STATE OF CALIFORNIA
DEPARTMENT OF FISH AND WILDLIFE

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November 10, 2026
Sent via email

David Tate
Assistant General Manager – Chief Engineer
Desert Water Agency
1200 South Gene Autry Trail
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dtate@dwa.org

Subject: Mission Creek Groundwater Replenishment Facility (PROJECT)
Mitigated Negative Declaration (MND)
SCH# 2026100327

Dear David Tate:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt an MND from the Desert Water Agency (DWA) for the Project pursuant to 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

[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.

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.

PROJECT DESCRIPTION SUMMARY

Proponent: Desert Water Agency

Objective: The Project consists of DWA's approval of an amended exchange agreement to facilitate the continued operation and maintenance of the Mission Creek Groundwater Replenishment Facility (MCGRF), including a potential increase in quantities of water delivered to the MCGRF for replenishment of groundwater in the Mission Creek Subbasin. The amended exchange agreement would increase the annual State Water Project Table A allocation, shared between DWA and Coachella Valley Water District, from a total of 194,100 AF to a proposed 244,100 AF per year. All Project activities would occur within the existing operational framework and physical footprint of the MCGRF and its existing facilities. The Project does not include any construction or installation of new facilities.

Ongoing maintenance activities at the MCGRF include intermittent ground disturbance resulting from weed abatement, scarification of the basins as needed, and any necessary repairs. Weed abatement is typically performed monthly using handheld electric-powered and gas-powered equipment. Additional weed abatement of the wetted areas is performed annually, if needed, and includes gas-powered handheld equipment and a chipper. Scarification of the wetted surface of the basins is performed approximately once every five years, if replenishment took place, and is implemented using a bulldozer with a ripping tooth attachment.

Location: The Project is located adjacent to Mission Creek at Worsley Road, approximately 0.5 miles east of State Route 62, in Desert Hot Springs, Riverside County, California. Accessor's Parcel Number: 667060004.

Timeframe: The MND indicates Project activities associated with an increase in water delivery would start in 2028. Periodic maintenance activities of the groundwater recharge basins are

ongoing.

COMMENTS AND RECOMMENDATIONS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (i.e., biological resources). CDFW offers the comments and recommendations below to assist the DWA in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The MND has not adequately identified and disclosed the Project's impacts (i.e., direct, indirect, and cumulative) on biological resources and whether those impacts are reduced to less than significant.

CDFW's comments and recommendations on the MND are explained in greater detail below and summarized here. CDFW is concerned that the MND does not adequately identify or mitigate the Project's significant, or potentially significant impacts to biological resources. CDFW requests that additional avoidance, minimization, and mitigation measures are added to a revised MND that avoid or reduce impacts to less than significant.

Existing Environmental Setting

Compliance with CEQA is predicated on a complete and accurate description of the environmental setting that may be affected by the proposed Project. CDFW is concerned that the assessment of the existing environmental setting has not been adequately analyzed in the MND. CDFW is concerned that without a complete and accurate description of the existing environmental setting, the MND may provide an incomplete analysis of Project-related environmental impacts. The MND lacks a complete assessment of biological resources associated with nesting birds and burrowing owl (*Athene cunicularia hypugaea*).

A complete and accurate assessment of the environmental setting and Project-related impacts to biological resources is needed to both identify appropriate avoidance, minimization, and mitigation measures and demonstrate that these measures reduce Project impacts to less than significant.

Mitigation Measures

CEQA requires that an MND include mitigation measures to avoid or reduce significant impacts. CDFW is concerned that the mitigation measures proposed in the MND are not adequate to avoid or reduce impacts to biological resources to below a level of significance. To support the DWA in ensuring that Project impacts to biological resources are reduced to less than significant, CDFW recommends adding mitigation measures for nesting birds and burrowing owl.

1) Nesting Birds

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. 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.).

Page 20 of the MND states: "While the Project does not include any construction or installation of new facilities, ongoing maintenance activities at the MCGRF include intermittent ground disturbance resulting from weed abatement, scarification of the basins as needed, and any necessary repairs. Weed abatement is typically performed monthly using handheld electric-powered and gas-powered equipment. Additional weed abatement of the wetted areas is performed annually, if needed, and includes gas-powered handheld equipment and a chipper. Scarification of the wetted surface of the basins is performed approximately once every five years, if replenishment took place, and is implemented using a bulldozer with a ripping tooth attachment. These activities are confined to the MCGRF, and regular maintenance that has been implemented since commencing operation in 2002 prevents the establishment of habitat for any candidate, sensitive, or special status species within the Project site." CDFW notes that based on review of historical aerial imagery, shrubs periodically reestablish at the bottom, along the banks, and in areas in between the groundwater recharge basins. Resident and migratory birds have the potential to nest in shrubs and on the ground within the Project site and surrounding area, and periodic maintenance activities involving ground disturbance and removal of vegetation can result in take of nesting birds and their nests and eggs. CDFW recommends the MND is revised to include a discussion on the suitability of the Project site and surrounding area to support nesting birds and the potential for the Project's periodic maintenance activities to impact nesting birds and their nests and eggs.

The MND lacks a mitigation measure for nesting birds. CDFW recommends periodic maintenance activities are conducted outside of the peak nesting season. CDFW also recommends the completion of nesting bird surveys prior to conducting all maintenance activities *regardless* of the time of year to ensure that impacts to nesting birds and their nests and eggs are avoided. The timing of the nesting season varies greatly depending on several factors, such as bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). In response to warming, birds have been reported to

breed earlier, thereby reducing temperatures that nests are exposed to during breeding and tracking shifts in availability of resources (Socolar et al., 20172). CDFW staff have observed that climate change conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. CDFW recommends that disturbance of occupied nests of resident and migratory birds and raptors within the Project site and surrounding area be avoided any time birds are nesting on-site. CDFW therefore recommends the completion of nesting bird surveys *regardless of the time of year* to ensure compliance with all applicable laws pertaining to nesting and migratory birds.

Without an appropriate assessment of potential impacts to nesting birds and appropriate avoidance, minimization, and mitigation measures for nesting birds, CDFW considers the MND to be inadequate in avoiding or reducing impacts to nesting birds to a level less than significant. To support DWA in avoiding or reducing impacts to nesting birds to a level less than significant, CDFW recommends the following mitigation measure is added to a revised MND:

Mitigation Measure BIO-[A]: Nesting Birds

To the greatest extent feasible, the Project's maintenance activities involving vegetation removal or ground disturbance within groundwater recharge basins will be conducted outside of the peak nesting season (January 15 through September 15). Regardless of the time of year, nesting bird surveys shall be performed by a CDFW-approved qualified avian biologist no more than 3 days prior to all maintenance activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian 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 pre-construction nesting bird surveys, the 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. Following documentation of baseline conditions, the qualified biologist familiar with the nesting phenology of the nesting species may choose to adjust the buffers based on nest and buffer monitoring results. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist shall increase the buffers accordingly. Construction and any ground-disturbing activities may not occur inside the established buffers, which shall remain on-site until the 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.

Pursuant to the CEQA Guidelines, section 15097(f), CDFW has prepared a draft mitigation monitoring and reporting program (MMRP) in Attachment 1 for additional MM BIO-[A] and MM BIO-[B].

2) Burrowing Owl

On October 10, 2024, the Fish and Game Commission determined that western burrowing owl warrants protection as a candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). During the candidacy period, western burrowing owl will be afforded the same protection as threatened and endangered species under CESA. If Project activities, including relocation, could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities.

Take of individual burrowing owls and their nests or eggs 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.).

As discussed in the nesting bird section above, the DWA conducts periodic maintenance activities within the Project area, including use heavy earth-moving equipment and line trimmers, and the MND indicates that these maintenance activities prevent "the establishment of habitat for any candidate, sensitive, or special status species within the Project site" (page 20). CDFW notes that in California, preferred habitat for burrowing owl is generally typified by short, sparse vegetation with few shrubs (Haug et al. 1993[2]), and that burrowing owls may occur in ruderal grassy fields, vacant lots, and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in proximity (Gervais et al. 2003[3]). In addition, burrowing owls frequently move into disturbed areas prior to and during construction since they are adapted to highly modified habitats (Chipman et al. 2008;

[2] Haug, E. A., B. A. Millsap, and M. S. Martell. 1993. Burrowing owl (Speotyto cunicularia), in A. Poole and F. Gill, editors, The Birds of North America, The Academy of Natural Sciences, Philadelphia, Pennsylvania, and The American Ornithologists' Union, Washington, D.C., USA.

[3] Gervais, J. A., D. K. Rosenberg, R. G. Anthony. 2003. Space use and pesticide exposure risk of male burrowing owls in an agricultural landscape. Journal of Wildlife Management 67: 155-164.

Coulombe 1971[4]). CDFW notes that the periodic vegetation clearing and ground disturbance activities, and the overall physical structure of the groundwater recharge basins, result in habitat conditions that are highly suitable to burrowing owl. For comparison, certain sections of the eastern portion of Whitewater River in Coachella Valley, areas routinely subject to disturbance from channel maintenance activities, support relatively high concentrations of burrowing owl. CDFW considers the Project site and surrounding area to contain suitable habitat for burrowing owl. CDFW also notes that the Project's periodic maintenance activities have the potential to result in take of burrowing owls, their nests, or eggs. CDFW recommends the MND is revised to include a discussion on the potential for burrowing owls to occupy the Project site and surrounding area and an analysis of potential impacts of maintenance activities on burrowing owl.

The MND also lacks avoidance, minimization, and mitigation measures for burrowing owl. Without an adequate analysis of impacts to burrowing owl and appropriate avoidance, minimization, and mitigation measures, CDFW considers the MND to be inadequate in avoiding or reducing impacts to burrowing owl to a level less than significant. CDFW recommends that focused and pre-construction surveys are conducted prior to periodic maintenance activities to inform appropriate avoidance, minimization, and mitigation measures. To support DWA in avoiding or reducing impacts to burrowing owl to a level less than significant, CDFW recommends the MND is revised to include the following measure:

Mitigation Measure BIO-[B]: Burrowing Owl Focused and Pre-Construction Surveys

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted on and adjacent to the site by a CDFW-approved qualified biologist prior to maintenance activities involving vegetation removal or ground disturbance. CDFW strongly recommends that focused surveys are conducted in accordance with the *Staff Report on Burrowing Owl Mitigation* (*Staff Report*; 2012 or most recent version)[5]. If burrowing owls are detected during the focused surveys, the qualified biologist and DWA shall begin coordination with CDFW and USFWS immediately, and shall submit the results of focused surveys to CDFW and USFWS as soon results become available and before commencement of any maintenance activities, including any vegetation- or ground-disturbing activities. CDFW recommends that the information included in the survey results be consistent with Appendix D of the Staff Report, including a detailed map showing locations of all burrowing owls, burrowing owl sign, potential burrows, and occupied burrows (occupied means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments,

[4] Chipman, E. D., N. E. McIntyre, R. E. Strauss, M. C. Wallace, J. D. Ray, and C. W. Boal. 2008. Effects of human land use on western burrowing owl foraging and activity budgets. Journal of Raptor Research 42(2): 87- 98.
Coulombe, H. N. 1971. Behavior and population ecology of the Burrowing Owl, Speotyto cunicularia, in the Imperial Valley of California. Condor 73:162–176.
[5] California Department of Fish and Wildlife (CDFW). 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.

or excrement at or near a burrow entrance or perch site); a description of the behavior of burrowing owls during surveys; a description of survey methods; and other items listed in Appendix D of the Staff Report under "Survey Reports." Consultation with CDFW and USFWS must be completed prior to commencement of any maintenance activities, including vegetation- or ground-disturbing activities. If impacts to burrowing owl individuals, nests, or eggs cannot be avoided,, CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081(b)) should be obtained from CDFW prior to commencement of maintenance activities, including vegetation- or ground-disturbing activities.

For maintenance activities, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of maintenance activities and again within 24 hours prior to ground disturbance. Preconstruction surveys should be repeated when there is a pause in maintenance activities of more than 30 days. Preconstruction surveys shall be performed by a CDFW-approved qualified biologist, and CDFW strongly recommends that preconstruction surveys follow the recommendations and guidelines provided in Appendix D of the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, maintenance activities shall be immediately halted and the qualified biologist shall coordinate with CDFW and USFWS. Maintenance activities shall not begin until consultation with CDFW and USFWS is completed. If impacts to burrowing owl individuals, nests, or eggs cannot be avoided, CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081(b)) should be obtained from CDFW prior to commencement of Project activities, including vegetation- or ground-disturbing activities.

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 (CNDDB). The CNNDB field survey form can be filled out and submitted online at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The types of information reported to CNDDB can be found at the following link: https://www.wildlife.ca.gov/Data/CNDDB/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 DWA in identifying and mitigating Project impacts to biological resources. CDFW concludes that the MND does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. CDFW recommends that revised and additional mitigation measures and analysis as described in this letter be added to a revised MND.

CDFW personnel are available for consultation regarding biological resources and strategies to avoid and minimize impacts. Questions regarding this letter or further coordination should be directed to Jacob Skaggs, Senior Environmental Scientist Specialist, at jacob.skaggs@wildlife.ca.gov.

Sincerely,

DocuSigned by:
Kim Freeburn
84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

Attachment 1: MMRP for CDFW-Proposed Mitigation Measures

ec:

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ATTACHMENT 1: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation Measures	Timing and Methods	Responsible Parties
Mitigation Measure BIO-[A]: Nesting Birds **To the greatest extent feasible, the Project's maintenance activities involving vegetation removal or ground disturbance within groundwater recharge basins will be conducted outside of the peak nesting season (January 15 through September 15). Regardless of the time of year, nesting bird surveys shall be performed by a CDFW-approved qualified avian biologist no more than 3 days prior to all maintenance activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian 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 pre-construction nesting bird surveys, the 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. Following documentation of baseline conditions, the qualified biologist familiar with the nesting phenology of the nesting species may choose to adjust the buffers based on nest and buffer monitoring results. If the qualified biologist determines that Project activities may be causing an adverse reaction, the qualified biologist shall increase the buffers accordingly. Construction and any ground-disturbing activities may not occur inside the established buffers, which shall remain on-site until the 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.**	**Timing:** No more than 3 days prior to vegetation removal or ground-disturbing activities. **Methods:** See Mitigation Measure	**Implementation:** Desert Water Agency **Monitoring and Reporting:** Desert Water Agency
Mitigation Measure BIO-[B]: Burrowing Owl Focused and Pre-Construction Surveys **Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted on and adjacent to the site by a**	**Timing: Focused surveys:** Consistent with timing in Appendix D of the Staff Report	**Implementation:** Desert Water Agency **Monitoring and Reporting:** Desert

CDFW-approved qualified biologist prior to maintenance activities involving vegetation removal or ground disturbance. CDFW strongly recommends that focused surveys are conducted in accordance with the Staff Report on Burrowing Owl Mitigation (Staff Report; 2012 or most recent version) . If burrowing owls are detected during the focused surveys, the qualified biologist and DWA shall begin coordination with CDFW and USFWS immediately, and shall submit the results of focused surveys to CDFW and USFWS as soon results become available and before commencement of any maintenance activities, including any vegetation- or ground-disturbing activities. CDFW recommends that the information included in the survey results be consistent with Appendix D of the Staff Report, including a detailed map showing locations of all burrowing owls, burrowing owl sign, potential burrows, and occupied burrows (occupied means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site); a description of the behavior of burrowing owls during surveys; a description of survey methods; and other items listed in Appendix D of the Staff Report under "Survey Reports." Consultation with CDFW and USFWS must be completed prior to commencement of any maintenance activities, including vegetation- or ground-disturbing activities. If impacts to burrowing owl individuals, nests, or eggs cannot be avoided,, CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081(b)) should be obtained from CDFW prior to commencement of maintenance activities, including vegetation- or ground-disturbing activities. **For maintenance activities, preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of maintenance activities and again within 24 hours prior to ground disturbance. Preconstruction surveys should be repeated when there is a pause in maintenance activities of more than 30 days. Preconstruction surveys shall be performed by a CDFW-approved qualified biologist, and CDFW strongly recommends that preconstruction surveys follow the recommendations and guidelines provided in Appendix D of the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm**	on Burrowing Owl Mitigation and prior to commencement of any maintenance activities, including vegetation- or ground-disturbing activities. **Pre-construction surveys** No less than 14 days prior to start of maintenance activities and again within 24 hours prior to ground disturbance and when there is a pause in maintenance activities of more than 30 days. **Methods:** See Mitigation Measure	Water Agency

occupied burrowing owl habitat, maintenance activities shall be immediately halted and the qualified biologist shall coordinate with CDFW and USFWS. Maintenance activities shall not begin until consultation with CDFW and USFWS is completed. If impacts to burrowing owl individuals, nests, or eggs cannot be avoided, CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081(b)) should be obtained from CDFW prior to commencement of Project activities, including vegetation- or ground-disturbing activities.		