



STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

GAVIN NEWSOM, Governor
MEGHAN HERTEL, Director

Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
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September 10, 2026
Sent via Email

Christian Espinoza
Planner
City of Adelanto
11600 Air Expressway, Adelanto, CA 92301
cespinoza@adelantoca.gov

Dear Christian Espinoza:

United Truck Parking Facility (CUP 26-03 & LDP 26-03) (PROJECT)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2026080425

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from City of Adelanto for the Project pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding 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. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments 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 law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the project proponent may seek related take authorization as provided by the Fish and Game Code.

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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PROJECT DESCRIPTION SUMMARY

Proponent: Sonny Dhillon, United Truck Parking LLC

Objective: The objective of the Project is to construct a trailer parking lot, office building, and supporting structures on a 10.29-acre undeveloped site. Primary Project activities include grading, paving construction of a 1,800-square-foot office building, two retention basins, a 40-foot driveway, and a chain-link fence around the Project. The paved area will include parking for 341 trailers, 7 automobiles, and space for the construction of a 10,000-square-foot truck repair shop facility in a future project.

Location: The proposed Project site is south of Hibiscus Road, west of Mesa Linda Road, north of Yucca Road, and east of a developed parcel in Adelanto, CA in San Bernardino County; Assessor's Parcel Numbers (APNs) 0459-451-31, -32, -33, and -34; approximate GPS coordinates 34.565757 N, -117.392912 W.

Timeframe: The Project plans to commence in January 2027 and take approximately 5 months to complete.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist City of Adelanto in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. Editorial comments or other suggestions may also be included to improve the document. Based on the potential for the Project to have a significant impact on biological resources, CDFW concludes that a Mitigated Negative Declaration is appropriate for the Project.

I. Environmental Setting and Related Impact Shortcoming

COMMENT #1: Burrowing Owl (*Athene cunicularia hypugaea*):

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-8

Issue: Western burrowing owl is a candidate listed species under CESA, as such is granted the full protection of a threatened species under CESA. CDFW is concerned that the IS/MND does not sufficiently identify Project impacts to burrowing owl or ensure that impacts are reduced to a level less than significant.

Specific impact: Impacts to burrowing owls from the Project could include take of burrowing owls, their nests, or eggs or destroying nesting, foraging, or over-wintering habitat, thus impacting burrowing owl populations. Impacts can result from grading, earthmoving, burrow blockage, heavy equipment compaction and crushing of burrows, general Project disturbance that has the potential to harass owls at occupied burrows, and other activities. CDFW notes that impacts to burrowing owls could also occur outside of the peak nesting season because burrowing owls may start breeding earlier (in January) and because young owls may still be dependent on the adults until later in the fall. In addition, because some burrowing owls are resident in burrows year-round, impacts to this species could also occur outside of the peak nesting season.

Why impact would occur: A general survey was conducted in February 2026. Although no evidence of burrowing owls was detected within the Project site, the Project site is within potential burrowing owl habitat, and suitable habitat is present on site as stated in the biological study. According to CNDDb, burrowing owls have been documented within a 0.25-mile radius of the study site (CDFW 2026).

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Evidence impact would be significant: As a candidate species for listing, western burrowing owl is granted the same protection as threatened or endangered species under CESA. Take of any CESA-listed species or candidate is prohibited except as authorized by state law (Fish and Game Code §§ 2080 & 2085). Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

Recommended Potentially Feasible Mitigation Measure: CDFW recommends the addition of the following mitigation measure in the final MND:

Biological Mitigation Measure No. 1 (New)

Prior to the start of Project activities, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version²). The surveys shall include 100 percent coverage and include a minimum 500-foot buffer in adjacent habitat.

If burrowing owls, active burrowing owl burrows, or sign thereof are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW immediately by submitting the results of the focused burrowing owl survey and preparing a Burrowing Owl Plan that shall be submitted to CDFW for review and approval at least 30 days prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan. If impacts to occupied burrowing owl habitat or burrow(s) or burrowing owl individuals, nests, or eggs cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081(b)) prior to commencement of Project activities, including vegetation- or ground-disturbing activities. Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation, performed

² California Department of Fish and Game (CDFG). 2012. Staff report on burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

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according to the Staff Report on Burrowing Owl Mitigation (CDFG, 2012) may be authorized through the incidental take permit as a minimization measure.

Preconstruction burrowing owl surveys shall be conducted by a qualified biologist no less than 14 days prior to the start of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If the surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. Project activities shall not recommence until consultation with CDFW is completed.

COMMENT #2: Desert Tortoise (*Gopherus agassizii*)

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: The Project has the potential to result in permanent and temporary loss and degradation of desert tortoise habitat. The Project may result in the take of desert tortoise, a CESA listed endangered species.

Specific impact: Potential impacts to desert tortoise from the Project include take of desert tortoise, their burrows, or eggs, or destruction of burrows, or foraging habitat, thus impacting desert tortoise populations. Impacts can result from grading, vegetation removal, burrow blockage, soil compaction, and crushing of burrows. Project disturbance (e.g., noise and vibration) has the potential to stress desert tortoises at occupied burrows as well.

Why impact would occur: Desert tortoise is known to occur approximately 2 miles to the southeast and 2.2 miles to the northwest of the Project site. The MND states that the Project site contains suitable habitat for desert tortoise. As such, CDFW is concerned that the MND does not propose any mitigation measures for desert tortoise. The reason for a lack of measures for desert tortoise is due to negative general survey results for desert tortoise. However, MND relies on a 2026 non-protocol survey that were both conducted in February when desert tortoise is least active. Consistent with the 2009 USFWS Survey Protocols³, surveys are strongly recommended to occur when desert tortoise is most active (generally April through May and September through October) to ensure proper detection.

Evidence impact would be significant: Desert tortoise was recently uplisted from a threatened to endangered species under CESA, signifying the continued need to conserve the species and the importance to avoid impacts to the species and its habitat. Desert tortoise populations have declined significantly in recent decades as a result of human activities in desert tortoise habitat including land development, off-road vehicle use, overgrazing, agricultural development, and military activities (USFWS 2011)⁴. In addition, predation from ravens and the spread of invasive plant species also pose a threat to desert tortoises. The desert tortoise population in the western Mojave Desert has declined by 90% since the 1980s.

³ U.S. Fish and Wildlife Service (USFWS). 2009. Desert Tortoise (Mojave Population) Field Manual: (*Gopherus agassizii*)
⁴ United States Fish and Wildlife Service (USFWS). 2011. Revised Recovery Plan for Mojave population of the desert tortoise (*Gopherus agassizii*). U.S. Fish and Wildlife Service, Pacific Southwest Region, Sacramento, CA, USA.

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Furthermore, desert tortoises can take up to 20 years to reach sexual maturity, which limits their ability to recover from even small losses in population numbers (USFWS 2011).

Recommended Potentially Feasible Mitigation Measure(s): CDFW recommends that the measure below be adopted in the IS/MND to reduce impacts to desert tortoise to less than significant:

Biological Mitigation Measure No. 2 (New)

A qualified biologist shall conduct a protocol level presence or absence preconstruction survey within the Project site and 50-foot buffer zone surrounding the Project site. The 50-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Project Proponent. The preconstruction survey shall be conducted no more than 3 days prior to the commencement of Project activities during the desert tortoise active season (generally April to May and September to October) in accordance with the U.S. Fish and Wildlife Service 2009 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and ensure 100% visual coverage for desert tortoise and their sign (e.g., scat, tracks, burrows). If active burrows, sign, or desert tortoise are detected at any time during Project activities, the Project Proponent shall contact CDFW immediately (within 24 hours) and fully avoid impacts to desert tortoise or shall obtain a CESA ITP if impacts cannot be fully avoided.

COMMENT #3: Mohave ground squirrel (*Xerospermophilus mohavensis*)

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: The Project site is within the range of the CESA-threatened Mohave ground squirrel (MGS) and the Project has the potential to result in permanent loss, degradation, and impacts to Mohave ground squirrel habitat.

Specific impact: The IS/MND does not provide any avoidance, or mitigation measures specific to Mohave ground squirrel. Focused surveys were not conducted, and the Project site is within the Mohave ground squirrel predicted habitat according to the California Natural Diversity Database (CNDDDB). The site also supports desert shrub vegetation such as creosote bush scrub (*Larrea tridentata*, present at the Project site) which is known to provide habitat for Mohave ground squirrel. Therefore, the Project and Project related activities have the potential to take MGS.

Why impact would occur: A general survey was conducted in February 2026. Although no evidence of MGS was detected within the Project site, the Project site is within potential MGS habitat, and suitable habitat is present on site as stated in the biological study. According to CNDDDB, MGS have been documented within a 2.25-mile radius of the study site (CDFW 2026).

Evidence impact would be significant: The IS/MND states that the Project site supports minimal habitat for MGS and that the species is believed to be absent from the project site. However, the biological assessment does list creosote bush scrub (*Larrea tridentata*) present on site, the Project site lies within the predicted habitat range of MGS, and the general survey was not sufficient to properly observe an occurrence of MGS on the Project site. Mohave ground squirrels are challenging to detect, and a general survey may not provide an accurate assessment of presence/absence. Without focused protocol surveys during the

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appropriate survey period, Project activities may adversely impact Mohave ground squirrel.

Recommended Potentially Feasible Mitigation Measures(s): CDFW recommends the addition of the following mitigation measure:

Biological Mitigation Measure No. 3 (New)

Prior to Project approvals, a qualified biologist familiar with the species' behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall follow the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines (CDFW 2023)⁵. If Mohave ground squirrel is observed on site or captured during any of the trapping sessions, the Project proponent shall secure an Incidental Take Permit (ITP) for Mohave ground squirrel before ground-disturbing activities commence. The ITP will specify avoidance, minimization, and mitigation conditions for temporary and/or permanent impacts to Mohave ground squirrel including habitat acquisition at a CDFW-approved location and mitigation ratio.

COMMENT #4: Crotch's Bumble Bee (*Bombus crotchii*)

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: The IS/MND does not analyze the impact to Crotch's bumble bee and/or habitat nor does it provide mitigation measures to reduce impacts to less than significant.

Specific impact: The Project has the potential for take (indirect and direct) of Crotch's bumble bee due to destruction of nests, dust from Project operations, a reduction of foraging and nesting habitat, and habitat quality due to the removal of host plants.

Why impact would occur: A general survey was conducted in February 2026, outside of the Colony Active Period (typically April to August). Although no evidence of Crotch's bumble bee was detected within the Project site, the Project site is within potential Crotch's bumble bee, and suitable habitat and nesting sites are present on site as stated in the biological study.

Evidence impact would be significant: The Project is located within the California Natural Diversity Database (CNDDB) mapped area for the current Crotch's bumble bee range and the Project, as described, may remove potential habitat, including nesting and foraging habitat for Crotch's bumble bee. CDFW considers the direct and indirect take of Crotch's bumblebee, and the loss of species habitat, as a significant impact unless mitigated to a level of less than significant.

Recommended Potentially Feasible Mitigation Measure(s): To support the City of Adelanto in avoiding or reducing impacts to Crotch's bumble bee to a level of less than significant, CDFW recommends the addition of the following mitigation measure:

Biological Mitigation Measure No. 4 (New)

Prior to vegetation removal and/or grading, a preconstruction Crotch's bumble bee habitat survey must be conducted by a qualified biologist to

⁵ California Department of Fish and Wildlife (CDFW). 2023, Mohave Ground Squirrel Survey Guidelines.

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determine whether Crotch’s bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment for Crotch’s bumble bee shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee (available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150>)⁶. The surveys shall include a minimum 50-foot buffer outside the Project impact area in adjacent habitat.

If habitat for Crotch’s bumble bee is present, the Designated Biologist shall conduct focused surveys to determine presence/absence of Crotch’s bumble bee prior to vegetation removal and/or grading. Survey methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee (available at <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150>).

Surveys shall be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1, by a CDFW-approved Designated Biologist familiar with Crotch’s bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-disturbing activities. If the species is identified on site, The City shall fully avoid the species absent take authorization. If complete avoidance of Crotch’s bumble bee cannot be achieved, The City shall obtain appropriate CESA authorization (i.e., a finalized CESA ITP under Fish and Game Code section 2081) prior to initiation of Project activities.

COMMENT #5: Western Joshua Tree (*Yucca brevifolia*)

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: The General Biological Resources Assessment stated that no western Joshua trees (WJT) were found on site during the February 19, 2026 general survey and that if WJT are found on site a Western Joshua Tree Conservation Act ITP or a CESA ITP would be required. However, the general survey did not include 50-foot buffer around the project site. The IS/MND does not analyze the impact to WJT and/or habitat nor does it provide mitigation measures to reduce impacts to less than significant.

Specific impact: The IS/MND does not provide any avoidance, or mitigation measures specific to WJT. If WJT are found on site or adjacent to the site, the Project and Project related activities have the potential to take WJT.

Why impact would occur: A general survey was conducted in February 2026 within the Project site but not surrounding it. Although no evidence of western Joshua tree was detected within the Project site, the Project site is within potential western Joshua tree habitat.

Evidence impact would be significant: The Project is located within the California Natural Diversity Database (CNDDB) mapped area for the current WJT range and the Project, as described, may remove potential habitat. CDFW considers the direct and indirect take of WJT, and the loss of species habitat, as a significant impact unless mitigated to a level of less than significant.

⁶ California Department of Fish and Wildlife (CDFW). 2023. Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species.

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Recommended Potentially Feasible Mitigation Measure(s): If direct or indirect impacts on any WJT are anticipated to occur onsite and or adjacent areas, CDFW recommends the addition of the following mitigation measure:

Biological Mitigation Measure No. 5 (New)

Prior to the start of construction activities, a WJT census of the Project site and within a 50-foot buffer of the Project site shall be conducted as per CDFW’s WJT Census Instructions ([Census Instructions](#)). If WJT individuals are identified in the census and the trees are to be relocated, encroached upon, trimmed, removed, or otherwise taken, the Project Proponent shall obtain an incidental take permit (ITP) from the California Department of Fish and Wildlife (CDFW) under Section 2081b of the California Endangered Species Act (CESA), or any other appropriate take authorization under CESA or under the WJT Conservation Act (Fish & G. Code, §§ 1927-1927.12) prior to the relocation, encroachment, trimming, removal, or take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill").

COMMENT #6: Nesting Birds

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: The Project may have a significant impact on migratory fish or wildlife species, specifically nesting bird habitat, including Species of Special Concern and fully protected species, that are subject to Fish and Game Code section 3513 and the Migratory Bird Treaty Act of 1918.

Specific impact: Project implementation could result in the loss of nesting and/or foraging habitat for general wildlife species from the removal of vegetation onsite and the noise and light disturbance that could result from Project activities.

Why impacts would occur: Project activities could result in temporary or long-term loss of suitable nesting, foraging, and roosting habitats. Construction during the breeding season of nesting birds could potentially result in the incidental loss of breeding success or otherwise lead to nest abandonment. Noise from road use, generators, and heavy equipment may disrupt existing bird behavior, which could impact reproductive success. In addition to construction activities, residential development and increased human presence on the Project site could contribute to nesting bird impacts.

The timing of the nesting season varies greatly depending on several factors, such as the bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). CDFW staff have observed that changing climate conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. CDFW recommends the completion of nesting bird survey regardless of time of year to ensure compliance with all applicable laws pertaining to nesting and to avoid take of nests. Project ground-disturbing activities such as grading and grubbing may result in habitat destruction, causing the death or injury of adults, juveniles, eggs, or hatchlings. In addition, the Project may remove habitat by eliminating native vegetation that may support essential foraging and breeding habitat.

Recommended Potentially Feasible Mitigation Measure(s): To support the City of Adelanto in avoiding or reducing impacts to nesting birds to a level of less than significant, CDFW recommends the addition of the following mitigation measure:

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Biological Mitigation Measure No. 6 (New)

Regardless of the time of year, nesting bird surveys shall be performed by a qualified biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the preconstruction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

COMMENT #7: Rare Plants

IS/MND Document, Pages 31-34 and General Biological Resources Assessment Pages 7-11

Issue: Rare plants may be present on site and would be impacted by Project activities

Specific impact: The MND does not propose a mitigation measure for surveying and avoiding impacts to special status plant species, and only one general survey is mentioned which took place outside the recommended survey times. The Biological Resource Assessment (BRA) did not conduct a focused plant survey in Spring during the early, mid, or late blooming period for plants with potential to occur on the Project site, instead a general biological survey was conducted on February 19, 2026, which is outside of the blooming period for most plants. Project implementation could result in the take of rare plant species if adequate mitigation measures are not implemented.

Why impact would occur: A general survey was conducted in February 2026, outside of the flowering period of many rare plants. Although no rare plants were detected within the Project site, the Project site is within potential rare plant habitat.

Evidence impact would be significant: The Project will result in grading and vegetation removal, which has the potential to result in direct mortality of special status plant species. Rare plants are, by definition, not widespread, and often have limited ranges. Therefore, any impacts to rare plants may be considered significant.

Recommended Potentially Feasible Mitigation Measure(s): CDFW recommends the addition of the following mitigation measure:

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Biological Mitigation Measure No. 7 (New)

Prior to construction, a preconstruction survey must be conducted by a Qualified Biologist for special-status plants within the Project Impact Area following CDFW’s *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* ([2018 Protocols 13 rev1.pdf](#)). Any rare plant species identified must be flagged for visual identification to construction personnel for work avoidance. Rare plant species detected must be fenced with temporary high-visibility fencing. Should any state-listed plant species be present in the Project area, the Project proponent shall obtain appropriate CESA authorization for those species prior to the start of Project activities. Should other special-status plants or natural communities be present in the Project area, on-site or offsite habitat restoration (whichever is applicable) and/or enhancement and preservation should be evaluated and discussed in detail. Where habitat preservation is not available on-site, off-site land acquisition, management, and preservation should be evaluated.

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 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>.

ENVIRONMENTAL DOCUMENT 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 of Adelanto in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Nicholas Barton, Environmental Scientist at Nicholas.Barton@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84FBB8273E4C480...
Alisa Ellsworth
Environmental Program Manager

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ec: Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@lci.ca.gov

Jeff Brandt, Senior Environmental Scientist (Supervisor), CDFW
Jeff.Brandt@wildlife.ca.gov

Attachments

Attachment A: MMRP for CDFW-proposed Mitigation Measures

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Attachment A

Mitigation Monitoring and Reporting Program and Draft Recommendations

Mitigation Monitoring and Reporting Program (MMRP)

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

Biological Resources (BIO)		
Mitigation Measure (MM) Description	Implementation Schedule	Responsible Party
Biological Mitigation Measure No. 1 Prior to the start of Project activities, focused burrowing owl surveys shall be conducted by a qualified biologist according to the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version⁷). The surveys shall include 100 percent coverage and include a minimum 500-foot buffer in adjacent habitat. If burrowing owls, active burrowing owl burrows, or sign thereof are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW immediately by submitting the results of the focused burrowing owl survey and preparing a Burrowing Owl Plan that shall be submitted to CDFW for review and approval at least 30 days prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. Project activities shall not occur within 1000 feet of an active burrow until CDFW approves the Burrowing Owl Plan. If impacts to occupied burrowing owl habitat or burrow(s) or burrowing owl individuals, nests, or eggs cannot be avoided, consultation with CDFW is warranted to discuss how to implement the Project and avoid take; or if avoidance is not feasible, to potentially acquire appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081 (b)) prior to commencement of Project activities, including vegetation- or ground-disturbing activities. Full mitigation often involves the permanent conservation of quality habitat benefiting the species through a conservation easement, along with habitat enhancement and ongoing management funded appropriately. Passive relocation, performed according to the Staff Report on Burrowing Owl	Prior to commencing ground or vegetation disturbing activities	Project Proponent

⁷ California Department of Fish and Game (CDFG). 2012. Staff report on burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

Mitigation (CDFG, 2012) may be authorized through the incidental take permit as a minimization measure. Preconstruction burrowing owl surveys shall be conducted by a qualified biologist no less than 14 days prior to the start of Project-related activities. Burrowing owls may re-colonize a site after only a few days. Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Time lapses between Project activities trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (CDFG 2012 or most recent version). If the surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. Project activities shall not recommence until consultation with CDFW is completed.		
Biological Mitigation Measure No. 2 A qualified biologist shall conduct a protocol level presence or absence preconstruction survey within the Project site and 50-foot buffer zone surrounding the Project site. The 50-foot buffer shall be revised in the field to ensure that surveys do not result in trespass onto property not owned and operated by the Project Proponent. The preconstruction survey shall be conducted no more than 3 days prior to the commencement of Project activities during the desert tortoise active season (generally April to May and September to October) in accordance with the U.S. Fish and Wildlife Service 2009 desert tortoise survey methodology. The survey shall utilize perpendicular survey routes and ensure 100% visual coverage for desert tortoise and their sign (e.g., scat, tracks, burrows). If active burrows, sign, or desert tortoise are detected at any time during Project activities, the Project Proponent shall contact CDFW immediately (within 24 hours) and fully avoid impacts to desert tortoise or shall obtain a CESA ITP if impacts cannot be fully avoided.	Prior to commencing ground or vegetation disturbing activities	Project Proponent
Biological Mitigation Measure No. 3 Prior to Project approvals, a qualified biologist familiar with the species' behavior and life history shall conduct focused surveys for Mohave ground squirrel throughout the Project site. Focused Mohave ground squirrel surveys shall follow the California Department of Fish and Game Mohave Ground Squirrel Survey Guidelines (CDFW 2023) . If Mohave ground squirrel is observed on site or captured during any of the trapping sessions, the Project proponent shall secure an Incidental Take Permit (ITP) for Mohave ground squirrel before ground-disturbing activities commence. The ITP will specify avoidance, minimization, and mitigation conditions for temporary and/or	Prior to commencing ground or vegetation disturbing activities	Project Proponent

permanent impacts to Mohave ground squirrel including habitat acquisition at a CDFW-approved location and mitigation ratio.		
Biological Mitigation Measure No. 4 Prior to vegetation removal and/or grading, a preconstruction Crotch's bumble bee habitat survey must be conducted by a qualified biologist to determine whether Crotch's bumble bee habitat is present or absent in the Project site and adjoining area. The habitat assessment for Crotch's bumble bee shall be performed according to the 2023 CDFW Survey Considerations for Candidate Bumble Bee (available at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150). The surveys shall include a minimum 50-foot buffer outside the Project impact area in adjacent habitat. If habitat for Crotch's bumble bee is present, the Designated Biologist shall conduct focused surveys to determine presence/absence of Crotch's bumble bee prior to vegetation removal and/or grading. Survey methodology shall follow the 2023 CDFW Survey Considerations for Candidate Bumble Bee (available at https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=213150). Surveys shall be conducted during the flying season when the species is most likely to be detected above ground, between March 1 to September 1, by a CDFW-approved Designated Biologist familiar with Crotch's bumble bee behavior and life history. Surveys shall be conducted within the Project site and areas adjacent to the Project site where suitable habitat exists. Survey results including negative findings shall be submitted to CDFW at least 30 days prior to Project-related vegetation removal and/or ground-disturbing activities. If the species is identified on site, The City shall fully avoid the species absent take authorization. If complete avoidance of Crotch's bumble bee cannot be achieved, The City shall obtain appropriate CESA authorization (i.e., a finalized CESA ITP under Fish and Game Code section 2081) prior to initiation of Project activities.	Prior to commencing ground or vegetation disturbing activities	Project Proponent
Biological Mitigation Measure No. 5 Prior to the start of construction activities, a WJT census of the Project site and within a 50-foot buffer of the Project site shall be conducted as per CDFW's WJT Census Instructions (Census Instructions). If WJT individuals are identified in the census and the trees are to be relocated, encroached upon, trimmed, removed, or otherwise taken, the Project Proponent shall obtain an incidental take	Prior to commencing ground or vegetation disturbing activities	Project Proponent

permit (ITP) from the California Department of Fish and Wildlife (CDFW) under Section 2081b of the California Endangered Species Act (CESA), or any other appropriate take authorization under CESA or under the WJT Conservation Act (Fish & G. Code, §§ 1927-1927.12) prior to the relocation, encroachment, trimming, removal, or take (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill").		
Biological Mitigation Measure No. 6 Regardless of the time of year, nesting bird surveys shall be performed by a qualified biologist no more than 3 days prior to vegetation removal or ground-disturbing activities for all phases of Project construction. Preconstruction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the preconstruction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.	Prior to commencing ground or vegetation disturbing activities	Project Proponent
Biological Mitigation Measure No. 7 Prior to construction, a preconstruction survey must be conducted by a Qualified Biologist for special-status plants within the Project Impact Area following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (2018 Protocols 13 rev1.pdf). Any rare plant species identified must be flagged for visual identification to construction personnel for work avoidance. Rare plant species detected must be fenced with temporary high-visibility fencing. Should any state-listed plant species be present in the Project area, the Project proponent shall obtain appropriate CESA authorization for those species prior to	Prior to commencing ground or vegetation disturbing activities	Project Proponent

Christian Espinoza, Planner
City of Adelanto
September 10, 2026
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the start of Project activities. Should other special-status plants or natural communities be present in the Project area, on-site or offsite habitat restoration (whichever is applicable) and/or enhancement and preservation should be evaluated and discussed in detail. Where habitat preservation is not available on-site, off-site land acquisition, management, and preservation should be evaluated.		
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