

MONITORING AND REPORTING PROGRAM
SK VANDERSTELT RECHARGE BASIN PROJECT
ST. JOHNS WATER DISTRICT

PROJECT DESCRIPTION

The proposed SK Vanderstelt Recharge Basin Project (Project) consists of the construction of recharge basins and associated diversion structures on lands located within the high-flow channel of the St. Johns River (River), but outside of the normal flow channel. A diversion weir and inlet structure are proposed to be constructed within the normal flow channel of the River. The recharge basins and outlet structure will be constructed in a parallel channel to the normal flow channel of the river. The recharge basins will allow the St. Johns Water District to facilitate proper water management, including groundwater recharge efforts.

The Project improvements are to be constructed within the high-flow channel of the River. Access easements and permits will be required to be obtained to accommodate construction, operation and maintenance of the Project improvements.

A Biological Evaluation of the Project area was completed on August 8, 2025, that established the need for mitigation measures to minimize construction related impacts to the biological resources of the area. The California Department of Fish and Wildlife (CDFW), in its review comments for those mitigation measures prepared for the Initial Study for the Project, provided recommendations on March 3, 2026, for additional mitigation measures.

NESTING BIRDS AND THEIR NESTS

Nesting birds, their eggs and their nests could potentially inhabit the riparian and non-native grass lands of the Project Site's willows, Valley Oak tree, other trees and shrubs and could potentially be negatively impacted by construction of the Project unless preventive measures are incorporated into the Project design. No nesting birds or nests were observed on the Project Site during the conducted reconnaissance survey.

To protect and preserve nesting birds, including the loggerhead shrike and their nests, to avoid any impacts to them and their nests and to meet CDFW and United States Fish and Wildlife Service (USFWS) requirements, the following impact avoidance preventive measures have been incorporated into the Project:

- NB #1. Construction Timing. If feasible, the Project will be constructed outside of the avian nesting season, typically defined as February 1 to August 31;

- NB #2. Preconstruction Surveys. If Project construction occurs between the period of February 1 and August 31, preconstruction (one-day) surveys shall be conducted by a qualified biologist for nesting birds on the Project Site within seven (7) days prior to any construction activity. The survey area will encompass the work area and surrounding lands within 500 feet for raptors and 250 feet for other nesting birds, including the loggerhead shrike. Results of any such preconstruction survey shall be prepared and transmitted to the District prior to initiation of any construction activities; and
- NB #3. Avoidance of Active Nests. If any active nests are observed within or near a construction site, a biologist will establish a suitable construction free buffer around the nest. A buffer will be established on the ground with flagging or fencing. The buffer distance will be determined based on species biology site-specific conditions and the level of Project-related disturbance that is anticipated near the nest(s) in question. The buffer will be maintained until the biologist determines that the young birds have fledged and are capable of foraging independently.

SWAINSON'S HAWK

The Biological Evaluation established that the Swainson's Hawk could nest in the vicinity of and forage within the Project area. Suitable nesting sites within the Project area do not exist, but can be found on surrounding lands. The possibility exists that construction activities may affect nesting Swainson's Hawks. To protect the Swainson's Hawk from construction-related disturbances, the following impact avoidance preventative measures are incorporated into the Project:

- SH#1. Construction Timing. If feasible, Project construction will occur entirely outside the Swainson's Hawk nesting season, typically defined as March 1 through September 15;
- SH #2. Focused Preconstruction Swainson's Hawk Surveys. If Project construction occurs between the period of March 1 and September 15, a qualified biologist will conduct a focused pre-construction survey for Swainson's Hawk nesting on and within ½ mile of the Project Site. A qualified biologist will conduct surveys for nesting SWHA following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000) prior to Project construction. The SWHA TAC survey protocol includes early season surveys to assist in implementing necessary avoidance and minimization measures and in identifying active nest sites prior to initiating ground-disturbing activities. If ground-disturbing activities are to take place during the nesting season of March 1 through September 15, additional pre-activity surveys for active nests will be

conducted by a qualified biologist no more than ten (10) days prior to the start of Project construction activities;

- SH #3. Establishment of Buffer Zone. If Project-specific activities will take place during the Swainson's Hawk nesting season (i.e. March 1 through September 15) and active Swainson's Hawk nests are present, a minimum no-disturbance buffer of ½-mile will be delineated and maintained around active nests until the breeding season has ended, or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival, to prevent nest abandonment and other take of Swainson's Hawk as a result of Project activities. The buffer zone will be established with flagging, fencing or other visible means;
- SH #4. Monitor Nest. If construction activity occurs within a designated buffer zone around an active nest, a qualified biologist will monitor the nest daily for one week and thereafter once per week during construction within the buffer, or until the nest is no longer active, whichever comes first. Daily monitoring may be required if a high level of disturbance is generated. If at any time the biologist determines that construction activity is compromising nesting success, construction activity within the buffer will be altered or suspended until the biologist determines that the nest is no longer at risk of failing; and
- SH #5. Take Authorizations. In the event an active Swainson's Hawk nest is detected and maintaining a ½-mile buffer is not feasible, consultation with CDFW will be conducted to discuss how to implement the Project and avoid the take of Swainson's Hawk. If a take cannot be avoided, take authorization through the acquisition of an Incidental Take Permit (ITP), pursuant to Fish and Game Code section 2081, subdivision (b), will be completed to comply with the California Endangered Species Act (CESA).

BURROWING OWL

The Biological Evaluation determined that the presence of the Burrow Owl could exist. Suitable habitat for nesting, roosting and foraging exists on the Project Site. No evidence of Burrowing Owls was observed during the August, 2025, field survey. The possibility exists that construction activities may kill or harm Burrowing Owls nesting or burrowing on-site. To protect Burrowing Owls from construction related disturbances, the following measures are incorporated into the Project:

- BO #1. Avoidance Survey. Prior to the start of any ground disturbance activities and each subsequent construction phase, an avoidance survey for burrowing owls will be conducted by a qualified biologist. This avoidance survey will be conducted to prevent the incidental take of a Burrowing Owl according to

methods described in the Staff Report on Burrowing Owl Mitigation (CDFG 2012). The survey area will include all potential roosting and nesting habitat on and within 600 feet of the Project Site, where accessible.

If no burrowing owls are found, no other action is required;

- BO #2. Avoidance Buffer. Should a Burrowing Owl or known Burrowing Owl den (active or inactive) be detected, either during pre-construction surveys or Project construction activities, no-disturbance buffers, as outlined in the *2012 Staff Report on Burrowing Owl Mitigation* (CDFG 2012), will be implemented prior to and during any ground-disturbing activities. These buffers will be implemented for both wintering and breeding Burrowing Owls;
- BO #3. CDFW Consultation. If Burrowing Owls are found on the Project Site and avoidance buffers are not feasible, CDFW will be consulted to determine the need for additional avoidance measures for the Burrowing Owl and/or the need for an Incidental Take Permit (ITP) coverage; and
- BO #4. Take Authorization. If the take of the Burrowing Owl cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), will be necessary to comply with the California Endangered Species Act (CESA). If CDFW determines an ITP is required, the Project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.

PALLID BAT

The Biological Evaluation determined that the Valley Oak and other smaller trees on the Project Site have the potential to be used for roosting, including by the Pallid Bat. The possibility exists that trees removed as part of construction may injure or kill roosting bats. To protect Pallid Bats from construction related activities, the following measures are incorporated into the Project:

- PB #1. Construction Timing. If feasible, demolition and removal of the Project Site's trees will occur outside of the period between April 15 and September 30, which represents the time frame within which colony-roosting bats in the vicinity generally assemble, give birth and nurse their young;
- PB #2. Preconstruction Surveys. Within ten (10) days prior to the removal of the Project Site's trees, a qualified biologist will survey the tree(s) for roosting bats. The biologist will look for individuals, guano and staining and will listen for bat vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites;

- PB #3. Avoidance of Maternity Roosts. Upon discovery of any active maternity bat roosts, a qualified biologist will identify a suitable construction-free buffer around the maternity roost. The buffer will be identified on the ground with flagging or fencing and will be maintained until the biologist has determined that the nursery is no longer active; and
- PB #4. Humane Eviction of Non-breeding Bats. If a non-breeding bat colony is found in tree cavities during preconstruction surveys, the individuals will be humanely evicted, under the direction of a qualified biologist, to ensure that bats are not physically harmed by demolition and removal of trees.

CROTCH'S BUMBLE BEE

The Biological Evaluation determined that the Project Site could provide nesting and overwintering habitat for the Crotch's Bumble Bee (Bee). Foraging by the Bee could also occur on the Project Site. To protect the Bee from construction related activities, the following measures are incorporated into the Project:

- CB #1. Habitat Assessment. A qualified biologist will conduct a habitat assessment to determine if the Project Site and the immediate surrounding vicinity contain habitat suitable to support the Crotch's Bumble Bee. Potential nesting sites, which include all small mammal burrows, perennial bunch grasses, thatched annual grasses, brush piles, old bird nests, dead trees and hollow logs will be documented, if present, as part of the assessment;
- CB #2. Surveys. A qualified biologist will conduct focused surveys in areas of suitable habitat for the Crotch's Bumble Bee following the methodology outlined in the *Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species* (CDFW 2023).

During the vegetation blooming period and prior to the start of initial ground disturbance and each subsequent construction phase, a qualified biologist will conduct three (3) complete surveys for the Crotch's Bumble Bee within grass land slated to be subject to construction activities. The surveys will take place during the general flight season of this species, defined as March through September. To maximize detection, the surveys will be conducted on warm, sunny days (65-90 degrees F) when there is low wind (less than 8 mph).

The surveys will be conducted by walking transects throughout the survey area, while visually searching for bumble bees and potential nest sites. Any areas of significant foraging resources will be surveyed at a rate of no more than one person-hour per three (3) acres, while areas with few flowering plants (and no bumble bee activity), may be surveyed more quickly.

Any bumble bees that are observed will be followed and, if possible, photographed once they alight on a plant. Photographs should be taken from multiple angles and should highlight the following:

1. Face, including cheek length;
2. Top of the head;
3. Banding on the abdomen; and
4. Color pattern on the thorax.

At any burrows or other underground features that exhibit concentrated bumble bee activity, the surveyor will determine nesting status by observing bumble bee activity at the feature.

If Crotch's Bumble Bees are not found, no other action is required;

- CB #3. Avoidance Buffer. If the Crotch's Bumble Bee is detected, all small mammal burrows and thatched/bunch grasses will be avoided by a minimum of 50 feet to avoid take and potentially significant impacts. If ground-disturbing activities will occur during the overwintering period (October through February), consultation with CDFW is warranted to discuss how to implement Project activities and avoid take;
- CB #4. CDFW Consultation. If Crotch's Bumble Bees are found on the Project Site prior to or during construction activities, CDFW will be consulted to determine the need for avoidance measures for the Crotch's Bumble to prevent an incidental take and/or the need for incidental take and associated ITP coverage; and
- CB #5. Take Authorization. If a take of the Crotch's Bumble Bee cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081, subdivision (b), will be necessary to comply with the California Endangered Species Act (CESA). If CDFW determines an ITP is required, the Project will adhere to all the provisions, minimization measures, and mitigation measures of the ITP.

NORTHWESTERN POND TURTLE

The Biological Evaluation determined that it was unlikely to expect occurrences of the Northwestern Pond Turtle on the Project Site due to inadequate hydrologic conditions on surrounding agricultural and developed lands. The CDFW, however, recommended mitigation measures associated with the Northwestern Pond Turtle which are incorporated as follows:

- NPT #1. Surveys. A qualified biologist will conduct focused surveys for Northwestern Pond Turtle within ten (10) days prior to Project construction activities. Focused surveys for nests will occur during the egg-laying season of March through August. If any Northwestern Pond Turtle individuals or eggs are discovered during the surveys or Project activities, CDFW will be contacted regarding the appropriate course of action.