



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
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South Coast Region
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San Diego, CA 92123
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April 20, 2026

Shannon Edwin
City of Lancaster
44933 Fern Ave.
Lancaster, CA 93534
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**Subject: Mitigated Negative Declaration for the Tentative Tract Map No. 23-010 (83740)
Project, SCH No. 2026030914, Los Angeles County, CA**

Dear Shannon Edwin:

The California Department of Fish and Wildlife (CDFW) reviewed the Mitigated Negative Declaration (MND) from the City of Lancaster (City; Lead Agency) for the Tentative Tract Map 23-010 (83740) (Project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines¹.

Thank you for the opportunity to provide comments and recommendations regarding Project activities that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to comment on those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the state (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (Fish & G. Code, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review

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

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efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW may also act as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law² of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.) or the Native Plant Protection Act (NPPA; Fish & G. Code, § 1900 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: City of Lancaster

Objective: The objective of the Project is to construct a 47-lot single-family residential subdivision on approximately 11 gross acres. The lots would range in size from 7,000 square feet to 11,000 square feet. The Project also includes a variance for increased wall height to be consistent with the height of neighboring subdivision wall to the south. The Project also includes sidewalks along 20th Street West and on the internal private streets as well as new landscaping. Primary Project activities include clearing, excavation, grading, and construction.

Location: The Project is located on 11 gross acres on the southwest corner of Avenue H and 20th Street West. The site is vacant, and the property to the north is vacant. The Project site borders Armargosa Creek Drainage Channel to the west, and the properties south and west are occupied by existing single-family residences.

Biological Setting: The Project site is undeveloped and exhibits signs of heavy disturbance. A general biological field survey was conducted in May 2022, and the findings were compiled in a Biological Resource Assessment (BRA). Vehicle tracks and gravel parking areas were observed within the study site. Construction debris, soil piles, and trash were observed within the area as well. No ephemeral streams or washes were present within the study site.

Vegetation on site is characteristic of a heavily disturbed lot. 26 total plant species were observed during the BRA line transect survey. Invasive grasses were the dominant annual species within the study site, and native shrub species were few in number. No Joshua trees were present within the study site. No sensitive plants are expected to be present due to lack of suitable habitat.

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A total of 11 wildlife species, or their sign were observed during the line transect survey: Rodents (Order: *Rodentia*), California ground squirrel (*Otospermophilus beecheyi*) desert cottontail (*Sylvilagus auduboni*), domestic dog (*Canis familiaris*), mourning dove (*Zenaida macroura*), rock dove (*Columba livia*), common raven (*Corvus corax*), horned lark (*Eremophila alpestris*), house finch (*Carpodacus mexicanus*), cabbage white butterfly (*Pieris rapae*), and harvester ants (Order: *Hymenoptera*). No desert tortoises, their sign, or suitable habitat were observed during the field survey. No western burrowing owls or their sign were observed within the study site.

Special-status species that have the potential to occur on site, and may be impacted by the Project, include, but are not limited to: western burrowing owl (*Athene cunicularia*; California Endangered Species Act (CESA) Candidate Endangered), Crotch's bumble bee (*Bombus crotchii*; CESA Candidate Endangered), Swainson's hawk (*Buteo swainsoni*; CESA Threatened), alkali mariposa-lily (*Calochortus striatus*; California Rare Plant Rank (CRPR) 1B.2), Lancaster milk-vetch (*Astragalus preussii* var. *laxiflorus*; CRPR 1B.1), Parry's spineflower (*Chorizanthe parryi* var. *parryi*, CRPR 1B.1), Rosamond eriastrum (*Eriastrum rosamondense*; CRPR 1B.1), and white pygmy-poppy (*Canbya candida*; CRPR 4.2).

COMMENTS AND RECOMMENDATIONS

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

COMMENT # 1: Impacts to Crotch's Bumble Bee

Issue: The MND does not analyze potential impacts to Crotch's bumble bee, a candidate species under CESA.

Specific impact: Project ground-disturbing and vegetation disturbance could result in potentially significant impacts to Crotch's bumble bee including loss of foraging resources, changes in foraging behavior, burrow collapse, nest abandonment, reduced nest success, reduced health and vigor of eggs, young, and/or queens, and direct mortality.

Why impact would occur: According to a review of CNDDDB, Crotch's bumble bee has been observed within two miles of the Project site. However, the MND does not provide analysis of potential impacts to Crotch's bumble bee or measures to avoid or mitigate for said impacts. Impacts to Crotch's bumble bee may occur, even if a preconstruction survey returns

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negative findings, which could lead to unauthorized take under CESA. Focused surveys would assist in analyzing potential impacts to Crotch's bumble bee.

Crotch's bumble bee primarily nest in late February through late October underground in abandoned small mammal burrows but may also nest under perennial bunch grasses or thatched annual grasses, under-brush piles, in old bird nests, and in dead trees or hollow logs (Williams et al. 2014; Hatfield et al. 2018). Overwintering sites utilized by Crotch's bumble bee mated queens include soft, disturbed soil (Goulson 2010), or under leaf litter or other debris (Williams et al. 2014). Ground disturbance and vegetation removal associated with Project implementation during the breeding season could result in the incidental loss of breeding success or otherwise lead to nest abandonment in areas adjacent to the Project site. Without sufficient avoidance, minimization, or mitigation measures, Project activities may result in undisclosed and unmitigated temporal or permanent loss of colonies, and suitable nesting and foraging habitat.

Evidence impact would be significant: The California Fish and Game Commission accepted a petition to list the Crotch's bumble bee as endangered under CESA, determining the listing "may be warranted" and advancing the species to the candidacy stage of the CESA listing process. The Project may substantially reduce and adversely modify habitat as well as reduce and potentially impair the viability of populations of Crotch's bumble bee. The Project may also reduce the number and range of the species without considering the likelihood that special status species on adjacent and nearby natural lands may rely upon the habitat that occurs on the proposed Project area. In addition, Crotch's bumble bee has a State Ranking of S1/S2. This means that the Crotch's bumble bee is considered critically imperiled or imperiled and is extremely rare (often 5 or fewer populations). Crotch's bumble bee is also listed as an invertebrate of conservation priority under the California Terrestrial and Vernal Pool Invertebrates of Conservation Priority² (CDFW 2017). Accordingly, Crotch's bumble bee meets the CEQA definition of rare, threatened, or endangered species (CEQA Guidelines, § 15380). Therefore, take of Crotch's bumble bee could require a mandatory finding of significance by the City (CEQA Guidelines, § 1565).

Recommended Potentially Feasible Mitigation Measure(s)

² <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

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

Recommendation #1: Crotch's Bumble Bee Discussion – The MND should provide a thorough discussion on the Project potential direct and indirect impact on Crotch's bumble bee. If the Project may impact Crotch's bumble bee, the MND should incorporate measures to mitigate potential impacts to Crotch's bumble bee as well as habitat supporting the species. The discussion should be of a depth and scope that a CESA ITP can be issued based on the analysis provided in the MND.

Mitigation Measure #1: Crotch's Bumble Bee Surveys -- The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct focused surveys for Crotch's Bumble Bee. Focused surveys shall follow CDFW's Survey Conditions for California Endangered Species Act (CESA) Candidate Bumble Bee Species³ (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project ground-disturbing activities.

Mitigation Measure #2: Incidental take permit for Crotch's bumble bee – If survey information indicates the Project may result in take of Crotch's Bumble Bee, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The Project proponent shall provide a copy of a fully executed take authorization to the City prior to implementing Project ground-disturbing activities and vegetation removal.

ADDITIONAL COMMENTS

Mitigation and Monitoring Reporting Plan. CDFW recommends the Project's environmental document include mitigation measures recommended in this letter. CDFW has provided comments via a mitigation monitoring and reporting plan to assist in the development of feasible, specific, detailed (i.e., responsible party, timing, specific actions, location), and fully enforceable mitigation measures (CEQA Guidelines, § 15097; Pub. Resources Code, §

³ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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21081.6). The Lead Agency is welcome to coordinate with CDFW to further review and refine the Project's mitigation measures. Per Public Resources Code section 21081.6(a)(1), CDFW has provided a summary of our suggested mitigation measures and recommendations in the form of an attached Draft Mitigation Monitoring and Reporting Plan (Attachment A).

Mitigation Measure BIO-2. CDFW recommends the City revisit Mitigation Measure BIO-2 by incorporating the underlined language and removing the language with a strikethrough.

A pre-construction burrowing owl clearance survey shall be conducted no more than 14 days prior to any vegetation removal or ground disturbing activities to avoid impacts to burrowing owls and/or occupied burrows. The pre-construction clearance survey shall be conducted by a qualified biologist and in accordance with the methods outlined in the Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 2012). In California, the burrowing owl breeding season extends from February 1 to August 31 with some variances by geographic location and climatic conditions. Survey protocol for breeding season owl surveys states to conduct four survey visits: 1) at least one site visit between February 15 and April 15, and 2) a minimum of three survey visits, at least three weeks apart, between April 15 and July 15, with at least one visit after June 15.

Documentation of surveys and findings shall be submitted to the City of Lancaster for review and file. If no burrowing owls or occupied burrows are detected, project activities may begin, and no additional avoidance and minimization measures shall be required.

If an occupied burrow is found outside, but within 500 feet, of the development footprint, the qualified biologist shall establish a "no-disturbance" buffer around the burrow location(s). The size of the "no-disturbance" buffer shall be determined in consultation with CDFW and be based on the species status (i.e., breeding, non-breeding) and proposed level of disturbance. If an occupied burrow is found within the development footprint and/or if there are potential impacts to western burrowing owl, the applicant shall obtain an Incidental Take Permit prior to start of work from CDFW to ensure compliance with the California Endangered Species Act. In addition, the qualified biologist shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan in accordance with the 2012 Staff Report on Burrowing Owl Mitigation. The project applicant shall contact CDFW to develop appropriate mitigation and management procedures and a final Burrowing Owl Mitigation Plan shall be submitted to the City and CDFW for review and approval prior to project activities.

Biological Assessment Surveys. The City should retain a qualified biologist to perform updated biological field surveys to account for the current state of the Project site and the inventory of biological species that may be present. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to two years. The survey should be conducted at

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the appropriate time of year and time of day when sensitive species are active, or otherwise identifiable, for both plants and wildlife. Based on the survey results, the final CEQA document should propose avoidance and specific mitigation for Project impacts to special-status species. Findings from the updated general field surveys should be disclosed in the CEQA document for public review.

LSA. Armargosa Creek drainage runs adjacent to the western boundary of the Project site that connects to Pond Two, a storm water collection basin between W Avenue H and California State Route 14. If any construction, vegetation removal, or fuel modification may impact the bed, bank, channel, or associated vegetation of the drainage, CDFW recommends submitting a Lake and Streambed Alteration Notification. CDFW encourages the City to revise the MND to provide a discussion of how impacts to the drainage will be avoided, minimized, and/or mitigated. Best management practices to limit any fugitive dust or construction material from entering the drainage should also be included. The MND should also discuss how disturbance to the drainage will be limited during the operational phase of the Project (i.e., signage, fencing, etc.).

Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the [Fish and Game Commission's \(Commission\) policies](#)⁴. Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."

- a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the

⁴ <https://fgc.ca.gov/About/Policies/Miscellaneous>

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wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the Project's environmental document and these measures should compensate for the loss of function and value.

- b. The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).

Nesting Birds and Raptors. The City should add Biological Resources Mitigation Measures to incorporate underlined language:

Project activities shall occur outside of the nesting season for birds and raptors, which generally runs from February 15 through September 15, and as early January 1 for some raptors. If Project activities are scheduled to occur during the breeding season, the Project proponent shall retain a qualified biologist to perform a pre-construction nesting bird and raptor survey. If Project activities are delayed or suspended for more than 7 days during the breeding season, surveys shall be repeated before activities can restart. In the event nesting birds or raptors are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Buffers around active passerine nests shall be a minimum of 100 feet and a minimum of 500 feet around raptor nests, unless a qualified CDFW biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. These buffers shall be maintained 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 of parental care for survival. A qualified biologist shall monitor the nest(s) weekly after commencement of activities to ensure that nesting behavior is not adversely affected by such activities.

Landscaping. The MND identifies landscaping in the Project's list of activities. CDFW recommends the Project proponent use only native species found in naturally occurring

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vegetation communities within or adjacent to the Project site. The Project proponent should not plant, seed, or otherwise introduce nonnative, invasive plant species to areas that are adjacent to and/or near native habitat areas. Accordingly, CDFW recommends the City restrict use of any species, particularly 'Moderate' or 'High' listed by the California Invasive Plant Council ⁵(Cal-IPC 2024). These species are documented to have substantial and severe ecological impacts on physical processes, plant and animal communities, and vegetation structure.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The [CNDDDB website](#)⁶ provides direction regarding the types of information that should be reported and allows on-line submittal of field survey forms.

In addition, information on special status native plant populations and sensitive natural communities, should be submitted to CDFW's Vegetation Classification and Mapping Program using the [Combined Rapid Assessment and Relevé Form](#)⁷.

The City should ensure data collected for the preparation of the MND is properly submitted.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts on biological resources. CDFW requests an opportunity to

⁵ [The Cal-IPC Inventory – California Invasive Plant Council](#)

⁶ [California Natural Diversity Database](#)


⁷ [Natural Communities — Submitting Information](#)

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review and comment on any response that the City has to our comments and to receive notification of any forthcoming hearing date(s) for the Project (CEQA Guidelines, § 15073(e)).

Questions regarding this letter or further coordination should be directed to Cassie Bretz⁸, Environmental Scientist.

Sincerely,

DocuSigned by:

5991E19EF8094C3...

Victoria Tang
Environmental Program Manager
South Coast Region

ec: California Department of Fish and Wildlife
Victoria Tang, Environmental Program Manager
Steve Gibson, Senior Environmental Scientist (Supervisor)
Cassie Bretz, Environmental Scientist
Cindy Hailey, Staff Services Analyst

Office of
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State.Clearinghouse@lci.ca.gov

REFERENCES

- [CDFW] California Department of Fish and Wildlife. 2024e. Lake and Streambed Alteration Program. Available at: <https://wildlife.ca.gov/Conservation/Environmental-Review/LSA>
- [CDFW] California Department of Fish and Wildlife. 2012. *Staff Report on Burrowing Owl Mitigation*. Available from:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>
- [CDFW] California Department of Fish and Wildlife. 2017. *California Terrestrial and Vernal Pool Invertebrates of Conservation Priority*. Available at:
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=157415&inline>

⁸ Cassandra.Bretz@wildlife.ca.gov

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[CDFW] California Department of Fish and Wildlife. 2023. *Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species*. Available at:
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[USFWS] United States Fish and Wildlife Service. 2001. Least Bell's Vireo Survey Guidelines. Available from:
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ATTACHMENTS

Attachment A: Draft Mitigation, Monitoring, and Reporting Program (MMRP)

CDFW provides the following language to be incorporated into the MMRP for the Project.

Mitigation Measure	Timing	Responsible Party
<p>Recommendation #1: Crotch's Bumble Bee Discussion – The MND should provide a thorough discussion on the Project potential direct and indirect impact on Crotch's bumble bee. If the Project may impact Crotch's bumble bee, the MND should incorporate measures to mitigate potential impacts to Crotch's bumble bee as well as habitat supporting the species. The discussion should be of a depth and scope that a CESA ITP can be issued based on the analysis provided in the MND.</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>
<p>Mitigation Measure #1: Crotch's Bumble Bee Surveys -- The Project proponent shall retain a qualified biologist with the appropriate handling permits to conduct focused surveys for Crotch's Bumble Bee. Focused surveys shall follow CDFW's Survey Conditions for California Endangered Species Act (CESA) Candidate Bumble Bee Species⁹ (CDFW 2023). Focused surveys shall also be conducted throughout the entire Project site and during the appropriate flying season to ensure no missed detection of Crotch's bumble bee occurs. Survey results, including negative findings, shall be submitted to CDFW prior to implementing Project ground-disturbing activities.</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>
<p>Mitigation Measure #2: Incidental take permit for Crotch's bumble bee – If survey information indicates the Project may result in take of Crotch's Bumble Bee, the Project proponent shall coordinate with CDFW and obtain appropriate take authorization from CDFW (pursuant to Fish & Game Code, § 2080 et seq). The Project proponent shall comply with the mitigation measures detailed in the take authorization issued by CDFW. The</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>

⁹ <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150&inline>

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Mitigation Measure	Timing	Responsible Party
<p>Project proponent shall provide a copy of a fully executed take authorization to the City prior to implementing Project ground-disturbing activities and vegetation removal.</p>		
<p>Mitigation Measure BIO-2. CDFW recommends the City revisit Mitigation Measure BIO-2 by incorporating the underlined language and removing the language with a strikethrough.</p> <p>A pre-construction burrowing owl clearance survey shall be conducted no more than 14 days prior to any vegetation removal or ground disturbing activities to avoid impacts to burrowing owls and/or occupied burrows. The pre-construction clearance survey shall be conducted by a qualified biologist and in accordance with the methods outlined in the Staff Report on Burrowing Owl Mitigation (California Department of Fish and Game 2012). <u>In California, the burrowing owl breeding season extends from February 1 to August 31 with some variances by geographic location and climatic conditions. Survey protocol for breeding season owl surveys states to conduct four survey visits: 1) at least one site visit between February 15 and April 15, and 2) a minimum of three survey visits, at least three weeks apart, between April 15 and July 15, with at least one visit after June 15.</u> Documentation of surveys and findings shall be submitted to the City of Lancaster for review and file. If no burrowing owls or occupied burrows are detected, project activities may begin, and no additional avoidance and minimization measures shall be required. If an occupied burrow is found outside, but within 500 feet, of the development footprint, the qualified biologist shall establish a “no-disturbance” buffer around the burrow location(s). The size of the “no-disturbance” buffer shall be determined in consultation with CDFW and be based on the species status (i.e., breeding, non-breeding) and proposed level of disturbance. If an occupied burrow is found within the development footprint <u>and/or if there are potential impacts to western</u></p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>

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Mitigation Measure	Timing	Responsible Party
<p><u>burrowing owl, the applicant shall obtain an Incidental Take Permit prior to start of work from CDFW to ensure compliance with the California Endangered Species Act. In addition, the qualified biologist shall prepare an Impact Assessment and Burrowing Owl Mitigation Plan in accordance with the 2012 Staff Report on Burrowing Owl Mitigation. The project applicant shall contact CDFW to develop appropriate mitigation and management procedures and a final Burrowing Owl Mitigation Plan shall be submitted to the City and CDFW for review and approval prior to project activities.</u></p>		
<p>Biological Assessment Surveys. The City should retain a qualified biologist to perform updated biological field surveys to account for the current state of the Project site and the inventory of biological species that may be present. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to two years. The survey should be conducted at the appropriate time of year and time of day when sensitive species are active, or otherwise identifiable, for both plants and wildlife. Based on the survey results, the final CEQA document should propose avoidance and specific mitigation for Project impacts to special-status species. Findings from the updated general field surveys should be disclosed in the CEQA document for public review.</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>
<p>LSA. Armargosa Creek drainage runs adjacent to the western boundary of the Project site that connects to Pond Two, a storm water collection basin between W Avenue H and California State Route 14. If any construction, vegetation removal, or fuel modification may impact the bed, bank, channel, or associated vegetation of the drainage, CDFW recommends submitting a Lake and Streambed Alteration Notification. CDFW encourages the City to revise the MND to provide a discussion of how impacts to the drainage will be avoided, minimized, and/or mitigated. Best</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>

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Mitigation Measure	Timing	Responsible Party
<p>management practices to limit any fugitive dust or construction material from entering the drainage should also be included. The MND should also discuss how disturbance to the drainage will be limited during the operational phase of the Project (i.e., signage, fencing, etc.).</p>		
<p>Wetland Resources. CDFW, as described in Fish and Game Code section 703(a), is guided by the Fish and Game Commission's (Commission) policies¹⁰. Through its Wetlands Resources policy, the Commission "...seek[s] to provide for the protection, preservation, restoration, enhancement, and expansion of wetland habitat in California" (California Fish and Game Commission, 2005). It is the policy of the Commission to strongly discourage development in or conversion of wetlands. It opposes, consistent with its legal authority, any development or conversion that would result in a reduction of wetland acreage or wetland habitat values. To that end, the Commission opposes wetland development proposals unless, at a minimum, project mitigation assures there will be 'no net loss' of either wetland habitat values or acreage. The Commission strongly prefers mitigation which would achieve expansion of wetland acreage and enhancement of wetland habitat values."</p> <p>a. The Wetlands Resources policy provides a framework for maintaining wetland resources and establishes mitigation guidance. CDFW encourages avoidance of wetland resources as a primary mitigation measure and discourages the development or type conversion of wetlands to uplands. CDFW encourages activities that would avoid the reduction of wetland acreage, function, or habitat values. Once avoidance and minimization measures have been exhausted, a project should include mitigation measures to assure a "no net loss" of either wetland habitat values, or acreage, for</p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>

¹⁰ <https://fgc.ca.gov/About/Policies/Miscellaneous>

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Mitigation Measure	Timing	Responsible Party
<p>unavoidable impacts to wetland resources. Conversions include, but are not limited to, conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks, which preserve the riparian and aquatic values and functions benefiting local and transient wildlife populations. CDFW recommends mitigation measures to compensate for unavoidable impacts be included in the Project's environmental document and these measures should compensate for the loss of function and value.</p> <p>b. The Fish and Game Commission's Water policy guides CDFW on the quantity and quality of the waters of this State that should be apportioned and maintained respectively so as to produce and sustain maximum numbers of fish and wildlife; to provide maximum protection and enhancement of fish and wildlife and their habitat; encourage and support programs to maintain or restore a high quality of the waters of this State; prevent the degradation thereof caused by pollution and contamination; and, endeavor to keep as much water as possible open and accessible to the public for the use and enjoyment of fish and wildlife. CDFW recommends avoidance of water practices and structures that use excessive amounts of water, and minimization of impacts that negatively affect water quality, to the extent feasible (Fish & G. Code, § 5650).</p>		
<p>Nesting Birds and Raptors. The City should add Biological Resources Mitigation Measures to incorporate <u>language:</u> <u>Project activities shall occur outside of the nesting season for birds and raptors, which generally runs from February 15 through September 15, and as early January 1 for some raptors. If Project activities are scheduled to occur</u></p>	<p>Prior to Project Initiation</p>	<p>Project Proponent</p>

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Mitigation Measure	Timing	Responsible Party
<p><u>during the breeding season, the Project proponent shall retain a qualified biologist to perform a pre-construction nesting bird and raptor survey. If Project activities are delayed or suspended for more than 7 days during the breeding season, surveys shall be repeated before activities can restart. In the event nesting birds or raptors are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Buffers around active passerine nests shall be a minimum of 100 feet and a minimum of 500 feet around raptor nests, unless a qualified CDFW biologist determines that smaller buffers would be sufficient to avoid impacts to nesting birds. These buffers shall be maintained 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 of parental care for survival. A qualified biologist shall monitor the nest(s) weekly after commencement of activities to ensure that nesting behavior is not adversely affected by such activities.</u></p>		