State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director

July 8, 2022

Sean Reilly
City of Redlands
35 Cajon Street, Suite 20/P.O. Box 3005
City of Redlands, CA 92373

Subject: Holy Name of Jesus Catholic Church/School Project
SCH# 2022060178

Dear Sean Reilly:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent (NOI) to Adopt a Mitigated Negative Declaration (MND) from the City of Redlands (City; the CEQA lead agency) for the Holy Name of Jesus Catholic Church/School Project (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.

PROJECT DESCRIPTION SUMMARY

Project Location

The proposed Project is located at the northwest corner of Dearborn Street and E. Lugonia Avenue, Redlands, California. Specifically, the Project is located within Assessor's Parcel Numbers 0168-161-02-0000 and 0168-161-03-0000.

[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.

Project Description

The Project includes constructing a church and school facility which includes nine buildings totaling 161,484 square feet of building area on 19.46 gross acres of existing agricultural fields. Proposed buildings include a sanctuary building, a parish hall, an administration/ preschool building, five classroom buildings and a maintenance building. Buildings for the proposed religious facility and school would include a Parish Hall with 371 seats, a Sanctuary with 1,454 seats, and a total of 27 classrooms with capacity for 530 students. The Project would involve the consolidation of the two parcels into one parcel through the Lot Merger. The proposed project would include 520 parking stalls that would be dispersed throughout the south and east portions of the site. Other amenities would include indoor and outdoor security lighting, a track and field facility with lighting, outdoor speakers, a playground, an outdoor pavilion with seating, onsite and perimeter ornamental landscaping and fencing, outdoor basketball courts, sports courts, an underground water quality treatment chamber located under the soccer/track and field facility, a stormwater basin, and frontage improvements. The project is proposed to be constructed in four phases with the anticipation of operations beginning in year 2023, and fully operational with school functions by year 2031.

COMMENTS AND REQUESTS

CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (i.e., biological resources). CDFW is concerned about the adequacy of the impact analysis in the MND and the ability of the Project to mitigate the significant, or potentially significant, direct and indirect impacts to native habitats and species that rely on these habitats. With respect to biological impacts, CDFW agrees that an MND could be appropriate for the Project with the addition and implementation of specific and enforceable avoidance and minimization measures, including those CDFW recommends within the body of this letter. Following review of the MND, CDFW offers the comments and recommendations presented below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. CEQA requires public agencies in California to analyze and disclose potential environmental impacts associated with a project that the public agency will carry out, fund, or approve. The comments and recommendations are also offered to enable the City to update the MND to adequately disclose impacts and measures for CDFW and the public to review and comment on the proposed Project with respect to the Project's compliance with the Fish and Game Code sections 2081. CDFW recommends that each of these be addressed prior to finalization of the Mitigated Negative Declaration.

Nesting Birds

The MND does not identify any impacts to biological resources and states, "no biological resources exist on site" (MND, pg. 75). CDFW strongly disagrees with this statement. Many nesting bird species, including burrowing owls and killdeer, are known to use agricultural fields as habitat. Regarding the protection of nesting birds, it is the Project proponent's responsibility to avoid Take of all nesting birds. Fish and Game Code section 3503 makes it 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 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the 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.). 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) 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. These regulations apply anytime nests or eggs exist on the Project site.

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.

The duration of a pair to build a nest and incubate eggs varies considerably, therefore, CDFW recommends surveying for nesting behavior and/or nests and construction within three days prior to start of project construction.

CDFW is concerned that potential impacts to nesting birds are not identified or discussed within the MND and strongly suggests the City evaluate the direct, indirect, and cumulative impacts to nesting birds, before approval and certification of the MND. Appropriate analysis would include conducting focused nesting bird surveys throughout the project site. To address the above issues and help the Project applicant avoid unlawfully taking of nests and eggs, CDFW requests the City include the following mitigation measures in the MND:

BIO-1: Applicant shall ensure that impacts to nesting bird species at the project site are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures.

1. **Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.**

2. **Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.**

3. **When an active nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers.**

Burrowing Owl

Burrowing owl are known to use agricultural fields for nesting and forage, however, the MND did not include surveys to assess if suitable habitat was onsite and did not conduct focused burrowing owl surveys. CDFW is concerned that potential impacts to burrowing owl are not identified or discussed within the MND. In California, burrowing owl are in decline primarily as a result of habitat loss, as well as disease, predation, and drought. CDFW recommends the inclusion of a process to avoid direct take such as focused burrowing owl surveys. In addition, if burrowing owl are present then impacts to habitat should be mitigated by assessing the way the habitat onsite is used, or could be used by owls, and the effects the Project will have on those uses. CDFW considers impacts to the habitat to be potentially significant based on location and species status in the area and limited remaining habitat for burrowing owls. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The MND should discuss site-specific and regionally significant and cumulative impacts, as well as address mitigation goals. In particular, the Burrowing Owl 2012 Staff Report recognizes that "in order for mitigation measures to be effective, they must be specific, enforceable, and feasible actions that will improve environmental conditions." The current scientific literature supports the conclusion that mitigation for permanent habitat loss necessitates replacement with an equivalent or greater habitat area for breeding, foraging, wintering, dispersal, presence of burrows, burrow surrogates, presence of fossorial mammal dens, well drained soils, and abundant and available prey within close proximity to the burrow (Staff Report Appendix A).

CDFW requests the City evaluate the direct, indirect, and cumulative impacts to burrowing owl, before approval and certification of the MND. Appropriate analysis would include conducting focused burrowing owl surveys throughout the project site. To avoid take of active nests, appropriate avoidance and minimization measures need to be identified in the MND to protect burrowing owls during burrowing owl nesting season.

To help the Project avoid the take of active nests, CDFW requests the addition of the following mitigation measure. Requested additions are identified in **bold**.

BIO-2: Applicant shall designate a burrowing owl biologist (Designated Biologist) that is knowledgeable about the burrowing owl, including its natural history, habitat requirements, seasonal movements, and range, to survey and monitor for burrowing owls prior to project activities. The Designated Biologist shall complete necessary surveys, impact assessments, and associated reports following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012) or similar approach. The survey(s) shall encompass the entire project site and a 150-meter buffer surrounding it, and it shall occur at a time of the day when most burrowing owls are active. Pre-construction burrowing owl surveys shall also be conducted by the Designated Biologist 3 days prior to the start of project activities.

If pre-construction surveys confirm occupied burrowing owl habitat in or adjoining areas subject to project activities, the Applicant shall inform CDFW immediately of the burrowing owl(s) location and status. The Applicant will avoid all impacts to burrowing owls onsite. A Burrowing Owl Protection Plan (plan) will be prepared by a qualified biologist, which must be approved by CDFW prior to initiating the project. The Applicant shall conduct an impact assessment, in accordance with Staff Report on Burrowing Owl Mitigation prior to commencing project activities, to assist in the development of avoidance, minimization, and mitigation measures. Mitigation may include acquisition and in-perpetuity conservation of occupied burrowing owl habitat. To avoid direct take of owls, the Designated Biologist shall establish a conservative avoidance buffer and monitoring shall occur, if deemed necessary, based on identified activities. If relocation/passive exclusion is deemed necessary Applicant shall prepare a Burrowing Owl Exclusion Plan for CDFW review and approval, in

accordance with Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012).

Please be aware that CDFW does not recommend the exclusion of owls using passive relocation unless there are suitable burrows available within 50-100 meters of the closed burrows, a distance generally within a pair's territory (Trulio 1995, CDFG 2012), and the relocation area is protected through a long-term conservation mechanism (e.g., conservation easement). Burrow exclusion should only be conducted during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty by site surveillance, camera, and/or scoping. CDFW's *Staff Report on Burrowing Owl Mitigation* also includes that when temporary or permanent burrow exclusion and/or burrow closure is implemented, burrowing owls should not be excluded from burrows unless or until:

- A Burrowing Owl Exclusion Plan (Appendix E in the Staff Report) is developed and approved by the applicable local CDFW office;
- Permanent loss of occupied burrow(s) and habitat and temporary exclusion is mitigated in accordance with guidelines provided in the Staff Report;
- Site monitoring is conducted prior to, during, and after exclusion of burrowing owls from their burrows sufficient to ensure take is avoided.
- Young of the year have fledged, as confirmed by daily monitoring for one week, if the exclusion will occur immediately after the end of the breeding season.
- Excluded burrowing owls are documented using artificial or natural burrows on an adjoining mitigation site (if able to confirm by band re-sight).

San Bernardino Kangaroo Rat

The San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*, SBKR) is listed as endangered by the U.S. Fish and Wildlife Service and by CDFW under CESA. SBKR is found within alluvial stream systems and adjacent habitats and have been known to occupy agricultural lands and groves adjacent to stream systems. The MND concludes that the project site does not support habitat for SBKR (MND, pg. 75). However, CDFW disagrees with this conclusion. The California Natural Diversity Database (CNDDB, 2022) identifies a known occurrence of SBKR within the Project site in 2015. Because the project site is connected with habitat to the north, and SBKR has been documented on the project site before, CDFW requests small mammal trapping occur prior to construction. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "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") of State-listed CESA species, either through construction or over the life of the project.

CDFW strongly recommends the City include the following mitigation measures prior to adopting the MND:

BIO-3: The Applicant shall assess potential impacts to SBKR through the implementation of pre-project, protocol-level trapping surveys (completed by a permitted biologist). Trapping shall be completed at the appropriate time of year, during appropriate temperatures, according to the biologist's permit requirements, and shall be designed to provide a comprehensive analysis of the site's potential occupancy.

If SBKR are present, the Applicant shall suspend all project activities within areas potentially occupied by SBKR and shall seek appropriate authorization prior to project implementation. This includes an incidental take permit (ITP) or other CESA authorization. Information on how to obtain an ITP can be found at https://wildlife.ca.gov/Conservation/CESA/Permitting/Incidental-TakePermits.

CDFW is also concerned about the impacts of the proposed lighting on SBKR that may occupy adjacent areas, including reduced movement, foraging, and breeding behavior,

and increased risk of predation. Therefore, CDFW strongly recommends the City include the following mitigation measure prior to adopting the MND:

BIO-4: If SBKR are present within or adjacent to the project site, the Applicant shall ensure nighttime construction lighting and noise does not impact wildlife outside of the project area. If nighttime construction is required, Applicant shall submit to CDFW for review and approval a Light and Noise Attenuation Plan no later than 30 days prior to commencement of project activities. The plan shall be prepared by a qualified biologist, familiar with local species, and shall include project-specific avoidance and minimization measures designed to minimize impacts to wildlife adjacent to the project area, including having a qualified biologist monitor the adjacent habitats during all nighttime construction and implementing shielding techniques such as the use of fence slats, netting, mesh, or tarps.

All permanent lighting shall be designed and installed to prevent light spillover into adjacent habitat. Applicant shall not install lighting (e.g., street lighting, sports lighting, trail lighting, etc.) that produces illuminance (lux) outside of the project area, onto adjacent habitat. Applicant shall ensure any new lighting installations use wildlife friendly lighting (e.g., amber LEDs or low-pressure sodium) and incorporates shielding so that lighting can be directed onto the Project site and away from the adjacent habitat. Proposed lighting may incorporate newer technologies associated with lower brightness levels, user activation (motion sensing), and/or designated hours of operation. Wildlife friendly lighting (e.g., amber LEDs, low-pressure sodium bulbs, solar powered pavement markers, and/or other technology that diminishes blue-light emissions) should be included to additionally reduce impacts to wildlife in adjacent natural areas.

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). Information can be submitted online or via completion of the CNDDB field survey form at the following link: https://wildlife.ca.gov/Data/CNDDB/Submitting-Data. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The types of information reported to CNDDB can be found at the following link: https://wildlife.ca.gov/Data/CNDDB/Plants-and-Animals.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of 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 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 Redlands in identifying and mitigating Project impacts on biological resources. CDFW recommends the City perform additional surveys to analyze potential impacts to nesting birds, burrowing owl, and SBKR, as outlined in the recommended measures provided. CDFW recommends that the City address CDFW's comments and concerns prior to adoption of the MND.

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

Sincerely,

DocuSigned by:
Heather Pert
DF423498814B441...

Heather Pert
Acting Environmental Program Manager

Attachment: Draft Mitigation Monitoring and Reporting Program for CDFW-proposed Mitigation Measures

ec: Office of Planning and Research, State Clearinghouse, Sacramento

Marina Barton, Environmental Scientist, CDFW Inland Deserts Region
Marina.Barton@wildlife.ca.gov

REFERENCES

California Department of Fish and Game (CDFG). 2012. Staff Report on Burrowing Owl Mitigation. (https://www.dfg.ca.gov/wildlife/nongame/survey_monitor.html)

California Natural Diversity Database (CNDDB) Government [ds45]. 2022. Calif. Dept. of Fish and Wildlife. Biogeographic Information and Observation System.

Trulio, L. 1995. Passive relocation: A method to preserve burrowing owls on disturbed sites. Journal of Field Ornithology 66: 99–106.

ATTACHMENT 1

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

PURPOSE OF THE MMRP

The purpose of the MMRP is to ensure compliance with mitigation measures during project implementation. Mitigation measures must be implemented within the time periods indicated in the table below.

TABLE OF MITIGATION MEASURES

The following items are identified for each mitigation measure: Mitigation Measure, Implementation Schedule, and Responsible Party. The Mitigation Measure column summarizes the mitigation requirements. The Implementation Schedule column shows the date or phase when each mitigation measure will be implemented. The Responsible Party column identifies the person or agency that is primarily responsible for implementing the mitigation measure.

Mitigation Measure	Implementation Schedule	Responsible Party
BIO-1: Applicant shall ensure that impacts to nesting bird species at the project site are avoided through the implementation of preconstruction surveys, ongoing monitoring, and if necessary, establishment of minimization measures. **1. Applicant shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures.** **2. Surveys shall be conducted by the Designated Biologist at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. If a nest is suspected, but not confirmed, the Designated Biologist shall establish a disturbance-free buffer until additional surveys can be completed, or until the location can be inferred based on observations. If a nest is observed, but thought to be inactive, the Designated Biologist shall monitor the nest for one hour (four hours for raptors during the non-breeding season) prior to approaching the nest to determine status. The Designated Biologist shall use their best professional judgement regarding the monitoring period and whether approaching the nest is appropriate.** **3. When an active nest is confirmed, the Designated Biologist shall immediately establish a conservative avoidance buffer surrounding the nest based on their best professional judgement and experience. The Designated Biologist shall monitor the nest at the onset of project activities, and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.)**	Before commencing ground- or vegetation-disturbing activities/ Throughout project duration	Project Proponent

to determine the efficacy of the buffer. If the Designated Biologist determines that such project activities may be causing an adverse reaction, the Designated Biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers.		
BIO-2: Applicant shall designate a burrowing owl biologist (Designated Biologist) that is knowledgeable about the burrowing owl, including its natural history, habitat requirements, seasonal movements, and range, to survey and monitor for burrowing owls prior to project activities. The Designated Biologist shall complete necessary surveys, impact assessments, and associated reports following the recommendations and guidelines provided within the Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012) or similar approach. The survey(s) shall encompass the entire project site and a 150-meter buffer surrounding it, and it shall occur at a time of the day when most burrowing owls are active. Pre-construction burrowing owl surveys shall also be conducted by the Designated Biologist 3 days prior to the start of project activities. **If pre-construction surveys confirm occupied burrowing owl habitat in or adjoining areas subject to project activities, the Applicant shall inform CDFW immediately of the burrowing owl(s) location and status. The Applicant will avoid all impacts to burrowing owls onsite. A Burrowing Owl Protection Plan (plan) will be prepared by a qualified biologist, which must be approved by CDFW prior to initiating the project. The Applicant shall conduct an impact assessment, in accordance with Staff Report on Burrowing Owl Mitigation prior to commencing project activities, to assist in the development of avoidance, minimization, and mitigation measures. Mitigation may include acquisition and in-perpetuity conservation of occupied burrowing owl habitat. To avoid direct take of owls, the Designated Biologist shall establish a conservative avoidance buffer and monitoring shall occur, if deemed necessary, based on identified activities. If relocation/passive exclusion is deemed necessary Applicant shall prepare a Burrowing Owl Exclusion Plan for CDFW review and approval, in accordance with Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012).**	Before commencing ground- or vegetation-disturbing activities/ Throughout project duration	Project Proponent
BIO-3: The Applicant shall assess potential impacts to SBKR through the implementation of pre-project, protocol-level trapping surveys (completed by a permitted biologist). Trapping shall be completed at the appropriate time of year, during appropriate temperatures, according to the biologist's permit requirements, and shall be designed to provide a comprehensive analysis of the site's potential occupancy. **If SBKR are present, the Applicant shall suspend all project activities within areas potentially occupied by SBKR and shall seek appropriate authorization prior to project implementation. This includes an incidental take permit (ITP) or other CESA authorization. Information on how to obtain an ITP can be found at https://wildlife.ca.gov/Conservation/CESA/Permitting/Incidental-TakePermits.**	Before commencing ground- or vegetation-disturbing activities/ Throughout project duration	Project Proponent
BIO-4: If SBKR are present within or adjacent to the project site, the Applicant shall ensure nighttime construction lighting and noise does not impact wildlife outside of the project area. If	Before commencing ground- or	Project Proponent

nighttime construction is required, Applicant shall submit to CDFW for review and approval a Light and Noise Attenuation Plan no later than 30 days prior to commencement of project activities. The plan shall be prepared by a qualified biologist, familiar with local species, and shall include project-specific avoidance and minimization measures designed to minimize impacts to wildlife adjacent to the project area, including having a qualified biologist monitor the adjacent habitats during all nighttime construction and implementing shielding techniques such as the use of fence slats, netting, mesh, or tarps. **All permanent lighting shall be designed and installed to prevent light spillover into adjacent habitat. Applicant shall not install lighting (e.g., street lighting, sports lighting, trail lighting, etc.) that produces illuminance (lux) outside of the project area, onto adjacent habitat. Applicant shall ensure any new lighting installations use wildlife friendly lighting (e.g., amber LEDs or low-pressure sodium) and incorporates shielding so that lighting can be directed onto the Project site and away from the adjacent habitat. Proposed lighting may incorporate newer technologies associated with lower brightness levels, user activation (motion sensing), and/or designated hours of operation. Wildlife friendly lighting (e.g., amber LEDs, low-pressure sodium bulbs, solar powered pavement markers, and/or other technology that diminishes blue-light emissions) should be included to additionally reduce impacts to wildlife in adjacent natural areas.**	vegetation-disturbing activities/ Throughout project duration	