



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Bay Delta Region
2825 Cordelia Road, Suite 100
Fairfield, CA 94534
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May 11, 2026

Kimberly Jordan, Planner III
Town of Windsor
9291 Old Redwood Highway
Windsor, CA 95492
KJordan@townofwindsor.ca.gov

Subject: Los Amigos Cottages Builder's Remedy Project, Mitigated Negative Declaration, SCH No. 2026040726, Sonoma County

Dear Kimberly Jordan:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) from the Town of Windsor (Town) for the Los Amigos Cottages Builder's Remedy Project (project) pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

CDFW is submitting comments on the MND to inform the Town, as the Lead Agency, of our concerns regarding potentially significant impacts to biological resources associated with the project.

CDFW ROLE

CDFW is a **Trustee Agency** with responsibility under CEQA (Pub. Resources Code, § 21000 et seq.) pursuant to CEQA Guidelines section 15386 for commenting on projects that could impact fish, plant, and wildlife resources. CDFW is also considered a **Responsible Agency** if a project would require discretionary approval, such as permits issued under the California Endangered Species Act (CESA), Lake and Streambed Alteration (LSA) Program, or other provisions of the Fish and Game Code that afford protection to the state's fish and wildlife trust resources.

PROJECT DESCRIPTION SUMMARY

Proponent: Arata Properties, LLC.

Objective: The project consists of the subdivision of the project site into 32 residential lots and construction of 32 residences including 26 detached single-family residences and 6 attached single family "duet" style residences all of which would be two-stories in height. Lot sizes would range from 1,896 square feet to 4,860 square feet for the detached single-family

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residences and 1,664 square feet to 2,932 square feet for the “duet” style residences. The project would also include a portion of the realignment and extension of Los Amigos Road and construction of storm drain facilities. Additionally, the project would connect to planned storm drain improvements proposed for the neighboring Quail Acres residential development project along Los Amigos Road and Arata Lane.

Location: The 2.71-acre project site is located at 263 Arata Lane (Assessor's Parcel Number 161-020-049) in the Town of Windsor in Sonoma County in Section 2, Township 8 North, Range 9 West as depicted on the Mount Diablo Meridian Healdsburg U.S. Geological Survey 7.5' quadrangle map, and at approximately Latitude 38.56289°N, Longitude 122.82006°W.

REGULATORY REQUIREMENTS

California Endangered Species Act

Please be advised that a CESA Incidental Take Permit (ITP) must be obtained if the project has the potential to result in “take” of plants or animals listed or candidates under CESA, either during construction or over the life of the project. **The project has the potential to result in take of Sonoma sunshine (*Blennosperma bakeri*), Sebastopol meadowfoam (*Limnanthes vinculans*), and Burke's goldfields (*Lasthenia burkei*), which are CESA listed as endangered species, and burrowing owl (*Athene cunicularia*), which is a CESA candidate species, as further described below.** Issuance of a CESA ITP is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the project will impact CESA listed species, early consultation is encouraged, as significant modification to the project and mitigation measures may be required in order to obtain a CESA ITP.

CEQA requires a Mandatory Finding of Significance if a project is likely to substantially restrict the range or reduce the population of a threatened or endangered species. (Pub. Resources Code, §§ 21001, subd. (c) & 21083; CEQA Guidelines, §§ 15380, 15064, & 15065.). Impacts must be avoided or mitigated to less-than-significant levels unless the CEQA Lead Agency makes and supports Findings of Overriding Consideration (FOC). The CEQA Lead Agency's FOC does not eliminate the project proponent's obligation to comply with CESA.

Lake and Streambed Alteration

An LSA Notification, pursuant to Fish and Game Code section 1600 et seq., is required for project activities affecting lakes or streams and associated riparian habitat. Notification is required for any activity that may substantially divert or obstruct the natural flow; change or use material from the bed, channel, or bank including associated riparian or wetland resources; or deposit or dispose of material where it may pass into a river, lake, or stream. Work within ephemeral streams, washes, watercourses with a subsurface flow, and floodplains are subject to LSA Notification requirements. **Project activities may impact an**

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unnamed stream, therefore an LSA Notification may be warranted. Thank you for including in the MND a requirement that the project consults with CDFW on the need for an LSA Notification. CDFW would consider the CEQA document for the project and may issue an LSA Agreement. CDFW may not execute the final LSA Agreement until it has complied with CEQA as a Responsible Agency.

Raptors and Other Nesting Birds

CDFW has jurisdiction over actions that may result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections protecting birds, their eggs, and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nests or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird). Migratory birds are also protected under the federal Migratory Bird Treaty Act.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the Town in adequately identifying and/or mitigating the project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Based on the project's avoidance of significant impacts on biological resources with implementation of mitigation measures, including those CDFW recommends below, CDFW concludes that an MND is appropriate for the project. **Attachment 1** includes CDFW's recommended mitigation measures in a Draft Mitigation Monitoring and Reporting Program.

I. Mandatory Findings of Significance: Does the project have the potential to substantially reduce the number or restrict the range of a rare or endangered plant or animal?

COMMENT 1: MND Pages 36-38, CESA-listed Plants, Environmental Setting and Mitigation Measure Related Impact Shortcoming

Issue: Burke's goldfields has been documented approximately 400 feet west of the project (California Natural Diversity Database [CNDDDB] Occurrence Number 4) and Sonoma sunshine has been documented approximately 0.3 mile west of the project (CNDDDB Occurrence Number 33). According to aerial imagery and the California Aquatic Resources Inventory, potentially suitable wetland habitat for these species may be located within or directly adjacent to the project site. The on-site drainage ditch may also represent suitable habitat if it contains seasonal wetlands. The MND does not address potential indirect impacts to these wetlands, such as modification of hydrologic conditions, or construction related sedimentation into occupied wetland habitat, that may result in impacts to Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields. As such, it is possible that the project may result in direct or indirect impacts to the above CESA-listed plants.

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The MND states that a rare plant survey was conducted in June 2018, however this survey only included 2 site visits and is over 3 years old. The MND requires a special-status plant survey prior to the onset of construction and within the appropriate blooming period for special-status plants that may occur. However, the MND only requires one survey prior to the onset of construction. The Santa Rosa Plain Conservation Strategy, Appendix D: Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain (<https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy>) and CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) provide guidelines for acceptable survey documentation for protocol-level surveys for CESA and federally listed plants on the Santa Rosa Plain. These guidelines include, but are not limited to, two years of surveys consisting of three site visits during the corresponding blooming seasons for Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields conducted under appropriate conditions, and surveys older than 3 years old likely require additional surveys.

Specific impacts and why they may occur and be significant: Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields may be directly or indirectly impacted by the project due to potential temporary or permanent removal of suitable seasonal wetland habitat, modification of hydrological conditions of wetland habitat, construction related sedimentation into occupied wetland habitat, or other factors affecting any on-site or off-site occurrences of these species, resulting in unevaluated and unmitigated mortality of individuals. Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields are CESA and federally listed as endangered species. These species are considered endangered under CEQA pursuant to CEQA Guidelines section 15380. Therefore, if they are present within or adjacent to the project site where they would be directly or indirectly impacted, the project may substantially reduce the number or restrict the range of these species, which would be a mandatory finding of significance pursuant to CEQA Guidelines section 15065, subdivision (a)(1).

Recommended Mitigation Measure: For an adequate environmental setting and to reduce impacts to Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields to less-than-significant and comply with CESA, CDFW recommends including the following mitigation measure in the MND.

MM-BIO-1: Special-Status Plant Habitat Assessment and Surveys. Prior to ground disturbance, the project shall submit a wetland assessment and an evaluation of potential direct and indirect impacts to any on-site or adjacent off-site wetland habitat, such as modification of hydrological conditions or construction related sedimentation into wetland habitat, to CDFW for review and obtain CDFW's written acceptance of the assessment and evaluation.

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If direct or indirect impacts to potentially suitable wetlands for special-status plant species including, but not limited to, Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields may occur, the project shall submit to CDFW two years of completed botanical survey results and obtain CDFW's written approval of the results prior to project construction. The botanical survey results should follow CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities* (<https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants>) and the Santa Rosa Plain Conservation Strategy, Appendix D: *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain* (<https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy>). If CDFW is unable to accept the survey results, the project shall conduct additional surveys prior to initiation of project activities or may assume presence of special-status plants, such as Sonoma sunshine, Burke's goldfields, and Sebastopol meadowfoam. Please be advised that for CDFW to accept the results, they should be completed in conformance with the above survey protocols and guidelines, including, but not limited to conducting surveys during appropriate conditions, utilizing appropriate reference sites, and evaluating all direct and indirect impacts such as altering off-site hydrological conditions where the above species may be present. Surveys should include the entire extent of any directly or indirectly impacted suitable wetland habitat, including portions of the wetland on adjacent parcels or not directly impacted, as impacts to part of a wetland often affects the entire wetland. Evaluation of indirect impacts may necessitate a thorough hydrological assessment that fully analyzes existing and post-project conditions to seasonal wetland habitat. Surveys conducted during drought conditions may not be acceptable. If the botanical surveys result in the detection of the above CESA listed plants that may be impacted by the project, or the presence of these species is assumed, the project shall obtain a CESA ITP from CDFW prior to construction and comply with all requirements of the ITP including but not limited to providing habitat compensation. In addition, the project shall consult with the U.S. Fish and Wildlife Service (USFWS) for any impacts to suitable habitat for plants listed under the federal Endangered Species Act (ESA) (e.g., wetlands) and provide compensatory habitat mitigation as required.

II. *Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS?*

COMMENT 2: MND Page 35-36, Burrowing Owl, Environmental Setting and Related Impact Shortcoming

Issue: The MND does appropriately evaluate potential impacts to burrowing owl, which have been documented within 2.6 miles of the project site (CNDDDB Occurrence Number 2023).

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The project is within the wintering range of burrowing owl and based on aerial imagery appears to be within or adjacent to potentially suitable habitat for the species.

Specific impacts and why they may occur and be significant: The project may impact wintering burrowing owl utilizing burrows or burrow surrogates on or within up to 1,640 feet of the project site. The project could result in injury or mortality of adults and permanent wintering (i.e., non-nesting) habitat loss. Burrowing owl is a candidate species for CESA listed as threatened because the species' population viability and survival are adversely affected by risk factors such as precipitous declines from habitat loss, fragmentation, and degradation; evictions from nesting sites without habitat mitigation; wind turbine mortality; human disturbance; and eradication of California ground squirrel (*Otospermophilus beecheyi*) resulting in a loss of suitable burrows required by burrowing owl for nesting, protection from predators, and shelter (Shuford and Gardali 2008; Department of Fish and Game Staff Report on Burrowing Owl Mitigation (2012); personal communication, CDFW Statewide Burrowing Owl Coordinator Esther Burkett, May 13, 2022). Information indicates a decline in burrowing owl range over time, burrowing owl has experienced population declines in regions of California and threats to burrowing owl, coupled with long-term population declines, suggest a high degree and immediacy of threat to burrowing owl in California (CDFW 2024). Based on the foregoing, if burrowing owl are wintering on or within up to 1,640 feet of the project site, project impacts to burrowing owl would be potentially significant.

Recommended Mitigation Measure: For an adequate environmental setting and to reduce potential impacts to burrowing owl to less-than-significant and comply with CESA and Fish and Game Code section 3503 et seq., CDFW recommends including the below mitigation measure in the MND.

MM-BIO-2: Burrowing Owl Assessment and Surveys. If the project occurs during the burrowing owl wintering season from September 1 to January 31, prior to project activities a Qualified Biologist shall conduct a burrowing owl habitat assessment within 1,640 feet of the project area pursuant to the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report, available here: <https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds>), unless otherwise approved in writing by CDFW. The Qualified Biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report habitat assessment and survey methodology. The habitat assessment shall focus on searching the CNDDDB and potentially other sources for any burrowing owl records on or within one mile of the project area, vegetation type and height, suitable burrows (with an opening greater than 11 centimeters in diameter and a depth greater than 150 centimeters), burrow surrogates (culverts, piles of concrete rubble, piles of soil, burrows created along soft banks of ditches and canals, pipes, and similar structures), and presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey

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remains, egg shell fragments, owl white wash, and nest burrow decoration material), and the presence of burrowing owl individuals or pairs. If the habitat assessment does not identify suitable habitat and surveys are not conducted as described below, an additional habitat assessment shall be conducted within 14 days prior to construction and if new potentially suitable burrowing owl refugia are present surveys shall be conducted as described below, unless otherwise approved in writing by CDFW. The results of the habitat assessment shall be emailed to CDFW and the project shall obtain CDFW's written approval of the habitat assessment prior to starting project activities.

If suitable burrowing owl habitat is observed, four surveys shall be conducted to detect the presence of burrowing owl pursuant to the CDFW 2012 Staff Report and shall begin on August 1. The site visits shall be spread evenly throughout August and the non-breeding season, unless otherwise approved in writing by CDFW. The survey results shall be emailed to CDFW and the project shall obtain CDFW's written approval of the survey results prior to starting project activities. In addition, a survey shall be completed within 14 days prior to the start of construction, as described in the CDFW 2012 Staff Report. Time lapses of more than 14 days between project activities may trigger subsequent surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance.

If burrowing owl is detected, the project shall immediately notify CDFW. The project shall avoid impacts to the burrowing owl and implement a 1,640-foot buffer area around the owl site in which no project activities shall occur, unless otherwise approved in writing by CDFW. A Qualified Biologist or Biological Monitor shall monitor any detected owl to ensure it is not disturbed.

If the surveys result in the detection of the burrowing owl that may be impacted by the project, or the presence of this species and impacts to it are assumed, the project shall obtain and comply with an ITP from CDFW.

Habitat compensation for impacts to known wintering burrowing owl habitat (habitat known to have been occupied by wintering burrowing owl within the last three years) shall also be provided at a minimum 2:1 mitigation to impact ratio prior to project construction, unless otherwise approved by CDFW. Habitat mitigation shall include permanent preservation of high-quality burrowing owl wintering habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before project construction, unless otherwise approved in writing by CDFW. The burrowing owl mitigation plan shall be submitted to CDFW for approval before project construction and include a review of suitability of mitigation lands for burrowing owl as confirmed by a Qualified Biologist. The project shall obtain CDFW's written approval of the burrowing owl mitigation plan. Please be advised that an ITP obtained for burrowing owl may have additional requirements to achieve full mitigation.

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ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special-status species and natural communities detected during project surveys to CNDDDB. The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

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 Town in identifying and mitigating project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nick Wagner, Senior Environmental Scientist (Specialist), at (707) 428-2075 or Nicholas.Wagner@wildlife.ca.gov or Melanie Day, Senior Environmental Scientist (Supervisory), at (707) 210-4415 or Melanie.Day@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Erin Chappell
B77E9A6211EF486...
Erin Chappell
Regional Manager
Bay Delta Region

Attachment 1: Draft Mitigation Monitoring and Reporting Program

ec: Office of Land Use and Climate Innovation, State Clearinghouse (SCH No. 2026040726)
Vincent Griego, U.S. Fish and Wildlife Service - Vincent.Griego@fws.gov
Craig Weightman, CDFW Bay Delta Region - Craig.Weightman@wildlife.ca.gov

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REFERENCES

- California Department of Fish and Wildlife (CDFW, formerly California Department of Fish and Game). 2012. Staff Report on Burrowing Owl Mitigation. Available online at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>.
- CDFW. 2024. Petition Evaluation for Western Burrowing Owl (*Athene cunicularia hypugaea*). Report to the Fish and Game Commission. California Department of Fish and Wildlife, P.O. Box 944209, Sacramento, CA.
- Klute, D. S., L. W. Ayers, M. T. Green, W. H. Howe, S. L. Jones, J. A. Shaffer, S. R. Sheffield, and T. S. Zimmerman. 2003. Status Assessment and Conservation Plan for the Western Burrowing Owl in the United States. U.S. Department of Interior, Fish and Wildlife Service, Biological Technical Publication FWS/BTPR6001-2003, Washington, D.C.
- Shuford, W. D., and Gardali, T., editors. 2008. California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento.

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ATTACHMENT 1

Draft Mitigation and Monitoring Reporting Plan

Biological Resources (BIO)			
Mitigation Measure (MM)	Description	Timing	Responsible Party
MM-BIO-1	<p><u>Special-Status Plant Habitat Assessment and Surveys.</u> Prior to ground disturbance, the project shall submit a wetland assessment and an evaluation of potential direct and indirect impacts to any on-site or adjacent off-site wetland habitat, such as modification of hydrological conditions or construction related sedimentation into wetland habitat, to CDFW for review and obtain CDFW's written acceptance of the assessment and evaluation.</p> <p>If direct or indirect impacts to potentially suitable wetlands for special-status plant species including, but not limited to, Sonoma sunshine, Sebastopol meadowfoam, and Burke's goldfields may occur, the project shall submit to CDFW two years of completed botanical survey results and obtain CDFW's written approval of the results prior to project construction. The botanical survey results should follow CDFW's 2018 Protocols for <i>Surveying and Evaluating Impacts to Special-Status Native Plant Populations and Sensitive Natural Communities</i> (https://wildlife.ca.gov/Conservation/Survey-Protocols#377281280-plants) and the Santa Rosa Plain Conservation Strategy, Appendix D: <i>Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed Plants on the Santa Rosa Plain</i> (https://www.fws.gov/library/collections/santa-rosa-plain-conservation-strategy). If CDFW is unable to accept the survey results, the project shall conduct additional surveys prior to initiation of project activities or may assume presence of special-status plants, such as Sonoma sunshine, Burke's goldfields, and Sebastopol meadowfoam. Please be advised that for CDFW to accept the results, they should be completed in conformance with the above survey protocols and guidelines, including, but not limited to conducting surveys during appropriate conditions, utilizing appropriate reference sites, and evaluating all direct and indirect impacts such as altering off-site hydrological</p>	<p>Prior to Ground Disturbance and for Duration of Construction</p>	<p>Project Applicant</p>

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	<p>conditions where the above species may be present. Surveys should include the <u>entire</u> extent of any directly or indirectly impacted suitable wetland habitat, including portions of the wetland on adjacent parcels or not directly impacted, as impacts to part of a wetland often affects the entire wetland. Evaluation of indirect impacts may necessitate a thorough hydrological assessment that fully analyzes existing and post-project conditions to seasonal wetland habitat. Surveys conducted during drought conditions may not be acceptable. If the botanical surveys result in the detection of the above CESA listed plants that may be impacted by the project, or the presence of these species is assumed, the project shall obtain a CESA ITP from CDFW prior to construction and comply with all requirements of the ITP including but not limited to providing habitat compensation. In addition, the project shall consult with the USFWS for any impacts to suitable habitat for plants listed under the federal ESA (e.g., wetlands) and provide compensatory habitat mitigation as required.</p>		
<p>MM-BIO-2</p>	<p><u>Burrowing Owl Assessment and Surveys.</u> If the project occurs during the burrowing owl wintering season from September 1 to January 31, prior to project activities a Qualified Biologist shall conduct a burrowing owl habitat assessment within 1,640 feet of the project area pursuant to the California Department of Fish and Game (now CDFW) 2012 Staff Report on Burrowing Owl Mitigation (CDFW 2012 Staff Report, available here: https://wildlife.ca.gov/Conservation/Survey-Protocols#377281284-birds), unless otherwise approved in writing by CDFW. The Qualified Biologist shall have a minimum of two years of experience implementing the CDFW 2012 Staff Report habitat assessment and survey methodology. The habitat assessment shall focus on searching the CNDDDB and potentially other sources for any burrowing owl records on or within one mile of the project area, vegetation type and height, suitable burrows (with an opening greater than 11 centimeters in diameter and a depth greater than 150 centimeters), burrow surrogates (culverts, piles of concrete rubble, piles of soil, burrows created along soft banks of ditches and canals, pipes, and similar structures), and presence of burrowing owl sign (tracks, molted feathers, cast pellets, prey remains, egg shell fragments, owl white wash, and nest burrow decoration material), and the presence of burrowing owl individuals or pairs. If the habitat assessment does not identify suitable habitat and surveys are not conducted as described below, an additional habitat assessment shall be conducted within 14 days</p>	<p>Prior to Ground Disturbance and for Duration of Construction</p>	<p>Project Applicant</p>

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	<p>prior to construction and if new potentially suitable burrowing owl refugia are present surveys shall be conducted as described below, unless otherwise approved in writing by CDFW. The results of the habitat assessment shall be emailed to CDFW and the project shall obtain CDFW's written approval of the habitat assessment prior to starting project activities.</p> <p>If suitable burrowing owl habitat is observed, four surveys shall be conducted to detect the presence of burrowing owl pursuant to the CDFW 2012 Staff Report and shall begin on August 1. The site visits shall be spread evenly throughout August and the non-breeding season, unless otherwise approved in writing by CDFW. The survey results shall be emailed to CDFW and the project shall obtain CDFW's written approval of the survey results prior to starting project activities. In addition, a survey shall be completed within 14 days prior to the start of construction, as described in the CDFW 2012 Staff Report. Time lapses of more than 14 days between project activities may trigger subsequent surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance.</p> <p>If burrowing owl is detected, the project shall immediately notify CDFW. The project shall avoid impacts to the burrowing owl and implement a 1,640-foot buffer area around the owl site in which no project activities shall occur, unless otherwise approved in writing by CDFW. A Qualified Biologist or Biological Monitor shall monitor any detected owl to ensure it is not disturbed.</p> <p>If the surveys result in the detection of the burrowing owl that may be impacted by the project, or the presence of this species and impacts to it are assumed, the project shall obtain and comply with an ITP from CDFW.</p> <p>Habitat compensation for impacts to known wintering burrowing owl habitat (habitat known to have been occupied by wintering burrowing owl within the last three years) shall also be provided at a minimum 2:1 mitigation to impact ratio prior to project construction, unless otherwise approved by CDFW. Habitat mitigation shall include permanent preservation of high-quality burrowing owl wintering habitat through a conservation easement and implementing and funding a long-term management plan in perpetuity, to be finalized before project construction, unless otherwise approved in writing by CDFW. The burrowing owl mitigation plan shall be submitted to CDFW for approval before project construction and include a review of suitability of mitigation lands for burrowing owl as confirmed by a</p>		
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	<p>Qualified Biologist. The project shall obtain CDFW's written approval of the burrowing owl mitigation plan. Please be advised that an ITP obtained for burrowing owl may have additional requirements to achieve full mitigation.</p>		
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