of mountain lions using the Verdugo Mountains. The invention of digital camera traps in the mid-2000s led to their widespread adoption for wildlife monitoring. (Wearn & Glover-Kapfer, 2017, pp. 15–17 [showing a graph of annual publications using wildlife camera traps beginning to grow exponentially in the mid-2000s, just after the EIR’s certification].) This new technology has proved invaluable to detecting wildlife, leading to dozens of recordings of mountain lions using the Project and surrounding area since the EIR’s certification.

CDFW must recirculate the DSEIR because it is both responsible and trustee agency that has authority and jurisdiction over the Project because of the CESA listing and presence of mountain lions on the Project area. As explained in detail in the next subsection, as a responsible agency, CDFW must consider “aspects of a project that are subject to the responsible agency’s jurisdiction.” (*RiverWatch v. Olivenhain Municipal Water Dist.* (2009) 170 Cal.App.4th 1186, 1201.)

As a trustee agency CDFW “has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species.” (Fish and Game Code § 1802.) As demonstrated above, the Project has a serious likelihood of destroying the “habitat necessary for biologically sustainable populations of mountain lions” by constraining an essential wildlife corridor and by direct habitat destruction. Without near-term gene flow between the region’s mountain lion populations, several populations face extinction in the coming decades. By constricting this already-narrow wildlife corridor, the Project will impair this crucial gene flow and pull populations further from biological sustainability. Indeed, research shows at least 500 mountain lions are needed to sustain each population in the long term—far higher than current numbers.

By choking off a key corridor, this Project would add yet another barrier to population recovery. CDFW must ensure that its trust resource of mountain lions, and the habitat conditions needed for their survival, are protected from threats such as this Project.

Since the Center and other commenters have provided significant new information that could not have been known with reasonable diligence at the time of the EIR's certification about a resource that CDFW has jurisdiction over, the supplemental EIR must be revised "to provide [CDFW] information required to exercise its jurisdictional responsibilities with respect to the [Project]" (See *California Coastkeeper Alliance v. State Lands Com.* (2021) 64 Cal. App. 5th 36, 50.)

Response to Comment No. A5-12

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-13

f. CDFW Should Require Take Authorization for Mountain Lions.

This Project's myriad potential impacts to mountain lions will likely result "take" of mountain lions as defined by CESA. As such, CDFW require the Project applicant obtain an Incidental Take Permit ("ITP") for mountain lions in addition to the Crotch's bumblebee.

CESA prohibits take of listed species, including candidate species. (Pub. Resources Code, §§ 2080, 2085; 14 Cal. Code. Regs., § 783.1(b).) The Fish and Game Code defines "take" as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch or capture, or kill." (Fish and G. Code, § 86). Only when CDFW issues an Incidental Take Permit ("ITP") can take occur without substantial liability for fines and penalties. (14 Cal. Code. Regs., § 783.1(a); Fish and G. Code § 2080 et seq.) CEQA separately requires agencies to consult with CDFW "as to the impact of the project on the continued existence of any endangered species or threatened species." (Pub. Resources Code, § 21104.2.) For this Project, CDFW is both a responsible and a trustee agency. (Pub. Resources Code, §§ 21069-70; Fish & G. Code, §§ 711.7(a), 1802; CEQA Guidelines, §§ 15381, 15386(a).)

As a responsible agency, CDFW should require the Project applicant to apply for an ITP for mountain lions. CDFW asserts that the Project does not require an ITP because the Project would not result in prohibited "take." The DSEIR states that no individuals involved in the Project would hunt, pursue, catch, or capture mountain lions, nor would they attempt to do so. (DSEIR p. 3-11, 3-12). "The only remaining inquiry," states CDFW, "is whether the Approved Project could in some manner result in the 'killing or attempted killing' of a mountain lion." (DSEIR at 3-12.)¹⁷ Instead of "identify[ing] specific, solid evidence in the record supporting" this conclusion,

¹⁷ The Project would also lead to violations of California Code of Regulations Title 14, sections 250, which prohibits take of game mammals and furbearing mammals, and 251.1, which prohibits the harassment of any fur-bearing mammal. Harassment is defined as "an intentional act which disrupts an animal's normal behavior patterns" including, but not limited to "breeding, feeding, and sheltering." As the DSEIR acknowledges, construction activities would create "the type of noise that would be associated with grading and other construction activity,"

the DSEIR simply postulates—providing no citations—that the Project will not kill mountain lions because (1) construction would happen during daylight hours, (2) the Project’s roads “do not allow for high-speed travel,” and (3) the Project would “simply extend existing residential areas.” (*American Canyon Community United for Responsible Growth v. City of American Canyon* (2006) 145 Cal. App. 4th 1062, 1080; DSEIR at 3–12.) The DEIR’s unsupported assertion is contradicted by the voluminous evidence presented by the Center and other commenters, demonstrating that introducing hundreds of houses, cars, and wildfire risk into an essential, occupied mountain lion habitat “could in some manner” result in the death individual members of the species. (See DSEIR at 3–12.)

The DEIR’s cramped interpretation of “take” is inconsistent with that of the California Supreme Court, which has held that “the broad definition of ‘take’ in Fish and Game Code section 86 ensures that DFW can maintain legal control over actions interfering with threatened, endangered and fully protected animals even where those actions *may not have been intended* to kill or hurt the animal. (*Center for Biological Diversity v. Department of Fish & Wildlife* (2015) 62 Cal. 4th 204, 235–236 [emphasis added]; see also *Department of Fish & Game v. Anderson-Cottonwood Irrigation Dist.* (1992) 8 Cal. App. 4th 1554, 1561 [holding that operation of a water system that passively entrained listed salmon constituted take].)

As such, the DEIR interprets “take” too narrowly in this instance by limiting its scope to only a couple of ways in which the Project could result in the death of a mountain lion. The DSEIR finds that it is “extremely unlikely that a mountain lion would approach operating construction equipment” and since “the potential for vehicle collisions with mountain lions during construction [and operation] is extremely low.” (SDEIR at 3–12.) “Take” must extend to all deaths that would not have occurred but-for the development.

Response to Comment No. A5-13

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project’s impact on CBB.

In addition, the comments regarding the request for a separate take permit for mountain lions do not state a concern or question regarding the adequacy of the analysis of environmental impacts contained in the Supplemental Draft EIR. However, for informational purposes only, the Supplemental Draft EIR included a discussion of the Approved Project’s impact on mountain lions, and as discussed on pages 3-7 through 3-13 thereof, it was determined that the Approved Project is not anticipated to take mountain lion. Therefore, the Applicant is not seeking take authorization related to mountain lions. Nevertheless, these comments are part of the record of information that will be considered as part of CDFW’s decision-making process.

therefore mountain lions would “avoid areas where development was occurring.” This would disrupt of lions’ normal behavioral patterns of using the project area for feeding and sheltering.

Comment No. A5-14

One such kind of mortality includes the constriction of the critical wildlife corridor that is necessary to sustain the Southern California and Central Coast ESU by allowing gene flow, regional dispersion, and seasonal migration. Severing that linkage, as the Project partially will, will contribute to the eventual death of mountain lions through inbreeding, starvation, and increased risky crossings of roadways. The importance of recognizing death as a result from wildlife corridor destruction is especially true for mountain lions, which require large territories and need connectivity to find mates and maintain genetic diversity.

However, the DSEIR ignores the effects of the Project on an essential mountain lion corridor. By the DSEIR's logic, developers could completely sever the wildlife corridor in the Verdugo Mountains without any "take" of mountain lions occurring. This conclusion defies common sense by failing to recognize destruction of the corridor will kill pumas by reducing the conditions necessary to support that species, such as room to roam, food, shelter, water, and the ability to find mates. Since there is plenty of evidence to support that drastically impacting the wildlife corridor "could in some manner" lead to mountain lion deaths, the applicant must obtain an ITP.

Even accepting the assertion that destruction of a crucial wildlife corridor cannot result in take, mountain lions in Los Angeles usually die because of human-related impacts, not from natural causes. In a study ranging from 2002-2019, all non-kitten mountain lion deaths in the region resulted from human causes (vehicle strike, rodenticide, poaching, and starvation after human caused wildfire) or intraspecific killings that "appear[] to be a function of the difficulty of dispersal associated with anthropogenic barriers, which makes it difficult for subadults to avoid dangerous adult males." (Benson, et al, 2020 at p. 5). Since increasing human pressure results in more dead mountain lions, all available evidence indicates that a large development within core, occupied mountain lion habitat will result in more of the same. As explored below, the Project would increase the likelihood of all kinds of mortality found by Benson, et al. 2020.

Response to Comment No. A5-14

Regarding mountain lion movement, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-15

Traffic: Even though the new roads paved by the Project would not be highways, those roadways would still pose new roadkill threats to mountain lions. The EIR estimated that the Project would add 2,680 vehicle trips into core mountain lion habitat every day, cumulating in nearly *one million* more vehicle trips per year. (EIR Traffic Study at Table 2.) While new roads would not be high-speed, drivers may nonetheless speed to and from their residences at dangerous velocities, increasing the likelihood of a mountain lion death. The winding nature of the Project's roads also increase the chance that a lion will be killed because they are more

likely to get caught off-guard by a vehicle turning a corner. (Arango Lozano & Patiño-Siro, 2020 [finding that curved roads are two to three times as likely to result in roadkill than straight roads for vertebrate animals].) The Project will also add trips to Tuna Canyon Road, a high-speed road similar to others where mountain lions have been hit by cars. (W. Vickers et al., 2017).

Moreover, if the Project site is developed, there will be fewer remaining, undeveloped paths for mountain lions to move through the Verdugo Mountains. With fewer undeveloped paths, mountain lions will be forced to take higher risks when moving through the landscape, increasing the chance of fatal encounters with cars. As with much of the EIR, the traffic studies are woefully outdated, so it is unclear how many trips the Project would add to Tuna Canyon Road each day. By turning hundreds of acres of relatively remote habitat into a car-centric, sprawling development, the Project will greatly increase the risk of cars colliding with mountain lions both on site and by pushing mountain lions to cross in riskier locations.

Response to Comment No. A5-15

Regarding traffic and its effect on mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-16

Rodenticides: The EIR contains no mitigation regarding rodenticide use: there is no prohibition on rodenticide use, no program to educate new residents on the risks of rodenticides to wildlife, and no specific design features to deter rodents from the development's 221 residences. Given that the Project would be built entirely within high-quality wildlife habitat, it is likely that various kinds of rodents would seek shelter, food, and water in and around the residences, especially as the development destroys their former habitat. Without rodenticide mitigation, there is no assurance that homeowners will refrain from using these chemicals that have led to a substantial number of mountain lion deaths in the area. (See Benson et al., 2020.)

Response to Comment No. A5-16

Regarding rodenticides and their potential effect on mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impacts on CBB.

Comment No. A5-17

Wildfire: The Project footprint lies entirely within a "very high fire severity zone," as established by CalFire. (*Fire Hazard Severity Zones*, n.d.) This designation is reserved for areas with the highest fire risk in the state. As detailed in the next section, housing developments that encroach into fire-prone habitat are the most common source of destructive wildland fires. These destructive fires are a significant source of mortality for mountain lions, including, for

example, the deaths of four southern California mountain lions, two as a result of the 2018 Woolsey fire. (Blakey et al., 2022; T. W. Vickers et al., 2015).

Since the DSEIR uses outdated assumptions about wildfire risk, it cannot demonstrate that the Project will incorporate novel mitigation measures to better prevent wildfire. And even if the Project did adhere to modern wildfire mitigation, the Project would nonetheless increase the overall risk of wildfire, and therefore risks to lions.

Response to Comment No. A5-17

Regarding wildfire and its potential effect on mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impacts on CBB.

Comment No. A5-18

Intraspecific Killings: The Project has the potential to increase lethal fighting between mountain lions. By narrowing the already-slim habitat corridor, the Project will force sub-adult mountain lions and adult male mountain lions into closer proximity. As described above, when adult males become territorial, it often ends in death of the subadult mountain lion. The facts that a male mountain lion was documented using the Verdugo Mountains for months at a time and that the area is a crucial lion corridor suggest that there is significant potential for future conflict with subadults moving through an adult male's territory.

Response to Comment No. A5-18

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1. See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project's impact on CBB.

Comment No. A5-19

Human-Lion Conflict: In addition to the mountain lion mortalities analyzed by Benson et al., 2020, a significant cause of mortality stems from management of human-mountain lion conflict. (Benson et al., 2023; T. W. Vickers et al., 2015). The Project would increase human presence in the puma's habitat, which would also increase the likelihood of human-lion conflict that would result in a depredation permit. As CDFW clearly states on its website, "a property owner whose livestock or pets have been injured or killed by a mountain lion (depredation) ... can request a depredation permit to 'take' the offending animal pursuant to Fish and Game Code Section 4802." (*Mountain Lions in California*, n.d.). CDFW has a well-documented history of issuing depredation permits, issuing over two dozen in Los Angeles County since the Project's certification. (*Mountain Lion Conservation Program*, 2025). As has happened in 2020 with P-56, who was living in the Santa Monica mountains, human-lion interactions can end in the killing of a lion. (Cholo, 2020). CDFW cannot wait until human-wildlife conflict occurs to consider whether a take permit is necessary and should instead require the applicant obtain an ITP at this time.

The Project does not incorporate mitigation to prevent mountain lion depredation. As CDFW has stated, “the only long-term solution to prevent depredation is to prevent access to vulnerable pets and livestock.”(Mountain Lion Foundation & CDFW, 2020) Yet the EIR fails to consider or incorporate any measures to ensure that the development will make progress toward the “only long-term solution.”

Given the wealth of evidence linking human development in wildlife corridors to population-level impacts on mountain lions, there are many reasons to believe that the Project’s development would lead to “take” of mountain lions. As such, CDFW should require the applicant secure an ITP for mountain lions before allowing the Project to move forward.

Response to Comment No. A5-19

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1. See also Section 3.5 of the Draft Supplemental EIR explaining why its analysis focuses on the Approved Project’s impact on CBB.

Comment No. A5-20

III. Given Significant New Information, The DSEIR Must Include Analysis and Mitigation of Impacts to Wildfire Risk.

Significant new information regarding the risk of building new large-scale development in fire zones has emerged since certification of the EIR in 2005, which necessitates the inclusion of an updated analysis of wildfire risk in the DSEIR.

CEQA requires an EIR to identify and analyze a project’s significant environmental impacts, including those impacts caused or exacerbated “by bringing development and people into the area affected.” (Pub. Resources Code, §§ 21002, 21002.1, subd. (a); CEQA Guidelines, § 15126.2, subd. (a).) The impacts of development in areas prone to wildfire specifically require consideration: “the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, *wildfire risk areas*), including both short-term and long-term conditions, as identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazard areas.” (CEQA Guidelines, § 15126.2, subd. (a), emphasis added.) A California Court of Appeal also recently blocked development over wildfire concerns because the county failed to adequately assess wildfire risk. (See *People ex rel. Bonta v. County of Lake* (2024)105 Cal.App.5th 1222, 1235 [finding that EIR must sufficiently discuss the project’s potential adverse effect of human-cause ignitions and analyze in some detail how the project’s design or mitigation measures alleviates such risks, and lead agency failed to utilize industry standard modeling tools or appropriate methodologies for its conclusory findings]).

As detailed below, new research has emerged on the impacts of wildfires on native wildlife, the link between development and ignition risk in fire-prone areas, and the impacts of climate change on wildfire risk. The DSEIR failed to assess and mitigate the Project’s impacts to wildfire

risk and the aftermath of a wildfire when it burns through habitats in and near the Project area, in violation of CEQA.

Response to Comment No. A5-20

Regarding wildfire, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR).

Comment No. A5-21

a. Development in High Fire-prone Areas Increases Ignition Risk.

The last decade of unprecedented wildfires in the wildland urban interface—where homes extend into the natural landscape—has been devastating for people and wildlife. Poor land-use planning plays a primary role in destructive wildfire.

Since 2015 California wildfires have killed more than 230 people and destroyed more than 75,000 structures in the WUI. Hundreds of thousands of people have had to evacuate their homes and endure power outages, and millions have been exposed to unhealthy levels of smoke and toxic air, soil, and water pollution. Meanwhile costs for fire suppression, loss of life, medical expenses, property damage, and indirect economic losses are in the hundreds of billions of dollars.

The Project would bring more development and human activity into fire-prone areas, thereby increasing ignition risk and endangering the lives of new residents and existing communities. Our collective understanding of wildfire risk has grown significantly since the EIR was certified in 2005, so the DSEIR must include an updated analysis of wildfire risk and mitigation of potential impacts.

According to a 2019 report from Governor Gavin Newsom’s Office, construction of more homes in the WUI is one of the main factors that “magnify the wildfire threat and place substantially more people and property at risk than ever before” (Governor Newsom’s Strike Force, 2019). A 2019 study found that housing and human infrastructure in fire-prone wildlands are the main drivers of fire ignitions and structure loss (Syphard, Rustigian-Romsos, et al., 2019). Sprawl developments extending into habitats that are prone to fire have led to more frequent wildfires caused by human ignitions, like power lines, arson, improperly disposed cigarette butts, debris burning, fireworks, campfires, or sparks from cars or equipment (Alexandre, Stewart, Keuler, et al., 2016; Alexandre, Stewart, Mockrin, et al., 2016; Balch et al., 2017; Bistinas et al., 2013; Keeley et al., 1999; Keeley & Fotheringham, 2003; Keeley & Syphard, 2018; Radeloff et al., 2018; Syphard et al., 2007, 2012; Syphard, Rustigian-Romsos, et al., 2019).

Almost all destructive wildfires are accidentally ignited by humans or human infrastructure near roads and development (Balch et al., 2024; Chen & Jin, 2022; Syphard, Rustigian-Romsos, et al., 2019). For example, the 2018 Camp and Woolsey fires and 2017 Tubbs and Thomas fires were sparked by powerlines or electrical equipment and the 2017 Carr fire was caused by car sparks. And although still under investigation, embers from a previous fire ignited by fireworks

are suspected to have caused the Palisades Fire and a spark from a Southern California Edison powerline likely caused the Eaton Fire in January, 2025. All of these fires are in the top 20 most destructive wildfires in California history. Placing more homes and people in high fire-prone areas will increase the potential likelihood of these ignition sources, as has been documented in multiple scientific studies (Balch et al., 2017; Bistinas et al., 2013; Keeley et al., 1999; Keeley & Fotheringham, 2003; Keeley & Syphard, 2018; Radeloff et al., 2018; Syphard et al., 2007, 2012; Syphard, Rustigian-Romsos, et al., 2019). A 2019 study discusses a poignant and cautionary example: the 2017 Tubbs Fire and the 1964 Hanly Fire had very similar burned area footprints, yet the Tubbs fire burned over 5500 structures and killed at least 22 people while the 1964 Hanly Fire only burned about 100 structures and no one died (Keeley & Syphard, 2019). The authors suggest that the increased population and human infrastructure in the area led to an increased chance of human-caused ignitions during an extreme wind event (the Tubbs fire was caused by faulty electrical equipment on private property) and the sprawl development over the decades since 1964 put more people at risk (Keeley & Syphard, 2019). Wildfire experts are now constantly and unambiguously pointing out the dangers of placing communities in fire-prone areas.

Most destruction to human communities from fire has been caused by wind-driven, human-ignited fires in mixed shrublands and grasslands (Balch et al., 2024; Radeloff et al., 2023). Although wildfires are a natural and necessary process in California's landscapes and much of the state's diverse shrubland communities are adapted to a high severity infrequent wildfire regime, increases in fire frequency in these systems disrupt the historical fire regimes they have evolved with. This can lead to the establishment of more flammable non-native grasses that increase fire threat over time (Keeley, 2005, 2006; Safford & Van de Water, 2014; Syphard, Brennan, et al., 2019; Syphard et al., 2009, 2018). Other disturbance and associated edge effects from roads and development, such as nitrogen deposition from vehicle emissions, can also lead to the establishment of such invasive grasses (Keeley et al., 2011) as well as reduced native biodiversity (Hernández et al., 2016). Thus, continued development in fire-prone wildlands has the potential to perpetuate a feedback loop of increased wildfire that fuels climate change while eliminating and degrading California's native ecosystems. Southern California is especially vulnerable with significant pressure to push the WUI further and further into adjacent high fire-prone shrublands. The Project as proposed would likely increase the risk of wildfire and contribute to this negative feedback loop.

The proposed Project will bring more people and increased human activity into fire-prone landscapes and will therefore increase ignition risk. The Project's environmental review must include a consideration of the combination of factors driving destructive wildfires in the WUI and fully analyze and mitigate wildfire risks. The 2005 EIR was certified before recent studies outlining the risk of building in fire zones were available, and before year-round wildfires became the "new normal" in California. Yet the current DSEIR fails to acknowledge the new information available regarding increased ignition risk, and fails to analyze or mitigate the impacts to wildlife and habitats associated therewith, in violation of CEQA.

Response to Comment No. A5-21

Regarding wildfire, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR).

Comment No. A5-22

b. Wildfires in the Wildland-Urban Interface Threaten Vulnerable Wildlife.

Wildfires are a natural and necessary process in many of California's ecosystems, and many areas need beneficial fire to restore ecosystem health and cultural connection to the land. However, the last decade of unprecedented wildfires in the WUI are pushing fragmented populations of sensitive species to the brink. Wildlife, including genetically isolated mountain lions, remnant populations of frogs and fish, resident and migratory birds, nearby marine life, and more are all vulnerable to direct and indirect impacts from wildfire. Animals suffer burns, smoke-induced asphyxiation, heat stress, traumatic injuries, and death (Garcês & Pires, 2023).

For example, two mountain lion deaths in the Santa Monica Mountains were attributed to the 2018 Woolsey Fire. Although mountain lions are highly mobile and generally able to move away from wildfires, these lions were unable to escape to safety because they were boxed in by roads and development. In addition, researchers found that after a large wildfire in an urbanized region, mountain lions avoided burn areas and increased risky behavior that could lead to more conflict with people, increased mortality, and extinction risk (Blakey et al., 2022). Such deaths can further destabilize small mountain lion populations that are already facing numerous other threats, including low genetic diversity, vehicle strikes and rodenticide poisoning, and make them more vulnerable to local extinction (Benson et al., 2016, 2019).

Smoke inhalation from wildfires can lead to negative health effects, like carbon monoxide poisoning, damage to lung tissue, and weakened immune response, in both terrestrial and aquatic wildlife (Sanderfoot et al., 2021). Smoke exposure can also cause shifts in animal behavior and stress levels, which could influence short- and long-term health and survival

(Sanderfoot et al., 2021). One study found that increased smoke exposure led to decreased body condition (i.e., lower body mass) of wild birds in California, which suggests that they expend more energy while coping with sub-lethal health effects of smoke exposure (Nihei et al., 2024).

Heavy rains after wildfire can trigger landslides and debris flows that threaten small populations of sensitive, less mobile species that have been diminished due to habitat loss and fragmentation from sprawl development, dams, disease, non-native predators, and other threats. After the 2020 Bobcat Fire, biologists were desperate to rescue remnant populations of yellow-legged frogs, Santa Ana suckers, unarmored threespine stickleback fish, speckled dace, arroyo chub and arroyo chub because they were concerned that post-fire debris flows due to winter rains would wipe out their populations in the fire zone (Sahagun, 2020). Biologists conducted similar rescue missions for the last-known populations of Southern California

steelhead and northern tidewater gobies in the Santa Monica Mountains after the 2025 Palisades Fire (Seidman, 2025a, 2025b, 2025c).

In summary, significant new research has emerged on the impacts of wildfires on native wildlife, the link between development and ignition risk in fire-prone areas, the impacts of climate change on wildfire risk, the social, public health and economics costs associated with fires in the wildland urban interface, and the role of Indigenous communities historically and presently in wildfire management and its impacts since the EIR for the propose Project was certified in 2005. Given this increased understanding of wildfire and development, it is clear that the Project could increase the risk of unintentional human-driven wildfires that disrupt natural fire regimes and threaten California's wildlife. Again, the DSEIR fails to adequately assess and mitigate the Project's impacts to wildfire risk and the potential aftermath of a wildfire in and around the Project area.

Response to Comment No. A5-22

Regarding wildfire, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). Regarding wildfire and its potential effect on CBB, the comment provides no information concerning the potential for wildfire to affect CBB. The comment appears to focus on species that are unable to escape wildfire and does not provide any information indicating CBB are unable to fly from wildfire.

Comment No. A5-23

c. Climate Change is Amplifying Wildfire Risk

The 2005 EIR lacks new information regarding the impacts of climate change on wildfire. Climate change is exacerbating extreme weather conditions and wildfire impacts (Williams et al., 2019). Progressively hotter, drier, and windier conditions and more extreme weather events due to climate change are making it easier for wildfires to ignite and spread. The number of days with extreme fire weather conditions in California has doubled since 1980, and further climate change will amplify that trend (Goss et al., 2020). Hotter and drier conditions combined with later and shorter rainy seasons are making the landscape more conducive to wildfire ignitions and spread while lengthening the fire season (Dong et al., 2022; Goss et al., 2020; Luković et al., 2021; Ma et al., 2021; Madakumbura, Moritz, et al., 2025; Madakumbura, Thackeray, et al., 2025; Swain, 2021).

Experts claim that climate change is responsible for intensifying what would have already been extreme fires in Altadena and Pacific Palisades in 2025. Two very wet years in a row (winters of 2022-2023 and 2023-2024) contributed about 10% of vegetation on the landscape, and the following uncharacteristically hot summer, a record-breaking fall heatwave, and a very dry start to the rainy season likely made the vegetation 25% drier (Madakumbura, Thackeray, et al., 2025). Combined with extreme seasonal winds and human ignitions, the Eaton and Palisades fires ravaged unexpecting communities. Experts estimated that the hotter, drier conditions and

extreme fire weather due to climate change made these devastating fires 35% more likely and 6% more intense (Barnes et al., 2025). Continued climate change and increasing fire conditions will lead to more intense and more destructive wildfires (Barnes et al., 2025; MacDonald et al., 2023).

Researchers have also found that fires are spreading faster. Between 2001 and 2020 the maximum daily growth rate of wildfires in the U.S. more than doubled, and California fires grew almost 400% faster (Balch et al., 2024). Experts suggest that this trend could be due to warming temperatures, habitat conversion to more flammable vegetation (i.e., nonnative grasses), and/or the co-occurrence of high winds with increasing human-related ignitions (Balch et al., 2024).

Scientists predict that climate change will continue trends of hotter and drier conditions and shorter rainy seasons, which will increase the flammability of vegetation, lengthen the fire season, increase extreme fire weather, heighten wildfire risk, and lead to more intense wildfires (MacDonald et al., 2023).

The DSEIR thus failed to acknowledge new scientific information on wildfire risk in the WUI, wildfire impacts on wildlife and habitats, and the impacts of climate change on wildfire risk, and completely failed to analyze or mitigate the risks of increased ignitions and wildfire resulting from the construction of the Project or the presence of the new development, in violation of CEQA.

Response to Comment No. A5-23

Regarding wildfire, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR). Regarding wildfire and its potential effect on CBB, refer to Response to Comment A5-22.

Comment No. A5-24

IV. Conclusion

Thank you for the opportunity to submit comments on the Canyon Hills ITP DSEIR. The DSEIR fails to adequately disclose, analyze and mitigate the Project's significant impacts to Crotch's bumble bee, mountain lion, and wildfire. We request that CDFW remedy the deficiencies we have identified and recirculate a revised DSEIR to the public for review and comment. Please add the Center to your notice list for all future updates to the Project using the three email addresses below and do not hesitate to contact the Center with any questions.

Response to Comment No. A5-24

The comment provides concluding information and summarizes the comments that are provided in this letter. Responses to specific comments have been provided above in Responses to Comment Nos. A5-3 through A5-23.

LETTER NO. A6

Crescenta Valley Community Association
Susan Bolan, CVCA Steering Committee Member
crescentavalleycommunityassn@gmail.com

December 15, 2025

Comment No. A6-1

The Crescenta Valley Community Association (CVCA) is a cross-jurisdictional, volunteer organization that represents the valley with one voice in matters of preserving our historical structures, monitoring and encouraging thoughtful building design, and promoting open space to maintain and enhance our suburban quality of life. Our main objectives as an association are to protect our limited resources and infrastructures through responsible growth policies; to encourage development that is compatible, preserves our historic structures and our rural community; and to ensure open space is protected and valued as a necessity for the quality of life in the Crescenta Valley area. The CVCA welcomes participation from all stakeholders in Sunland-Tujunga, Glendale, La Crescenta, Montrose and La Cañada Flintridge and regularly considers how development in one area will affect all others.

Thank you for the opportunity to comment on the draft Supplemental Environmental Impact Report for the Canyon Hills project. The CVCA has been following this project for two decades and is disappointed that the scope of this supplemental EIR does not address the significant changes that have taken place in and around the project area since 2005.

Response to Comment No. A6-1

The comment provides general information about the commenter, which is acknowledged for the record.

Comment No. A6-2

The La Tuna Fire in 2017 and the recent Eaton Fire in 2025 completely changed the travel corridors of the native wildlife in the region as well as eliminated many of the plant forms from twenty years ago. There is documented and anecdotal evidence that large and small mammals have altered their movement patterns due to the loss of habitat and food sources. The trees and shrubs lost to fire remain in various stages of recovery which affects pollination, thus insects and birds. Researchers will be studying the effects of these historic events for years to come.

It stands to reason that the wildlife and plant collection that was identified in the original EIR project area has changed. The CVCA will continue to press for a new EIR to look at current

conditions, but we understand that this report reexamines how the Crotch's Bumble Bees will be affected if the project is built.

Response to Comment No. A6-2

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Comment No. A6-3

We disagree with the assumption that by merely designating 579 acres of La Tuna Canyon as open space, that somehow that will offset the “take” of CBBs from the remaining 164 acres. This segmentation is disingenuous and a distraction from the owner/developer planning to kill some environmentally valuable bees. We must always be mindful of any loss of habitat for protected species. The fire in La Tuna Canyon already claimed a significant amount of animal habitat and the canyon is still recovering.

Response to Comment No. A6-3

Regarding the adequacy of mitigation, refer to Topical Response No. 4. It is also noted that Section 15370(e) of the CEQA Guidelines specifically contemplates using conservation easements as a form of mitigation, by defining mitigation to include, “[c]ompensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.”

Comment No. A6-4

And speaking of fire, let's fold in that it is unwise to add 221 homes to a canyon designated as “Very High Fire Danger” with poor evacuation routes.

Response to Comment No. A6-4

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Comment No. A6-5

Related Projects

Since the CVCA organization reviews projects throughout the Crescenta Valley, we noticed that the report failed to include many related projects within the 3-mile radius that could have a cumulative effect with the proposed project. Be aware there are at least 3 projects within 3 miles in Glendale/La Crescenta and at least another 2 in Tujunga. Addresses upon request.

Response to Comment No. A6-5

As discussed on page 2-4 of the Draft Supplemental EIR, the Los Angeles Department of Transportation (LADOT) provided a list of three development projects within three miles of the

Project Site, two of which have since been completed and were operational at the time the NOP for the Draft Supplemental EIR was released and therefore were not included as related projects. Internal research disclosed one additional development project. Therefore, the Draft Supplemental EIR analyzed cumulative impacts on CBB from the Approved Project combined with the two related projects listed in Table 2-2, and concluded that cumulative impacts on CBB would be less than significant. The commenter does not provide detail about additional projects in Glendale/La Crescenta and Tujunga, or whether they impact CBB in any way. As a result, CDFW is not able to determine if those other projects, combined with the two related projects listed in Table 2-2 and the Approved Project, result in a significant cumulative effect on CBB.

Comment No. A6-6

Alternatives

The CVCA recommends a rejection of the Incidental Take Permit and further rejects the Reduced Density Alternative based on comments made during an outreach meeting held by Whitebird consultants. When explaining the process by which they would be grading the project area, they indicated that all low points of the hillside would be filled in with spoils from the peaks. They stated that because they were leveling the whole mountain, there would be no need for dirt to be transported to another location to be disposed of. The Reduced Density Alternative could not possibly protect 25% of the bee population because of the sheer magnitude of the grading that is planned and large amount of dirt to be moved. The dust alone would severely alter flight paths and feeding opportunities. This doesn't sound like an environmentally superior option to us.

Response to Comment No. A6-6

Contrary to a statement in the comment, which is unsupported by specific facts, the Approved Project does not involve the "leveling" of any mountain. Rather, as discussed in Topical Response No. 6 (Project Design Sensitivity, Grading, and Consistency With) in Section IV (Responses to Comments) of the Final EIR, the Approved Project was designed using landform grading techniques, rather than conventional mass grading, to avoid the more steeply sloped portions of the Project Site, cluster homes and minimize the required cut and fill. As also discussed in FEIR Topical Response 6, the development of the Approved Project does not require the grading of any Prominent Ridgelines designated in the San Gabriel Verdugo Mountain Scenic Preservation Specific Plan.

Relatedly, the statement that "because they were leveling the whole mountain, there would be no need for dirt to be transported to another location to be disposed of," apparently refers to the fact that, as discussed in the Draft EIR and FEIR Topical Response 6, the grading for the Approved Project would be "balanced." This means that the amounts of "cut" (excavated dirt) and "fill" (adding dirt to create planned landforms) are the same. While the commenter appears to suggest that balanced grading is environmentally harmful in some way, balanced grading is actually environmentally beneficial because it eliminates the need to export dirt from a project

site or import dirt to the project site, and therefore reduces a project's environmental impacts, in particular construction air quality, greenhouse gas emission, noise and traffic impacts. In any event, the commenter does not explain why the Approved Project's balanced grading leads it to recommend the rejection of the requested ITP or the Reduced Development Footprint/Reduced Density Alternative.

The commenter next states that "[t]he Reduced Density Alternative could not possibly protect 25% of the bee population because of the sheer magnitude of the grading that is planned and large amount of dirt to be moved." And that "[t]he dust alone would severely alter flight paths and feeding opportunities." Contrary to the comment, the 25% reduction in the developed portion of the Project Site under the Reduced Development Footprint/Reduced Density Alternative would reduce the impact on CBB, as compared to the Approved Project, because those 41 eliminated acres would not be graded or otherwise disturbed. In addition, the impact on that land area, as well as the other portions of the Project Site that would not be developed, would be further minimized pursuant to the minimization measures imposed by CDFW as conditions to the requested ITP. A complete list of minimization measures is included in Appendix B to this Final Supplemental EIR.

As to the claimed dust impact associated with grading activities within the reduced development footprint, see Response to Comment No. B3-4.

Comment No. A6-7

In conclusion, the CVCA recommends the No Build Alternative as the environmentally superior alternative. And, a new EIR if California Whitebird, Inc. plans to proceed. All current conditions should be studied before moving forward with this inappropriate housing project.

Response to Comment No. A6-7

The comment provides the commenter's preference for the No Build Alternative and a request for a new EIR, both of which are now part of the record of information that will be considered as part of CDFW's decision-making process.

LETTER NO. B1

Evelyn Serrano
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Sunland, CA 91040
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November 3, 2025

Comment No. B1-1

Dear California Department of Fish and Wildlife (CDFW) Officials,

Pursuant to the California Environmental Quality Act (CEQA), Cal. Pub. Res. Code §§ 21000 et seq. and implementing Guidelines, I submit the following comments in strong opposition to the issuance of an Incidental Take Permit (ITP) for Crotch's Bumble Bee (CBB, *Bombus crotchii*) in connection with the Canyon Hills Project (SCH No. 2002091018).

Response to Comment No. B1-1

The comment provides the commenter's opposition to the requested ITP, which is now part of the record of information that will be considered as part of CDFW's decision-making process.

Comment No. B1-2

I. The Project Will Cause Irreversible Harm to a Candidate Endangered Species

The Draft Supplemental Environmental Impact Report (SEIR) acknowledges that approximately 164 acres of potentially occupied habitat for Crotch's Bumble Bee would be directly affected. The species is a candidate for listing under the California Endangered Species Act (CESA) due to population declines exceeding 80% across its historic range.

Allowing incidental take at this scale directly contravenes the intent of Fish & Game Code § 2081(b)(2), which mandates that such authorization be granted only if the impacts of the take are "minimized and fully mitigated." No evidence in the SEIR demonstrates that full mitigation is biologically achievable for a species this imperiled.

The destruction or degradation of existing CBB foraging and nesting habitat represents an irreversible and unmitigable impact, as the species' lifecycle depends on highly specific native floral resources and ground-nesting substrates that cannot be replicated through artificial restoration within the project footprint.

Response to Comment No. B1-2

The Draft Supplemental EIR acknowledges that prior to mitigation, the Approved Project would result in a significant impact on CBB because it would eliminate approximately 164 acres of suitable habitat of CBB and the presence of CBB has been identified there (see page 3-7 of the Draft Supplemental EIR). The Draft Supplemental EIR determined that the Approved Project's impact on CBB will be less than significant with mitigation and the comment provides no information or analysis that affects that conclusion. The survey report prepared by Glenn Lukos Associates (GLA), attached as Appendix C to the Draft Supplemental EIR and summarized on pages 3-4 through 3-7 of the Draft Supplemental EIR, concluded that the conservation of approximately 579 acres of land as permanent Public Open Space, of which approximately 571.58 acres provide some form of habitat suitable for CBB (including oak woodland and riparian habitats that contribute to the overall integrity of the Public Open Space), would mitigate the impact on CBB to below a level of significance. The Draft Supplemental EIR also indicates that implementation of additional mitigation measures as presented in Mitigation Measure CBB-MM-1 will further ensure that the Approved Project's impact on CBB will be less than significant. The comment does not explain how or why the mitigation presented in the Draft Supplemental EIR will not reduce the Approved Project's impacts on CBB to below a level of significance.

In addition, refer to Topical Responses Nos. 2 and 4.

Comment No. B1-3

II. The Claimed Mitigation—Preservation of 579 Acres—Is Neither New Nor Adequate

The SEIR repeatedly cites the “permanent preservation of 579 acres of open space” as mitigation. However, this land was already placed under a conservation easement years earlier as part of the original 2005 approvals and cannot be recharacterized as “new” mitigation under CEQA.

Courts have consistently held that mitigation must be additional and enforceable—not measures already in place. (See *California Native Plant Society v. City of Rancho Cordova*, 172 Cal.App.4th 603 (2009)). The current proposal therefore fails CEQA’s fundamental requirement that mitigation “substantially lessen significant effects” (Guidelines § 15021(a)(2)).

Response to Comment No. B1-3

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. B1-4

III. The Project Increases Habitat Fragmentation and Jeopardizes Regional Connectivity

The project site lies within an essential wildlife corridor linking the Verdugo Mountains and the western San Gabriel Mountains, a region supporting multiple sensitive species. The conversion

of 164 acres of open space into residential development, roads, and utilities will fragment remaining habitat and disrupt pollinator movement pathways.

Fragmentation is particularly harmful to Crotch's Bumble Bee, which requires contiguous access to floral resources throughout its nesting cycle. The SEIR fails to analyze these landscape-level impacts or to provide feasible alternatives that maintain ecological connectivity, contrary to CEQA Guidelines §§ 15126.6 and 15088.

Response to Comment No. B1-4

Regarding habitat connectivity, refer to Topical Response No. 3.

Comment No. B1-5

IV. The SEIR Underestimates Cumulative and Synergistic Impacts

The SEIR's narrow scope—focusing solely on direct impacts to CBB—ignores the cumulative effects on other native pollinators, flora, and fauna that share this habitat. Under Guidelines § 15130, CDFW must evaluate cumulative effects in conjunction with other ongoing or foreseeable projects in the La Tuna Canyon region.

This failure results in an incomplete and legally deficient environmental analysis that precludes meaningful public review, violating CEQA Guidelines § 15088.5(a).

Response to Comment No. B1-5

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Comment No. B1-6

V. The Precautionary Principle and CEQA's Mandate Require Denial of the ITP

CEQA and CESA both compel agencies to err on the side of environmental protection when scientific uncertainty exists. The SEIR concedes “potentially significant impacts” to the species yet asserts that these will be mitigated “below significance” without presenting measurable evidence or a clear monitoring protocol.

Given the precarious status of CBB and the irreplaceable nature of its habitat, CDFW cannot lawfully determine that the project's impacts will be fully mitigated. The only defensible course consistent with CEQA and CESA is to deny the requested ITP and require the applicant to pursue non-destructive alternatives outside of occupied or high-value pollinator habitat.

Response to Comment No. B1-6

See Response to Comment No. B1-2. As discussed therein, the Draft Supplemental EIR determined that the preserved Public Open Space would adequately mitigate the Approved

Project's impact on CBB to below a level of significance, and that implementation of additional mitigation measures as presented in Mitigation Measure CBB-MM-1 will further ensure that the Approved Project's impact on CBB will be less than significant. The comment does not state how or why this mitigation is insufficient to reduce the Approved Project's impact on CBB to below a level of significance.

The portion of the comment about compliance with CESA does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Supplemental Draft EIR. Nevertheless, this portion of the comment is now part of the record of information that will be considered as part of CDFW's decision-making process.

Comment No. B1-7

VI. Request for Corrective Action

Accordingly, I respectfully request that CDFW:

1. Deny the Incidental Take Permit for Crotch's Bumble Bee associated with the Canyon Hills Project;

Response to Comment No. B1-7

The comment provides the commenter's request that the requested ITP be denied, which is now part of the record of information that will be considered as part of CDFW's decision-making process.

Comment No. B1-8

2. Reject the Draft Supplemental EIR as inadequate under CEQA due to failure to identify feasible avoidance alternatives and overreliance on ineffective mitigation;

Response to Comment No. B1-8

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

As discussed on page 4-4 of the Draft Supplemental EIR, to supplement the alternatives analysis contained in the Final EIR, the Draft Supplemental EIR reevaluated the No Project Alternative in the context of the requested ITP, and evaluated an additional alternative, the Reduced Development Footprint/Reduced Density Alternative. While the No Project Alternative would avoid the impact on CBB, it would not satisfy most of the project objectives because no development would occur on the Project Site. The Draft Supplemental EIR determined that the Reduced Development Footprint/Reduced Density Alternative would reduce the impact on CBB by 25 percent, although the impact would remain significant prior to mitigation because grading activities in the remaining 75 percent of the development area would impact CBB and an ITP for the take of CBB would still be required. In addition, the Reduced Development

Footprint/Reduced Density Alternative would not meet certain project objectives and would not meet other project objectives to the same extent as the Approved Project.

Comment No. B1-9

3. Require preparation of a Revised or Recirculated SEIR analyzing full ecological impacts—including cumulative and corridor-level effects—consistent with Guidelines §§ 15126.6 and 15088.5; and

Response to Comment No. B1-9

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Comment No. B1-10

4. Adopt the “No Project Alternative” as the environmentally superior alternative under CEQA Guidelines § 15126.6(e)(2).

Response to Comment No. B1-10

Refer to Response to Comment No. NOP1-2 regarding the selection of the environmentally superior alternative.

Comment No. B1-11

VII. Conclusion

The La Tuna Canyon ecosystem represents one of the last remaining foothill habitats supporting viable native pollinator populations within urban Los Angeles County. Approving this project would set a dangerous precedent for the continued erosion of California’s biodiversity and would contradict the state’s commitment to pollinator recovery and climate resilience.

I urge the Department to uphold its duty under CESA and CEQA by rejecting this ITP and protecting Crotch’s Bumble Bee and the irreplaceable habitat upon which it depends.

Thank you for your careful consideration.

Response to Comment No. B1-11

The comment provides the commenter’s request that the requested ITP be denied, which is now part of the record of information that will be considered as part of CDFW’s decision-making process.

LETTER NO. B2

Leif Richardson, Ph.D.
4210 Highland Place
Riverside, CA 92506

December 15, 2025

Comment No. B2-1

I am writing in reference to the Supplemental Environmental Impact Report (SEIR) issued in October, 2025 by California Department of Fish and Wildlife (CDFW) for the Canyon Hills development project in the Verdugo Hills of Los Angeles (City of Los Angeles Case No. ENV-2002-2481-EIR). A resident of Riverside County, I have worked as an ecologist and conservation biologist for more than 30 years. In this capacity, I served a state fish and wildlife agency in its efforts to manage predator and prey populations, designing movement corridors, assessing animal health, and assisting with management of many aspects of hunting seasons for these animals. I completed masters and doctoral research in ecology and evolutionary biology, with a research focus on the effects of floral chemistry on bee foraging behavior and disease prevalence. I am co-author of Bumble Bees of North America, the standard reference manual for these animals. I currently work for a non-profit organization as the lead biologist for the California Bumble Bee Atlas, and am an expert in the ecology, assessment, and conservation of California's native bumble bees. The views I express here are my own, and not those of my employer.

Response to Comment No. B2-1

The comment provides background information about the commenter, which is acknowledged for the record.

Comment No. B2-2

The SEIR for this project is seriously inadequate, and I urge CDFW, the City of Los Angeles, and other stakeholders to re-evaluate the irreversible environmental impacts this project will impose on the Verdugo Hills. Most importantly, this SEIR claims to focus on managing risk to Crotch's bumble bee (*Bombus crotchii*; 'CBB'), a species protected by the California Endangered Species Act, but uses no actual evidence to make its claims that harms can be mitigated, and further employs logically indefensible arguments as to why this evidence is unnecessary. To understand what biological values might be lost or diminished during development, it is necessary to investigate what occurs on the development site before disturbance. In this case, the developer and their environmental consultant did not survey for

CBB on the site, instead making the claim that CBB was known to be present, and stating they would assume that Incidental Take was possible. CDFW has accepted this logic, producing a detailed SEIR based on no information about the status of the bee's population at the development site. As such, the SEIR does not describe the abundance of foraging CBB at various seasons, the density and distribution of CBB nests onsite, any use of the site for hibernation by the bees, or the nature of any existing threats/stressors, such as competition with feral honey bees for food resources. Having done none of this, the SEIR cannot and does not make a quantitative or objective comparison of the habitat and population to be lost with those to be conserved as part of the developer's mitigation plan. Without this, we are left to compare only the number of acres to be developed versus that to be conserved, an exceedingly poor way to manage any wildlife population.

Response to Comment No. B2-2

Regarding the environmental baseline, refer to Topical Response No. 2.

Comment No. B2-3

While the SEIR falls short on protecting the CBB populations in the Verdugo Hills, it does demonstrate that CDFW is aware that mitigating negative impacts of the development will require onsite CBB inventory. The Department's primary mitigation measure (p. 3-5) is a requirement that following periods of inactivity greater than three days, the developer must perform surveys for CBB before work can recommence. What would be the purpose of such inventories, if not to study whether development activities might lead to Incidental Take? And if such inventory is necessary or prudent after as little as three days break from onsite activities, why would it not be necessary as part of a more holistic assessment of environmental impact (i.e., this SEIR)? If we are sincere in our efforts to limit impacts of this project to a legally protected natural resource (CBB), then we must know the status of that resource before the project begins, not only after a long weekend of project inactivity.

Response to Comment No. B2-3

Regarding the environmental baseline, refer to Topical Response No. 2.

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. B2-4

I was glad to see the consideration of alternatives in the SEIR, and think that CDFW did a reasonable job of identifying a reduced-impact option that could allow the project to proceed with less impact on CBB. However, I am dismayed at what I think is an arbitrary and faulty decision-making process that allowed the Department to dismiss this alternative. CDFW finds that the reduced-impact alternative is the Environmentally Superior Alternative (p. 4-6), but then concludes that it "...would not meet certain project objectives and would not meet other project objectives to the same extent as the Approved Project..." The reader is left to infer that the

“certain project objectives” and “other project objectives” referred to here are those enumerated on p. 4-5: if the Environmentally Superior Alternative were selected, the project would produce fewer homes and recreational opportunities for new residents, fail to invigorate the local economy, and might not be financially viable for the developer. While these are no doubt important issues to consider for project stakeholders, they are not environmental impacts that CDFW is tasked with considering, and should not be primary considerations in the Department’s evaluation of alternatives. Instead the Department should remain focused on the natural resources that the general public stands to lose as a result of this private development.

Response to Comment No. B2-4

The commenter first states that the reader is left to infer which project objectives the Reduced Development Footprint/Reduced Density Alternative would not meet and which it would meet to a lesser extent than the Approved Project. However, pages 4-5 and 4-6 in Section 4.6.2 of the Draft Supplemental EIR identify the objectives that the Reduced Development Footprint/Reduced Density Alternative would not meet and which it would meet to a lesser extent than the Approved Project.

The commenter then appears to contend that although certain project objectives may involve important issues, they are not environmental impacts and should not be primary considerations in CDFW’s evaluation of alternatives. The commenter then suggests that CDFW should focus on natural resources. As an initial matter, the first two paragraphs in Section 4.6.2 of the Draft Supplemental EIR do analyze the comparative environmental impacts of the Reduced Development Footprint/Reduced Density Alternative in comparison to the Approved Project. The next portion of Section 4.6.2 additionally evaluates the extent to which the Reduced Development Footprint/Reduced Density Alternative meets the project objectives as compared to the Approved Project, which is a common practice in EIRs to provide a basis for determining whether an alternative is feasible. As discussed more fully in Response to Comment No. A1-4, when assessing a project alternative’s feasibility, an agency can take into account the economic, social, and technological factors in addition to environmental factors.

Comment No. B2-5

The SEIR identifies two other nearby development projects and estimates what cumulative impacts the present project might have in concert with these developments. The document concludes that there will be no cumulative impacts on CBB, based on the fact that the other two developments will use previously disturbed sites, which it defines as not being habitat for the animal (p. 3-6). In fact, CBB is often found in disturbed or developed areas, and in the context of a cumulative impacts determination, those sites absolutely should be considered potential habitat for the animal. I urge CDFW to reconsider this process, perhaps looking into whether CBB will be impacted at those other sites.

Response to Comment No. B2-5

The two related projects analyzed in the Draft Supplemental EIR (listed in Table 2-2) would be constructed on small sites (0.92 acre and 1,407 square feet, respectively) that have been previously developed in urban areas and are currently almost entirely paved. Therefore, as discussed on page 3-6 of the Draft Supplemental EIR, neither related project would impact CBB as each of the related projects is situated on previously disturbed and developed land, which is part of the existing environment and does not contribute to any cumulative impact.

Comment No. B2-6

Finally, I am disappointed to see that this SEIR does not consider impacts to mountain lions that use the site. CDFW contends (p. 3-7) that this is not necessary because the project "...is not anticipated to take lions, and as a result the Applicant is not seeking an ITP for mountain lions." The SEIR clarifies (p. 3-11) that it is the developer's consultant who does not anticipate such Taking, not CDFW. (As with CBB, the consultant has not done an inventory for lions on the site.) Thus, it is essentially the developer who has determined that an SEIR is not necessary for impacts on mountain lions, not the regulatory agency whose responsibility this is. I respectfully request that in finalizing this SEIR, CDFW consider its obligations to protect these threatened lions, whatever the consequences may be for private businesses who are stakeholders. Specifically, CDFW needs an objective biological inventory and assessment in order to decide whether to issue an SEIR for this protected wildlife species.

Response to Comment No. B2-6

Regarding mountain lions, refer to Topical Response No. 1 (Scope of the Draft Supplemental EIR).

Comment No. B2-7

It is important to understand that the threatened status of these animals was caused by human activities, and that observed declines can be reversed, if Californians want that. Given that we have afforded these species legal protected status, why would we agree to new activities that exacerbate that need for protection, without first making a full-faith effort to mitigate those threats? Further, as we continue to grant exceptions like this one to our efforts to protect biodiversity, more species will become imperiled, increasing conservation needs in places like the Verdugo Hills. I urge CDFW staff to consider the long term needs of CBB and mountain lions in southern California, as well as the consequences of granting takings permits to these developers.

Response to Comment No. B2-7

Contrary to the comment, the analysis contained in the Draft Supplemental EIR concludes that the conservation of approximately 579 acres of land as permanent Public Open Space, of which approximately 571.58 acres provide some form of habitat suitable for CBB (including oak

woodland and riparian habitats that contribute to the overall integrity of the Public Open Space), would mitigate the Approved Project's impact on CBB to below a level of significance. In addition, refer to Topical Response No. 4.

Regarding the comment on mountain lions, refer to Topical Response No. 1.

Regarding the commenter's implied suggestion that CDFW disapprove the requested ITP, this does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft Supplemental EIR. Nevertheless, this portion of the comment now part of the record of information that will be considered as part of CDFW's decision-making process.

Comment No. B2-8

Thank you for your work on these issues. Sincerely,

Response to Comment No. B2-8

The comment provides concluding information, which is acknowledged for the record.

LETTER NO. B3

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December 15, 2025

Comment No. B3-1

I Misstatement of Responsible Agency Duties Under CEQA

Section 1.3 of the Canyon Hills SEIR makes a legally indefensible claim that CDFW, as a Responsible Agency, need only consider impacts directly tied to the incidental take permit for *Bombus crotchii*. To justify this abdication of duty, the SEIR relies on Friends of Westwood, Inc. v. City of Los Angeles (191 Cal. App. 3d 259 (1987))—a case that holds precisely the opposite. Friends of Westwood affirms that responsible agencies must exercise independent judgment under CEQA and may not simply defer to or rubber-stamp the lead agency’s analysis.

CEQA Guidelines §15096(g)–(h) expressly require responsible agencies to evaluate and mitigate all significant environmental effects related to their discretionary approvals, including indirect and cumulative impacts within their jurisdiction. CDFW’s jurisdiction is not limited to a single species subject to an incidental take permit. Under the Fish and Game Code, including §§2000, 2050 et seq., and 2081, CDFW has broad statutory authority and responsibility to protect native wildlife, sensitive species, and biological resources affected by permitted activities.

The SEIR’s suggestion that CDFW’s CEQA obligations terminate at the boundaries of the CBB permit constitutes a fundamental misstatement of law. This interpretation undermines CEQA’s cooperative framework, facilitates unlawful piecemealing, and would establish a precedent allowing responsible agencies to evade independent environmental review by artificially narrowing the scope of their jurisdiction.

Response to Comment No. B3-1

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Comment No. B3-2

II Failure to Evaluate Impacts to *Bombus crotchii*

The materials submitted fail to meet the scientific standards, methodological rigor, and spatial specificity required for environmental review under CEQA and do not comply with the California

Department of Fish and Wildlife's published Survey Considerations for CESA Candidate Bumble Bees. As a result, the biological baseline is scientifically flawed, the impact analysis lacks empirical support, and the mitigation strategy relies on assumptions rather than data. Without protocol-compliant surveys and current, site-specific evidence of species presence and habitat use, the environmental documentation does not satisfy CEQA's requirement for analysis based on substantial evidence in the record (CEQA Guidelines §15144, §15151) or the standard of care for impact evaluation under state agency guidance.

The SEIR's failure to conduct updated surveys on the development footprint is a direct violation of CEQA §15125(a), which mandates that an Environmental Impact Report must describe "physical environmental conditions as they exist" at the time of review. The decision to exclude the 300-acre Project Site from current surveys—despite verified recent observations of *Bombus crotchii* within the project footprint—invalidates the baseline upon which all subsequent impact and mitigation determinations depend. CEQA does not permit reliance on historical documentation or inference in lieu of contemporaneous, site-specific field data.

Further, this approach directly contradicts CDFW's published "Survey Considerations for CESA Candidate Bumble Bees" (CDFW, 2022), which clearly states:

"Surveys must be conducted throughout the entire area proposed for ground disturbance..." (CDFW Survey Considerations, p. 1)

Rather than surveying the area subject to grading and construction, the SEIR relies on surveys conducted in the Public Open Space, an area expressly excluded from development. The SEIR does not provide an explanation for this departure, nor does it present data sufficient to establish that the off-site survey results can be validly extrapolated to the unsurveyed Development Site. The assertion that prior documentation of species presence obviates the need for current, footprint-specific surveys is inconsistent with CEQA's baseline doctrine and ignores the dynamic nature of pollinator distribution, nesting activity, and habitat use. The omission of current, protocol-compliant surveys from the area of direct impact renders the biological baseline unrepresentative and the impact assessment inherently unreliable.

The SEIR further fails to demonstrate that survey effort was sufficient to support any inference regarding species absence. Survey design under the CDFW guidance is explicitly intended to increase detection probability through repeated, temporally spaced visits. The guidance states:

"CDFW recommends surveys begin as early in the season as possible and continue throughout the activity period of the species, including potential queen emergence and nest establishment periods." (p. 2)

Response to Comment No. B3-2

Regarding the environmental baseline, refer to Topical Response No. 2.

Comment No. B3-3

Here, survey timing is vaguely described as occurring during a generalized “queen flight season,” with no documentation demonstrating coverage of early emergence, nesting establishment, or later seasonal activity. The surveys conducted on May 13, June 7, and June 26, 2024 reflect a narrow temporal window and do not demonstrate coverage of the full activity period for the species, including queen emergence and nest establishment. The documentation fails to explain how habitat patches were selected, whether floral phenology was considered, or whether the sampling design was sufficient to characterize presence/absence with confidence. The record contains no explanation of how survey timing aligned with species phenology, nor any justification for concluding that the survey window was adequate to detect *Bombus crotchii* if present.

Compounding this defect is the absence of any standardized or documented survey methodology. The SEIR does not disclose survey duration, area covered per visit, transect or point methodology, or effort per sampling unit. The CDFW guidance makes clear that minimum effort standards are necessary to ensure detectability:

“At least two visits, spaced apart by at least three weeks, are needed to detect most species of concern,” and “observational data must be properly documented with photographs, GPS coordinates, and surveyor field notes.” (CDFW Survey Considerations, pp. 2–3)

No such documentation is provided. Without standardized effort or supporting field data, the surveys cannot be evaluated for adequacy and cannot support conclusions regarding presence, absence, or take.

The SEIR also fails to justify the spatial extent of survey coverage. Bumble bee species routinely forage over broad areas and may nest outside, but forage within, development footprints. The decision to confine surveys to off-site open space without any scientific rationale explaining why this area is representative of conditions within the impact zone creates extreme spatial bias and violates the protocol’s requirement for comprehensive coverage of the disturbance area. CEQA requires analysis of impacts where they occur, not where surveying is most convenient. Equally problematic is the reliance on a single survey season without any discussion of interannual variability or justification for why multi-season or multi-year data were unnecessary. Bumble bee populations are known to fluctuate annually due to climatic and ecological factors. The failure to acknowledge or address this variability further weakens the baseline and undermines the reliability of conclusions drawn from limited temporal data. The SEIR also omits any discussion of observer qualifications, training, or expertise. The credibility of biological surveys depends on the experience of the individuals conducting them, particularly for taxa requiring specialized identification skills. The absence of this information precludes meaningful evaluation of data reliability and further undermines confidence in the survey results.

Response to Comment No. B3-3

This comment criticizes the way surveys were conducted within the approximately 579 acres of preserved Public Open Space that was part of the original, approximately 900-acre Original Project Site.

To the extent the comment raises issues concerning the need for surveys to establish a baseline, refer to Topical Response No. 2. It is important to understand the purpose of surveys conducted for the Public Open Space and the rationale for not surveying for CBB within the Project Site. Surveys were not performed within the Project Site because the Draft Supplemental EIR assumed that the entire impact footprint was occupied by CBB based on prior detections of CBB within the impact footprint. The determination of the Approved Project's impact on CBB was based on the extent of habitat loss, i.e., vegetation communities containing floral resources to support CBB foraging, which in turn could support nesting and/or overwintering uses. The Draft Supplemental EIR analyzed impacts on CBB as a species assuming the maximum extent of assumed occupied habitat for the Project Site (166.72 acres of grading and 64.66 acres of fuel modification)—i.e., that CBB used all 231.38 for foraging, nesting, or overwintering. The determination was initially based on two public records of CBB detections (page 3-1 of the Draft Supplemental EIR) on the Project Site from 2023 and the assumption of suitable habitat was extrapolated based on the presence of suitable floral resources throughout the Project Site, as well as habitat with the potential to support both nesting colonies and overwintering individuals. With the prior detections, and these conservative assumptions, it was unnecessary to perform focused surveys for the impact footprint.

The commenter's other observations are addressed below.

Based on the comparison of mapped vegetation communities within the Public Open Space versus the impact footprint within the Project Site, it was determined that the vegetation within the Public Open Space was at least equivalent to the impact footprint with respect to habitat quality for CBB. However, to further evaluate the efficacy of the Public Open Space to mitigate the loss of CBB habitat within the impact footprint, focused surveys were conducted for the Public Open Space to determine if CBB was present and to generally characterize use areas for CBB.

The commenter states that “the decision to confine surveys to off-site open space without any scientific rationale explaining why this area is representative of conditions within the impact zone creates extreme spatial bias and violates the protocol’s requirement for comprehensive coverage of the disturbance area. CEQA requires analysis of impacts where they occur, not where surveying is most convenient.” Focusing the surveys on the open space was not out of convenience, but instead was done to determine whether the Public Open Space was occupied instead of relying solely on the presence of similar vegetation communities. Stated different, CDFW was comfortable assuming presence in the Project Site and relying on habitat as a proxy for purposes of assessing impacts, but CDFW needed to confirm the presence of CBB on the Project’s mitigation land to confirm its suitability as mitigation.

The level of survey effort recommended by the commenter is not needed to determine CBB occupancy of the Public Open Space. The commenter also questions the methodology of the surveys, including the timing. The survey report prepared by Glenn Lukos Associates (GLA), included as Appendix C of the Draft Supplemental EIR, documented the focused surveys that GLA biologists conducted for the Public Open Space. The surveys followed a protocol that is consistent with the CDFW's Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species (California Department of Fish and Wildlife, 2023), referred to here as the "Survey Considerations". The survey report noted that the surveys largely encompassed the CBB flight season, specifically three surveys were conducted on May 13, June 7, and June 26, 2024. The commenter states that these dates "reflect a narrow temporal window and do not demonstrate coverage of the full activity period for the species, including queen emergence and nest establishment". However, the survey dates are consistent with the Survey Considerations, which state that at least three surveys should be conducted, ideally spaced two to four weeks apart during the Colony Active Period (March to September). The surveys of the Public Open Space coincided with the peak of the Colony Active Period. Additional surveys conducted earlier or later can be appropriate depending on the blooming of floral resources, although in this case it was not necessary. The focused surveys detected CBB individuals in ten locations scattered throughout the Public Open Space, which confirmed the presence of CBB as the purpose of the surveys.

No nests were incidentally observed during the surveys within the Public Open Space, although there is potential for nesting (and overwintering) to occur in both the impact footprint within the Project Site and the Public Open Space. However, one cannot rely on the detection of nesting and/or overwintering sites to determine the impact and cannot require such information to determine the sufficiency of lands to mitigate impacts. If the Project Site were specifically surveyed for nests and none were detected, then based on the difficulty of detecting nests one would not assume that nesting did not occur, since the Project Site contains suitable habitat for nesting. The same assumptions hold for overwintering sites. Furthermore, if a nest and/or overwintering site were detected at the Project Site, the lack of detecting nesting/overwintering within the Public Open Space could not be the basis for rejecting those lands as sufficient to mitigate the Approved Project's significant impact on CBB. Along with the detection of foraging CBB individuals, the extent of impacts and the sufficiency of mitigation must be determined based on the habitat, *i.e.*, vegetation resources present.

Comment No. B3-4

Lastly, the SEIR fails to evaluate indirect mechanisms of take that are foreseeable outcomes of residential development. Landscape irrigation, ornamental vegetation, and the associated use of pesticides and herbicides are known to pose acute and chronic risks to native pollinators, including *Bombus crotchii*, through drift, runoff, and direct exposure. Sublethal effects on behavior, reproduction, and colony establishment are well documented, yet the SEIR does not analyze these pathways or propose mitigation. Similarly, the introduction of permanent artificial lighting and increased vehicle traffic has the potential to disrupt activity patterns, displace individuals, and fragment movement corridors. These sources of stress and mortality are

scientifically supported and environmentally plausible. Their exclusion from the impact analysis constitutes a failure to identify and evaluate potentially significant indirect and cumulative effects, as required under CEQA Guidelines sections 15126.2 and 15130, and results in an incomplete basis for assessing potential take under CESA.

Response to Comment No. B3-4

This comment presents what the commenter perceives as indirect mechanisms of take that could affect CBB due to the Approved Project and states that the Draft Supplemental EIR fails to evaluate them. However, although the commenter provides several general examples, they do not provide any specifics, nor evidence as to how the Approved Project could result in indirect take of CBB through these mechanisms.

One example of indirect effect mechanisms presented by the commenter is landscape irrigation, however as mentioned in the paragraph above, the commenter does not explain how landscape irrigation would result in such indirect effects, or that such effects have potential to be significant. CDFW assumes there could be two theoretical aspects to irrigation indirectly impacting CBB, including 1) runoff from Approved Project landscaped areas spreading into open space and carrying chemical toxics that might harm CBB individuals, and 2) irrigation that might alter the type of vegetation growing where areas are influenced by irrigation water resulting in plants that are not suitable foraging resources for CBB. Because the Approved Project is considered to have eliminated habitat for CBB within the entire impact footprint within the Project Site, whether or not landscaping within the development areas supports CBB plant resources is not relevant because CDFW is not relying on post-development habitat to mitigate the Approved Project's impacts. Applied to the Public Open Space, the prospect of irrigation effects would theoretically only apply to those edges where the development landscaped areas would abut the open space. This is not applicable to any open space away from the development edges, including the entirety of the portion of the Public Open Space south of the freeway. However, applied specifically to where the development edge abuts with the open space, the Approved Project is designed so that all irrigation would be contained within development areas in accordance with water quality regulations. As such, no CBB impacts is anticipated due to irrigation.

Regarding ornamental vegetation, CDFW guesses that the commenter is concerned the ornamental vegetation would include plants that are not viable feeding resources for CBB. However, because the Draft Supplemental EIR assumes that all suitable habitat in the Approved Project's footprint will be removed, and CDFW is not relying on new landscaping to mitigate such impact, the presence of ornamental vegetation that is not a viable feeding resource for CBB has no bearing on the impact analysis. Applied to adjacent Public Open Space, there is limited to no concern of ornamental vegetation spreading into the Public Open Space, in part because any adjacent landscaped areas will not be planted with invasive plant species.

The commenter also addresses pesticides and herbicides as risks to CBB "through drift, runoff and direct exposure." The last two (runoff and drift) are not relevant to the Approved Project's

impact analysis. There would be no Approved Project usage of pesticides or herbicides within the adjacent Public Open Space, and as such there would not be any risk of direct exposure to those open space lands. Regarding pesticide use within the developed areas, as noted above the entire development footprint is treated as impacting CBB through loss of habitat. Additionally, mitigation measure CBB-MM1 provides: “[i]f pesticides must be used, including for habitat restoration and enhancement, [the Applicant] shall consult with CDFW and may only use pesticides upon CDFW's written approval.” Pertaining to effects from runoff, as noted above with irrigation, the Approved Project is designed such that runoff will not enter adjacent Public Open Space in accordance with water quality regulations and existing CEQA mitigation measures, besides that pesticide use in the adjacent developed areas would be limited to those approved by CDFW related to habitat restoration and enhancement activities. The commenter's reference to “drift” is unclear. CDFW understands “pesticide drift” to be defined as “the movement of pesticide dust or droplets through the air at the time of application or soon after, to any site other than the area intended. Pesticide droplets are produced by spray nozzles used in application equipment for spraying pesticides on crops, forests, turf and home gardens. Some other pesticides are formulated as very fine dry particles (commonly referred to as dust formulations).” The Approved Project does not include croplands or forests and it is too speculative to assess how future homeowners will care for their landscaping and whether, or to what extent, such care would include the use of pesticides.

Finally, the commenter addresses artificial lighting and increased vehicle traffic as mechanisms that could impact CBB. Lighting, however, would be limited to the developed areas and would not impact the Public Open Space or open space within the Project Site. In addition, vehicle traffic will be confined to the development areas. The Approved Project will involve the removal of habitat within the development areas but will not fragment habitat in a way that would adversely affect the ability for CBB individuals to move between open space areas. Refer to Topical Response No. 3 (Habitat Connectivity) for additional analysis of habitat connectivity and fragmentation. The habitat located both north and south of the freeway collectively represents one larger habitat area for CBB live-in habitat and dispersal, and the construction of the Approved Project will not adversely affect the overall use of the habitat areas for CBB in the collective open space. CBB individuals fly over development areas (and through them depending on landscaping and intermixed open space), including over freeways (such as Interstate 210). In addition to the Public Open Space, the Approved Project's overall footprint includes multiple parcels of internal open space, including one larger parcel in the middle of the footprint that will provide both live-in and dispersal habitat for CBB.

The Final EIR also identified measures to address dust emissions for air quality, which would minimize potential indirect effects on plants and wildlife, including CBB. These include (1) watering and/or temporarily covering exposed soils, including excavated soils piles, (2) moistening soil not more than 15 minutes prior to moving soil and three times a day, or four times a day under windy conditions, to maintain soil moisture of 12 percent, (3) no grading operations when winds exceed 25 mph, (4) 15 mph speed limit for construction vehicles on unpaved surfaces, and (5) that blasting and crushing equipment will be equipped with water

spray devices. Furthermore, any indirect effects due to dust would be temporary during construction activities.

Comment No. B3-5

In sum, the SEIR relies heavily on extrapolation from non-impact areas to infer conditions within the development footprint. This methodological shortcut is inconsistent with both scientific practice and CEQA jurisprudence. CEQA expressly prohibits substituting inference or assumption for evidence. By relying on surveys conducted outside the project area to draw conclusions about impacts within it, the SEIR replaces required site-specific analysis with unsupported extrapolation. Taken together, these methodological failures—insufficient detection probability, undocumented and inconsistent survey effort, inadequate spatial and temporal coverage, lack of qualified observer disclosure, and improper reliance on off-site data—render the biological analysis fundamentally flawed. As a result, the SEIR cannot reliably assess impacts, evaluate take, or support mitigation measures for *Bombus crotchii*. Any conclusion that impacts would be less than significant, or adequately mitigated, lacks a defensible scientific foundation.

Response to Comment No. B3-5

Refer to the Responses to Comment Nos. B3-2 through B3-4, above.

Regarding the environmental baseline, refer to Topical Response No. 2.

Regarding the adequacy of mitigation, refer to Topical Response No. 4.

Comment No. B3-6

III. Improper Refusal to Address Previously Raised Issues Based on a Misstatement of Responsible Agency Authority

The Draft Supplemental EIR does not merely fail to analyze previously raised and substantiated environmental issues; it affirmatively asserts that consideration of these issues lies outside the scope of review because they are not directly tied to the incidental take permit for *Bombus crotchii*. In support of this position, the SEIR relies on *Friends of Westwood, Inc. v. City of Los Angeles* (191 Cal. App. 3d 259 (1987)) to argue that, as a Responsible Agency, CDFW's CEQA obligations are limited to impacts narrowly associated with the take authorization. This reliance is legally incorrect and represents a misstatement of both CEQA and the holding of *Friends of Westwood*.

As previously noted during the Notice of Preparation process, commenters identified extensive new information of substantial importance demonstrating that the certified 2005 Final EIR and 2014 Addendum contain factually incorrect baseline assumptions and fail to disclose or analyze multiple potentially significant impacts. These include, among other things, confirmed mountain lion presence and movement through the project site, repeated vehicle strike fatalities

immediately adjacent to the project boundary, the function of the site as part of a documented wildlife corridor linking the San Gabriel and Verdugo Mountains, the presence of California Rare Plant Rank species and protected native trees within the project footprint, unexamined impacts to regional bird migration, increased downstream flood risk, and severe wildfire evacuation constraints in a Very High Fire Hazard Severity Zone.

Rather than engage with this record, the SEIR expressly disclaims responsibility for addressing these issues on the grounds that they fall outside the scope of CDFW's discretionary action. This position directly contradicts CEQA Guidelines §15096(g)–(h), which require a responsible agency to consider the environmental effects of the project as shown in the EIR, reach its own conclusions regarding approval, and require feasible mitigation for significant effects within its jurisdiction. Nothing in CEQA authorizes a responsible agency to ignore new information of substantial importance simply because those impacts extend beyond the immediate subject of a permit.

By asserting that impacts to wildlife movement, rare plants, hydrology, wildfire risk, and ecological connectivity are "outside the scope" of its CEQA review, the SEIR effectively abdicates CDFW's independent responsibilities and undermines the very purpose of CEQA.

Response to Comment No. B3-6

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

LETTER NO. B4

Michael Bartz
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December 15, 2025

Comment No. B4-1

To whom it may concern, my name is Michael Bartz a concerned longtime citizen of Glendale writing to offer my public comment in strong opposition of the canyon hills development. In light of the 2025 Eaton fire it is reckless and dangerous to sacrifice valuable landscapes for developments that will be at extreme elevated risk of disaster. This is a known burn zone and could be catastrophic to any residence that would live there if anything were ever to occur. Not only detrimental to the humans residents, but also to the thousands of animals that call the Verdugo mountains home. The mountains are already surrounded on all sides by human development with only a couple of connection corridors where animals can cross over into the greater Angeles National Forest. But this development would cut off one if not two of the corridors, leaving the animals almost trapped inside the mountain system - which would eventually lead to the demise of the incredible and unique species that call those mountains home. It feels like a miss allocation of resources to demolish valuable habitat for the biodiversity of the region including, but not limited to, the Crotch's Bumblebee, the California mountain lions, bears, and other endemic species found within the Verdugo mountain range. As a resident in Glendale I have witnessed multiple bear sightings deep within our borders in the last couple of months alone. Destroying even more of their habitat, and cutting them off even further from the resources they need to survive will only drive them further and further into our neighborhoods which could cause harm and destruction to everyone involved!

Response to Comment No. B4-1

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

Regarding habitat connectivity, refer to Topical Response No. 3.

The portion of the comment about bear sightings in Glendale does not state a specific concern or question regarding the adequacy of the analysis of environmental impacts contained in the Draft Supplemental EIR. In addition, refer to Topical Response No. 1 regarding the scope of the Draft Supplemental EIR. Nevertheless, the comment is acknowledged and is now part of the record of information that will be considered as part of CDFW's decision-making process.

The remainder of the comment provides information about the commenter and his opposition to the Approved Project, which is now part of the record of information that will be considered as part of CDFW's decision-making process.

Comment No. B4-2

The Verdugo mountains are also one of very few outdoor open air green spaces we have in Los Angeles county and is utilities and enjoyed by tens of thousands of residents each year. But to take away such a large swath of that precious ecosystem to build housing for just a few dozen high income individuals is a massive miss use of our natural resources. The Verdugo mountains are compromised of a very rare and important ecosystem found almost exclusively in California - Chaparral. This is an ecosystem that is synonymous with California and takes hundreds of years to form and would be completely destroyed by this development.

Response to Comment No. B4-2

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1. Regarding the adequacy of the mitigation, refer to Topical Response No. 4.

Comment No. B4-3

I support the requirement of a supplemental environmental review on the area, since clearly there are endangered/protected flora and fauna located on the site that were not included in the original environmental report. I also support the DENIAL of the Incidental Take Permit requested by Whitebird Inc. who are trying to simply ignore these important findings in the name of capitalism, greed, and their own self interests.

Response to Comment No. B4-3

Regarding the scope of the Draft Supplemental EIR, refer to Topical Response No. 1.

The remainder of the comment requests the denial of the requested ITP, which is now part of the record of information that will be considered as part of CDFW's decision-making process.

3. Additions and Corrections

In accordance with CEQA Guidelines Section 15132(a), this section of the Final Supplemental EIR provides additions and corrections to the Draft Supplemental EIR that have been made to clarify, correct, or supplement the information provided in that document. As demonstrated in this Final Supplemental EIR, the changes presented in this section do not constitute new significant information warranting recirculation of the Draft Supplemental EIR as set forth in CEQA Guidelines Section 15088.5. Rather, the Draft Supplemental EIR is comprehensive and has been prepared in accordance with CEQA.

Changes to the Draft Supplemental EIR are indicated under the respective EIR section heading, page number, and paragraph. Deletions are shown with ~~strikethrough~~ and additions are shown with **bolded underline**.

Section 1. Executive Summary

No additions or corrections are required.

Section 2. Project Description

No additions or corrections are required.

Section 3. Environmental Impact Analysis

The second full paragraph on page 3-5 is revised as follows:

Therefore, the prior, permanent preservation of the Public Open Space has mitigated the Approved Project's significant impact on the CBB to below a level of significance. However, to further ensure that the Approved Project's impact on the CBB will be less than significant, the Applicant will be required to **implement the list of Take Minimization Measures that are included in Appendix B to this Final Supplemental EIR in connection with the development** following additional mitigation measures be implemented as part of the Approved Project:

Section 4. Alternatives to the Project

No additions or corrections are required.

Section 5. Preparers of the EIR

No additions or corrections are required.

Section 6. References and Acronyms

No additions or corrections are required.