October 23, 2023
Revised December 8, 2023

Connie Anderson
T&B Planning, Inc
Senior Project Manager
3200 El Camino Real, Suite 100
Irvine, California 92602

VIA EMAIL
canderson@tbplanning.com

Subject: Supplemental Letter Assigning Impacts and Mitigation for Phase I and Phases 2–4 for the Antelope Valley Commerce Center Project, City of Palmdale, Los Angeles County, California

Dear Ms. Anderson,

This supplemental letter report describes the impacts and associated mitigation measures for (a) Phase 1; and (b) Phases 2–4 of the proposed Antelope Valley Commerce Center Project in the City of Palmdale, Los Angeles County, California (see Exhibit 1). A full Project impact assessment was conducted for the proposed Project and is presented in the 2023 Biological Technical Report (BTR) (Psomas 2023) which assessed Project impacts for the entire Antelope Valley Commerce Center Specific Plan (Phases 1–4). This report will present the Project impact calculations resulting from Phase 1 and Phases 2–4, separately. Biological resources not expected to be impacted during Project implementation are not discussed in this report. Refer to the BTR for a full Project biological assessment.

PHASE 1

Direct Impacts

Vegetation Types and Other Areas

Vegetation types and other areas that would be impacted by Phase 1 are presented in Table 1 below.

225 South Lake Avenue
Suite 1000
Pasadena, CA 91101

Tel 626.351.2000
Fax 626.351.2030
www.Psomas.com

TABLE 1
VEGETATION TYPES AND OTHER AREAS
IMPACTED BY PHASE 1 OF THE PROJECT

Vegetation Types and Other Areas	Impacted (Acres)
Joshua tree woodland	75.28
rubber rabbitbrush - Nevada ephedra scrub/Joshua tree woodland	37.62
disturbed rubber rabbitbrush - Nevada ephedra scrub	21.73
creosote bush scrub	0.06
bare ground	1.06
Total	**135.75**

Note: total acreage may not equal the addition of each row above due to rounding of acreage within each row. Additional impacts within the paved roadway and shoulder are expected but not reflected within these calculations due to subsequent engineering refinements. Other differences in acreage may occur due to slight shift in engineering line work resulting in slivers of unaccounted impact area. However, no direct impact on biological resources is expected to result from these variations. Also note that vegetation types reflected as multiple vegetation types with a slash and/or dash between indicates a mixed community with small patches of each distributed throughout.

General Habitat and Wildlife

Phase 1 would permanently impact approximately 134.69 acres of native vegetation types (Joshua tree woodland, rubber rabbitbrush - Nevada ephedra scrub/Joshua tree woodland, disturbed rubber rabbitbrush - Nevada ephedra scrub, and creosote bush scrub) and 1.06 acres of bare ground. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of native and non-native habitat on the Project site would not be expected to reduce populations of common wildlife species below self-sustaining levels in the Project region. Although this impact would be considered adverse but less than significant, and no mitigation would be required, **MM BIO 1** is included to lessen adverse effects of common wildlife species by requiring a biological monitoring during vegetation removal to facilitate wildlife salvage.

Several common bird species have the potential to nest in the vegetation or on the ground on the Project site. The loss of an active migratory bird nest, including nests of common species, would be considered a violation of the MBTA and Sections 3503, 3503.5, and 3513 of *California Fish and Game Code*. The MBTA and *California Fish and Game Code* prohibits the taking of migratory birds, nests, and eggs. The potential loss of an active nest would be considered adverse but not significant because the impact does not meet the significance criteria identified above. However, **MM BIO 2** has been included to address the time frame in which construction could occur to avoid active nests and includes a requirement for pre-construction surveys and avoidance of active nests. Implementation of **MM BIO 2** would prevent the adverse impact and ensure that construction impacts would not violate the provisions of the MBTA and *California Fish and Game Code*.

Special Status Vegetation Types

One special status vegetation type and one partial special status vegetation type, occur in the impact area: Joshua tree woodland (75.28 acres), and rubber rabbitbrush - Nevada ephedra scrub/Joshua tree woodland (37.62 acres), respectively. The rubber rabbitbrush - Nevada ephedra scrub vegetation type is not considered special status by CDFW. The Joshua tree woodland portion of this vegetation type is ranked as G4, S3, and is considered sensitive by the CDFW. For purposes of the impact analysis, approximately half of this vegetation type would be considered sensitive (18.81 acres). Impacts to a total of 94.10 acres of these sensitive vegetation types would be considered potentially significant. Implementation of **MMs BIO 1, BIO 3**, **BIO 4**, and **BIO 5** would reduce impacts to a less than significant level.

Special Status Plant Species

Two special status plant species were observed in Phase 1 during focused surveys: crowned muillia (*Muilla coronata*) and western Joshua tree (*Yucca brevifolia*). Impacts to crowned muillia would not be considered significant because of their relative abundance in the Project region and the small population on the Project site.

Impacts to the western Joshua tree, a California Candidate Threatened species, would be considered significant and mitigation would be required. An Endangered Species Act Section 10(a)(1)(B) ITP or Western Joshua Tree Conservation Act ITP would be required for impacts to Joshua trees. Implementation of **MMs BIO 1, BIO 3**, **BIO 4**, and **BIO 5** would reduce impacts to a less than significant level.

Desert Native Plants Act

Phase 1 of the Project would impact a total of nine cactus individuals protected by the California Desert Native Plants Act (CDNPA). These impacts are considered potentially significant and would require a permit from Los Angeles County. Implementation of **MM BIO 6** would reduce potential impacts to less than significant and ensure compliance with the CDNPA.

Special Status Wildlife Species

Burrowing owl has potential to nest in the Phase 1 area. Impacts to burrowing owl would be considered potentially significant. Implementation of **MM BIO 2** and **MM BIO 7** would reduce this impact to a less than significant level through measures that would avoid and minimize the potential for loss of an active nest/burrow and/or the direct mortality of individuals. Two additional special status bird species have potential to nest and forage in Phase 1: loggerhead shrike, and LeConte's thrasher. Implementation of **MM BIO 2** would ensure that measures are taken to avoid and minimize impacts on active nests. Several bird species Los Angeles Audubon Society considers "at-risk" in the region may occur for foraging on the Project site (Allen et al. 2009). Implementation of **MM BIO 2** would ensure that measures are taken to avoid and minimize impacts on active nests.

Desert kit fox and American badger may occur in Phase 1 for foraging and breeding. Impacts to these species would be considered potentially significant. Implementation of **MM BIO 8** would include conditions that would avoid and minimize impacts on desert kit foxes and American badgers and active dens.

One special status reptile species may occur in Phase 1: northern legless lizard. Impacts to this species would be considered potentially significant. Implementation of **MM BIO 1** would lessen any potential adverse impacts to this species.

Indirect Impacts

Water Quality

Drainages in the vicinity of the Phase 1 could be impacted as a result of changes in water quality. These impacts would be considered potentially significant. Implementation of **MM BIO 9**, which includes Best Management Practices that would reduce construction-related pollutants, would reduce this impact to a less than significant level.

Noise and Vibration

Common and special status bird species have the potential to nest in habitat adjacent to Phase 1. Impacts to nesting birds would be considered potentially significant. Implementation of **MM BIO 2** would ensure that construction impacts would not violate the provisions of the MBTA or *California Fish and Game Code* Sections 3503, 3503.5, and 3513.

Night Lighting

Night lighting in Phase 1 may impact the behavioral patterns of nocturnal and crepuscular (i.e., active at dawn and dusk) wildlife adjacent to night lighting. This impact is potentially significant. Implementation of **MM BIO 10**, which requires that spillover of night light be limited to the extent practicable, would reduce this impact to a less than significant level.

Invasive Exotic Plant Species

Landscaping in Phase 1 that includes the installation of non-native, invasive plant species (e.g., species listed in the California Invasive Plant Council's invasive plant inventory) can be detrimental to surrounding native habitat. These impacts would be considered potentially significant. Implementation of **MM BIO 11** would prohibit the use of non-native, invasive plant species in landscaping associated with Phase 1. This measure would reduce this potential impact to a less than significant level.

Human Activity

Construction activities in Phase 1 create disturbance, which in turn provides a place for non-native weedy species to spread. Additionally, construction equipment can introduce non-native weed seeds to the area if equipment is not properly cleaned. These impacts would be considered potentially significant. Implementation of **MM BIO 12** would require use of Best Management Practices associated with prevention of the spread of weed seeds to reduce this potential impact to a less than significant level.

Common and special status bird species have the potential to nest in habitat adjacent to Phase 1. Human activity in the vicinity of an active nest could result in the loss of an active bird nest. These impacts would be considered potentially significant. Implementation of **MM BIO 2** would ensure that construction impacts resulting from increased human activity would not violate the provisions of the MBTA or *California Fish and Game Code* Sections 3503, 3503.5, and 3513.

PHASES 2–4

Direct Impacts

Vegetation Types and Other Areas

Vegetation types and other areas that would be impacted by Phases 2–4 are presented in Table 2 below.

TABLE 2
VEGETATION TYPES AND OTHER AREAS
IMPACTED BY PHASES 2–4 OFTHE PROJECT

Vegetation Types and Other Areas	Impacted (Acres)
Joshua tree woodland	123.05
disturbed Joshua tree woodland	6.17
rubber rabbitbrush - Nevada ephedra scrub/Joshua tree woodland	30.56
creosote bush scrub	9.17
bare ground	2.69
Total	**171.64**

Note: total acreage may not equal the addition of each row above due to rounding of acreage within each row. Additional impacts within the paved roadway and shoulder are expected but not reflected within these calculations due to subsequent engineering refinements. Other differences in acreage may occur due to slight shift in engineering line work resulting in slivers of unaccounted impact area. However, no direct impact on biological resources is expected to result from these variations. Also note that vegetation types reflected as multiple vegetation types with a slash and/or dash between indicates a mixed community with small patches of each distributed throughout.

General Habitat and Wildlife

Phases 2–4 would permanently impact approximately 168.95 acres of native vegetation types (Joshua tree woodland, disturbed Joshua tree woodland, rubber rabbitbrush - Nevada ephedra scrub/Joshua tree woodland, creosote bush scrub) and 2.69 acres of bare ground. The loss of native and non-native vegetation that provides wildlife habitat is considered an adverse impact. However, the loss of native and non-native habitat on the Project site would not be expected to reduce populations of common wildlife species below self-sustaining levels in the Project region. Although this impact would be considered adverse but less than significant, and no mitigation would be required, **MM BIO 1** is included to lessen adverse effects of common wildlife species.

Several common bird species have the potential to nest in the vegetation or on the ground on the Project site. The loss of an active migratory bird nest, including nests of common species, would be considered a violation of the MBTA and Sections 3503, 3503.5, and 3513 of *California Fish and Game Code*. The MBTA and *California Fish and Game Code* prohibits the taking of migratory birds, nests, and eggs. The potential loss of an active nest would be considered adverse but not significant because the impact does not meet the significance criteria identified above. However, **MM BIO 2** has been included to address the time frame in which construction could occur to avoid active nests and includes a requirement for pre-construction surveys and avoidance of active nests. Implementation of **MM BIO 2** would prevent the adverse impact and ensure that construction impacts would not violate the provisions of the MBTA and *California Fish and Game Code*.

Special Status Vegetation Types

Two special status vegetation types and one partial special status vegetation type occur in Phases 2–4: Joshua tree woodland (123.05 acres), disturbed Joshua tree woodland (6.17 acres), and rubber rabbitbrush – Nevada ephedra scrub/Joshua tree woodland (30.56 acres), respectively. The rubber rabbitbrush - Nevada ephedra scrub vegetation type is not considered special status by CDFW. The Joshua tree woodland portion of this vegetation type is ranked as G4, S3, and is considered sensitive by the CDFW. For purposes of the impact analysis, approximately half of this vegetation type would be considered sensitive (15.28 acres). Impacts to a total of 144.50 acres of these sensitive vegetation types would be considered potentially significant. Implementation of **MMs BIO 1, BIO 3**, **BIO 4**, and **BIO 5** would reduce impacts to a less than significant level.

Special Status Plant Species

One special status plant species was observed in Phases 2–4 during focused surveys: western Joshua tree. Impacts to the western Joshua tree, a California Candidate Threatened species, would be considered significant and mitigation would be required. An Endangered Species Act Section 10(a)(1)(B) ITP or Western Joshua Tree Conservation Act ITP would be required for impacts to Joshua trees. Implementation of **MMs BIO 1, BIO 3**, **BIO-4**, and **BIO 5** would reduce impacts to a less than significant level.

Special Status Wildlife Species

Burrowing owl has potential to nest in Phases 2–4. Impacts to burrowing owl would be considered potentially significant. Implementation of **MM BIO 2** and **MM BIO 6** would reduce this impact to a less than significant level through measures that would avoid and minimize the potential for loss of an active nest/burrow and/or the direct mortality of individuals. Two additional special status bird species have potential to nest and forage in Phases 2–4: loggerhead shrike, and LeConte's thrasher. Implementation of **MM BIO 2** would ensure that measures are taken to avoid and minimize impacts on active nests. Several bird species Los Angeles Audubon Society considers "at-risk" in the region may occur for foraging on the Project site (Allen et al. 2009). Implementation of **MM BIO 2** would ensure that measures are taken to avoid and minimize impacts on active nests.

Desert kit fox and American badger may occur in Phases 2–4 for foraging and breeding. Impacts to these species would be considered potentially significant. Implementation of **MM BIO 7** would include conditions that would avoid and minimize impacts on desert kit foxes and American badgers and active dens.

One special status reptile species may occur in Phases 2–4: northern legless lizard. Impacts to this species would be considered potentially significant. Implementation of **MM BIO 1** would lessen any potential adverse impacts to this species to a less than significant level.

Indirect Impacts

Water Quality

Drainages in the vicinity of the Phases 2–4 could be impacted as a result of changes in water quality. These impacts would be considered potentially significant. Implementation of **MM BIO 8**, which includes Best Management Practices that would reduce construction-related pollutants, would reduce this impact to a less than significant level.

Noise and Vibration

Common and special status bird species have the potential to nest in habitat adjacent to Phases 2–4. Impacts to nesting birds would be considered potentially significant. Implementation of **MM BIO 2** would ensure that construction impacts would not violate the provisions of the MBTA or *California Fish and Game Code* Sections 3503, 3503.5, and 3513.

Night Lighting

Night lighting in Phases 2–4 may impact the behavioral patterns of nocturnal and crepuscular (i.e., active at dawn and dusk) wildlife adjacent to night lighting. This impact is potentially significant. Implementation of **MM BIO 9**, which requires that spillover of night light be limited to the extent practicable, would reduce this impact to a less than significant level.

Invasive Exotic Plant Species

Landscaping in Phases 2–4 that includes the installation of non-native, invasive plant species (e.g., species listed in the California Invasive Plant Council's invasive plant inventory) can be detrimental to surrounding native habitat. These impacts would be considered potentially significant. Implementation of **MM BIO 10** would prohibit the use of non-native, invasive plant species in landscaping associated with Phases 2–4. This measure would reduce this potential impact to a less than significant level.

Human Activity

Construction activities in Phases 2–4 create disturbance, which in turn provides a place for non-native weedy species to spread. Additionally, construction equipment can introduce non-native weed seeds to the area if equipment is not properly cleaned. These impacts would be considered potentially significant. Implementation of **MM BIO 11** would require use of Best Management Practices associated with prevention of the spread of weed seeds to reduce this potential impact to a less than significant level.

Common and special status bird species have the potential to nest in habitat adjacent to Phases 2–4. Human activity in the vicinity of an active nest could result in the loss of an active bird nest. These impacts would be considered potentially significant. Implementation of **MM BIO 2** would ensure that construction impacts resulting from increased human activity would not violate the provisions of the MBTA or *California Fish and Game Code* Sections 3503, 3503.5, and 3513.

RECOMMENDED MITIGATION MEASURES

Mitigation Measures shall be implemented on a phase-by-phase basis dependent on Project impacts for each phase.

MITIGATION MEASURES: PHASE I

BIO 1 **Avoidance and Minimization Measures to Avoid Incidental Take of Joshua Tree/Joshua Tree Woodland.** For all vegetation removal activities, the Project Applicant shall retain a qualified Biologist to ensure that incidental construction impacts on Joshua trees and special status wildlife species are avoided or minimized. Responsibilities of the Construction Biological Monitor shall include the following:

a. Attendance at the pre-construction tailboard meeting (i.e., on-site meeting prior to work activities) to ensure that timing and location of construction activities do not

conflict with other mitigation requirements (e.g., seasonal surveys for nesting birds). The meeting shall be conducted with the Construction Contractor and other key construction personnel to describe the importance of restricting work to designated areas.

b. Discussion with the Construction Contractor of procedures to minimize harm/harassment of wildlife that may be encountered during construction.

c. Review/designation of the construction area with the Construction Contractor in accordance with the Final Grading Plan. Haul roads, access roads, and on-site staging and storage areas shall be sited in grading areas to minimize degradation of habitat adjacent to these areas. If activities outside these limits are necessary, they shall be evaluated by the Biologist to ensure no special status species or habitats will be affected.

d. A field review that is conducted to stake designated construction limits (to be set by a Surveyor retained by the Project Applicant). Any construction activity areas immediately adjacent to Joshua tree woodland may be flagged or temporarily fenced by the Biological Monitor at his/her discretion.

e. The Biologist shall relocate northern legless lizard to suitable habitat at a distance of greater than 300 feet from the Project impact area which would otherwise be destroyed or adversely affected by construction and/or site-preparation activities. All wildlife will be handled with clean sterile gloves and relocated in a timely manner to minimize stress to the individual.

f. Submittal of a brief report to the City discussing any unapproved disturbances resulting in impacts to special status resources within 48 hours of the incident.

In addition, a Biological Monitor will be on site during all initial vegetation removal and will employ salvage methods to minimize direct impacts to common wildlife species associated with the Joshua tree woodland, a special status vegetation type. Where feasible, the Biological Monitor will attempt to ensure wildlife are out of potential direct impact. If a wildlife species is in harm's way and has not moved on its own, the Biologist will attempt to scare them away from the area. If wildlife does not move, and where feasible, the wildlife species will be relocated to suitable habitat.

BIO 2 **Nesting Birds/Raptors.** To avoid impacts on active nests for common and special status birds and raptors, the Project Applicant shall schedule vegetation clearing and blasting during the non-breeding season (i.e., September 16 to January 31) to the extent feasible. If Project timing requires that vegetation clearing occur between February 1 and September 15, the Project Applicant or its designee shall retain a qualified Biologist to conduct a pre-construction survey for nesting birds and raptors. The pre-construction survey shall be conducted by a qualified Biologist within three days prior to vegetation clearing. The pre-construction nesting bird survey area shall include the Project impact area (i.e., disturbance footprint) plus a 250-foot buffer to search for nesting birds and a 500-foot buffer to search for nesting raptors. If no active nests are found, no further mitigation would be required.

If an active nest is located in the pre-construction nesting bird survey area, the Biologist shall delineate an appropriate buffer to protect the nest based on the sensitivity of the species. A protective buffer of 500 feet shall be used to protect nesting raptors. If

appropriate, a smaller buffer may be considered (as determined by the Biologist) based on site topography, existing disturbance, sensitivity of the individuals (established by observing the individuals at the nest), and the type of construction activity. No construction activities shall be allowed in the designated buffer area until the Biologist determines that nesting activity has ended. Construction may proceed within the buffer once the Biologist determines that nesting activity has ceased (i.e., fledglings have left the nest or the nest has failed). The designated buffer will be clearly marked in the field and will be mapped as Environmentally Sensitive Areas (ESAs) on construction plans.

Prior to the initiation of construction activities, an email summary of the results shall be submitted to the City by the Project Applicant with a map of any active nests found and their designated buffers. Construction shall be allowed to proceed if standard buffer distances are employed for any active nests. The Biologist shall then prepare a formal Letter Report describing methods used, results of the survey, recommended buffers, and/or justification for buffer reductions. The Letter Report shall be submitted to the City within one week of completion of the survey. If an active nest is observed during the survey, the Letter Report shall include a map showing the designated protective buffer.

BIO 3 **Take Permits.** Prior to the issuance of grading or building permits, the Project Applicant shall obtain a CESA Section 2081 Incidental Take Permit (ITP) or a Joshua Tree Conservation Act ITP from the CDFW allowing impacts to western Joshua tree, a State Candidate species. Compensatory mitigation for impacts on Joshua tree woodland are described in **MM BIO 4**. If regulatory status changes at any point prior to impacts, and the species is no longer designated as a State Candidate for listing or a State listed species, an ITP would no longer be required.

BIO 4 **Joshua Tree Woodland.** The Project Applicant shall provide mitigation for permanently impacting Joshua tree woodland and disturbed Joshua tree woodland. The goal of this mitigation is to ensure no net loss of habitat following implementation of the Project. Mitigation ratios (i.e., the amount of mitigation acreage compared to the amount of impacted habitat) shall be negotiated with the resource agencies but shall be no less than 1:1, replacing each acre of habitat lost with of one acre of equivalent or higher quality habitat. This mitigation may be in the form of habitat preservation, restoration, enhancement, and/or establishment (i.e., creation), or an in-lieu fee program discussed below. The Project Applicant shall implement one or a combination of these options, as approved by CDFW in the permit described in **MM BIO 3**. Successful implementation of **MM BIO 3** shall eliminate the requirements of **MM BIO 4**.

1. Preservation consists of acquisition of mitigation lands containing viable occurrences of the species, or that enhance the sustainability of the occurrences by protecting buffer lands and protecting those occurrences in perpetuity under a conservation easement or an in-lieu fee program that is transferred to a qualified land trust or public agency.
2. Restoration consists of the re-establishment or rehabilitation of mitigation land with the goal of returning natural or historic functions and characteristics. Restoration may result in a gain in habitat function, acreage, or both.
3. Enhancement consists of activities that heighten, intensify, or improve one or more habitat functions. Enhancement results in a gain in habitat function but does not result in a net gain in habitat acreage.

4. Establishment consists of the development of habitat in an area where it did not previously exist through manipulation of the physical, chemical, and/or biological characteristics of the site.

Compensatory mitigation may be in the form of permittee-responsible mitigation, in which the permittee maintains liability for the construction and long-term success of the mitigation site or through mitigation banking/in-lieu fee program, where liability for Project success is transferred to a third party (i.e., a mitigation bank/in-lieu fee sponsor). If the Project Applicant elects to provide mitigation through mitigation banking/in-lieu fee program, the mitigation bank/program shall be selected by the Project Applicant and approved by CDFW and payment shall be made prior to the issuance of grading or building permits. The Joshua Tree Conservation Act ITP process establishes an in-lieu fee program directly with CDFW (See **MM BIO 3**).

For permittee-responsible mitigation involving establishment, restoration, or enhancement of habitat, the Project Applicant shall retain a qualified Biologist to prepare a Habitat Mitigation Monitoring Plan (HMMP) to mitigate for loss of Joshua tree woodland habitat. The HMMP shall be reviewed/approved by CDFW prior to issuance of grading or building permits. The detailed HMMP shall contain the following items:

1. **Responsibilities and Qualifications of the Personnel to Implement and Supervise the Plan.** The responsibilities of the Project Applicant or its designee, specialists, and maintenance personnel, as well as the qualifications of specialists and maintenance personnel that will supervise and implement the plan, will be specified.
2. **Site Selection.** Site selection for restoration, establishment, enhancement, and/or preservation mitigation shall be determined in coordination with the Project Applicant, or its designee, and resource agencies. The mitigation site(s) shall be located in a dedicated open space area or on land that shall be dedicated and/or purchased off site.
3. **Site Preparation and Planting Implementation.** Site preparation shall include the following, as determined by specific site conditions and permit requirements: protection of existing native species, trash and weed removal, native species salvage and reuse (i.e., duff), soil treatments (i.e., imprinting, decompacting), temporary irrigation installation, erosion-control measures (i.e., rice or willow wattles), seed mix application, and container species.
4. **Schedule.** A schedule that requires planting to occur between October 1 and March 1 shall be developed.
5. **Maintenance Plan/Guidelines.** The maintenance plan shall include the following, as determined by specific site conditions and permit requirements: weed control, herbivory control, trash removal, irrigation system maintenance, maintenance training, and replacement planting.
6. **Monitoring Plan.** The site shall be monitored and maintained for a minimum of five years to ensure successful establishment of riparian habitat within the restored and created areas. The monitoring plan shall include qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g., randomly placed transects); performance criteria, as approved by the resource agencies; and

monthly reports for the first year with quarterly reports thereafter and annual reports for all five years.

7. **Long-Term Preservation.** Long-term preservation of the site shall be outlined in the restoration and enhancement plan to ensure the mitigation site is not impacted by future development.

Although monitoring plans are typically scheduled for five years, if performance standards are successfully met prior to five years, the Project Applicant may request to be released from remaining monitoring requirements by CDFW.

BIO 5 **City of Palmdale Tree Permit.** Per the City of Palmdale Emergency Ordinance No. 1556, a City approved Biologist shall prepare a Desert Vegetation Preservation Plan and the City shall issue a permit for Joshua tree removal prior to Project impacts. The City may defer to a CDFW ITP (See **MM BIO 3**), with no additional requirements, if one is issued for the project.

BIO 6 **California Desert Native Plant Harvesting Permits.** Prior to the initiation of construction, the Project Applicant shall obtain the necessary permits, tags, and/or seals, and shall pay the appropriate fees for removal of any individuals of a species protected by the *California Desert Native Plant Protection Act*. This includes nine silver cholla.

BIO 7 **Burrowing Owl Pre-Construction Survey.** Per the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012), the Project Applicant shall retain a qualified Biologist to conduct a pre-construction survey for the burrowing owl no less than 14 days prior to any ground disturbance by the Project and no greater than 30 days prior to ground disturbance in each Project area. The pre-construction survey shall include the area of proposed disturbance plus a 500-foot buffer (if access is available).

If an active burrow is observed outside the breeding season (i.e., September 1 to January 31) and it cannot be avoided, the burrowing owl shall be passively excluded from the burrow following methods described in CDFG 2012. One-way doors shall be used to exclude owls from the burrows; doors shall be left in place for at least 48 hours. Once the burrow is determined to be unoccupied, as verified by site monitoring, the burrow shall be closed by a qualified Biologist who shall excavate the burrow using hand tools. Prior to excluding an owl from an active burrow, a receptor burrow survey shall be conducted to confirm that at least two potentially suitable unoccupied burrows are within approximately 688 feet prior to installation of the one-way door. If two natural receptor burrows are not located, one artificial burrow shall be created for every burrow that would be closed.

If an active burrow is observed outside the breeding season (i.e., September 1 to January 31) and it can be avoided, the Biologist shall determine an appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 160 feet to 1,640 feet depending on the level of impact and the time of year (see Table below). The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant or its designee shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows.

If an active burrow is observed during the breeding season (i.e., February 1 to August 31), the active burrow shall be protected until nesting activity has ended (i.e., all young have fledged from the burrow). The Biologist shall determine the appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 650 to 1,640 feet depending on the level of impact and the time of year (see Table below). The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant or its designee shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows. Construction shall be allowed to proceed when the qualified Biologist has determined that all fledglings have left the nest. Compensatory mitigation for the loss of foraging habitat shall be satisfied with implementation of MM BIO 6.

BURROWING OWL PROTECTIVE BUFFER SIZES

	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting sites	April 1 to August 15	656 feet (200 meters)	1,640 feet (500 meters)	1,640 feet (500 meters)
Nesting sites	August 16 to October 15	656 feet (200 meters)	656 feet (200 meters)	1,640 feet (500 meters)
Nesting sites	October 16 to March 31	164 feet (50 meters)	328 feet (100 meters)	1,640 feet (500 meters)

Upon completion of the pre-construction burrowing owl survey, a Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within two weeks of completion of the survey effort. If an active burrow is observed, the Letter Report shall include a description of the protective buffer that has been designated and a summary of any additional correspondence with the CDFW.

If time lapses of greater than 30 days occur during construction in a particular portion of the work area, an additional survey shall be conducted by a qualified Biologist within 24 hours prior to vegetation clearing and/or ground disturbance in that area. If any new burrowing owl burrows are observed, the conditions above shall be applied.

BIO 8 **Desert Kit Fox/American Badger Burrows.** The Project Applicant shall retain a qualified Biologist to conduct a pre-construction burrow survey for desert kit fox and American badger no less than 14 days and no more than 30 days prior to initiation of ground disturbance/construction activities. Ideally, this survey shall be conducted outside the breeding season (i.e., February 1 to September 15) to allow for passive exclusion, if necessary. The pre-construction survey shall include the Project site plus a 200-foot buffer (if access is available). If no active burrows are found, no further mitigation would be required.

If an active burrow is observed outside the breeding season (i.e., September 16 to January 31) and it cannot be avoided, the burrow shall be closed using passive exclusion. One-way doors shall be used to exclude American badgers from their burrows; doors shall be left in place for at least five nights. Progressive soil blocking shall be used to discourage use by desert kit fox. Once the burrow is determined to be unoccupied (i.e., not used for

five nights), as verified by site monitoring (e.g., wildlife cameras), the burrow shall be closed by a qualified Biologist who shall excavate the burrow using hand tools.

If an active burrow is observed outside the breeding season (i.e., September 16 to January 31) and it can be avoided, a 50-foot protective buffer shall be delineated around the burrow. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant shall consult with CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows.

If an active den is observed during the breeding season (i.e., February 1 to September 15), the active den shall be protected with a 100-foot buffer until breeding activity has ended. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting the occupied den. Construction shall be allowed to proceed when the qualified Biologist has determined that the burrow is no longer active based on site monitoring (i.e., no activity has been observed at the burrow for five nights).

Upon completion of the pre-construction burrow survey, a Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within two weeks of completing the survey effort. If an active burrow/den is observed, the Letter Report shall include a description of the protective buffer that has been designated and a summary of any additional correspondence with the CDFW.

BIO 9 **Best Management Practices.** The Project Applicant shall incorporate Best Management Practices (BMPs), including applicable measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged by Project activities does not adversely affect the Project area. In particular, BMPs shall be designed to prevent (to the extent feasible) the runoff of toxins, chemicals, petroleum products, or other elements that might degrade water quality. Additionally, BMPs shall be used to minimize erosion.

The areas where stockpiling can occur shall be selected in consultation with the monitoring Biologist. Spoils shall be stockpiled in disturbed areas lacking native vegetation. The Construction Contractor shall clearly mark stockpile areas to define the limits where stockpiling can occur.

The Construction Contractor shall designate an area for vehicle maintenance that is not within or adjacent to drainages or native vegetation. Fueling and maintenance of equipment shall take place within the vehicle maintenance area. Impervious ground surfaces or plastic covering shall be used to prevent spillage or leakage onto the ground surface. Any spilled hazardous materials shall be immediately cleaned and hazardous materials properly disposed of. Construction Contractor equipment shall be checked for leaks prior to operation and repaired as necessary.

BIO 10 **Night Lighting.** The Project Applicant or its designee shall ensure that night lighting shall be directed away from open space areas and shielding shall be incorporated in the final Project design to minimize spillover of night lighting into adjacent open space to the

greatest extent practicable. Any such light fixtures installed adjacent to open space areas shall direct/reflect light downward and away from adjacent habitat areas.

BIO 11 **Landscaping.** The Project Applicant or its designee shall retain a qualified Biologist to review the landscaping plan to ensure that any landscaping component of the Project does not include the planting of exotic, invasive species that would potentially degrade the quality of the surrounding natural open space. A list of potential landscaping plant species shall be submitted to the Biologist for review; the Biologist shall ensure that exotic plant species known to be invasive (e.g., those on the California Invasive Plant Council's [Cal-IPC's] invasive plant inventory) are not included on the list. The Biologist shall make recommendations for more suitable plant species if necessary. Once a final plant palette is prepared, landscaping installed in the development area shall include only species on the approved palette.

BIO 12 **Prevention of the Spread of Weed Seeds.** The introduction of exotic plant species shall be avoided and minimized to the extent practicable. Weed seeds entering the construction area via vehicles shall be minimized by requiring construction vehicles to be washed prior to delivery to the Project site. Track-clean or other methods of vehicle cleaning shall be used by the Construction Contractor to prevent weed seeds from entering/exiting the construction areas on vehicles. Additionally, wattles used for erosion control shall be certified as weed-free.

MITIGATION MEASURES: PHASES 2-4

BIO 1 **Avoidance and Minimization Measures to Avoid Incidental Take of Joshua Tree/Joshua Tree Woodland.** For all vegetation removal activities, the Project Applicant shall retain a qualified Biologist to ensure that incidental construction impacts on Joshua trees and special status wildlife species are avoided or minimized. Responsibilities of the Construction Biological Monitor shall include the following:

g. Attendance at the pre-construction tailboard meeting (i.e., on-site meeting prior to work activities) to ensure that timing and location of construction activities do not conflict with other mitigation requirements (e.g., seasonal surveys for nesting birds). The meeting shall be conducted with the Construction Contractor and other key construction personnel to describe the importance of restricting work to designated areas.

h. Discussion with the Construction Contractor of procedures to minimize harm/harassment of wildlife that may be encountered during construction.

i. Review/designation of the construction area with the Construction Contractor in accordance with the Final Grading Plan. Haul roads, access roads, and on-site staging and storage areas shall be sited in grading areas to minimize degradation of habitat adjacent to these areas. If activities outside these limits are necessary, they shall be evaluated by the Biologist to ensure no special status species or habitats will be affected.

j. A field review that is conducted to stake designated construction limits (to be set by a Surveyor retained by the Project Applicant). Any construction activity areas immediately adjacent to Joshua tree woodland may be flagged or temporarily fenced by the Biological Monitor at his/her discretion.

k. The Biologist shall relocate northern legless lizard to suitable habitat at a distance of greater than 300 feet from the Project impact area which would otherwise be destroyed or adversely affected by construction and/or site-preparation activities. All wildlife will be handled with clean sterile gloves and relocated in a timely manner to minimize stress to the individual.

l. Submittal of a brief report to the City discussing any unapproved disturbances resulting in impacts to special status resources within 48 hours of the incident.

In addition, a Biological Monitor will be on site during all initial vegetation removal and will employ salvage methods to minimize direct impacts to common wildlife species associated with the Joshua tree woodland, a special status vegetation type. Where feasible, the Biological Monitor will attempt to ensure wildlife are out of potential direct impact. If a wildlife species is in harm's way and has not moved on its own, the Biologist will attempt to scare them away from the area. If wildlife does not move, and where feasible, the wildlife species will be relocated to suitable habitat.

BIO 2 **Nesting Birds/Raptors.** To avoid impacts on active nests for common and special status birds and raptors, the Project Applicant shall schedule vegetation clearing and blasting during the non-breeding season (i.e., September 16 to January 31) to the extent feasible. If Project timing requires that vegetation clearing occur between February 1 and September 15, the Project Applicant or its designee shall retain a qualified Biologist to conduct a pre-construction survey for nesting birds and raptors. The pre-construction survey shall be conducted by a qualified Biologist within three days prior to vegetation clearing. The pre-construction nesting bird survey area shall include the Project impact area (i.e., disturbance footprint) plus a 250-foot buffer to search for nesting birds and a 500-foot buffer to search for nesting raptors. If no active nests are found, no further mitigation would be required.

If an active nest is located in the pre-construction nesting bird survey area, the Biologist shall delineate an appropriate buffer to protect the nest based on the sensitivity of the species. A protective buffer of 500 feet shall be used to protect nesting raptors. If appropriate, a smaller buffer may be considered (as determined by the Biologist) based on site topography, existing disturbance, sensitivity of the individuals (established by observing the individuals at the nest), and the type of construction activity. No construction activities shall be allowed in the designated buffer area until the Biologist determines that nesting activity has ended. Construction may proceed within the buffer once the Biologist determines that nesting activity has ceased (i.e., fledglings have left the nest or the nest has failed). The designated buffer will be clearly marked in the field and will be mapped as Environmentally Sensitive Areas (ESAs) on construction plans.

Prior to the initiation of construction activities, an email summary of the results shall be submitted to the City by the Project Applicant with a map of any active nests found and their designated buffers. Construction shall be allowed to proceed if standard buffer distances are employed for any active nests. The Biologist shall then prepare a formal Letter Report describing methods used, results of the survey, recommended buffers, and/or justification for buffer reductions. The Letter Report shall be submitted to the City within one week of completion of the survey. If an active nest is observed during the survey, the Letter Report shall include a map showing the designated protective buffer.

BIO 3 **Take Permits.** Prior to the issuance of grading or building permits, the Project Applicant shall obtain a CESA Section 2081 Incidental Take Permit (ITP) or a Joshua Tree Conservation Act ITP from the CDFW allowing impacts to western Joshua tree, a State Candidate species. Compensatory mitigation for impacts on Joshua tree woodland are described in **MM BIO 4**. If regulatory status changes at any point prior to impacts, and the species is no longer designated as a State Candidate for listing or a State listed species, an ITP would no longer be required.

BIO 4 **Joshua Tree Woodland.** The Project Applicant shall provide mitigation for permanently impacting Joshua tree woodland and disturbed Joshua tree woodland. The goal of this mitigation is to ensure no net loss of habitat following implementation of the Project. Mitigation ratios (i.e., the amount of mitigation acreage compared to the amount of impacted habitat) shall be negotiated with the resource agencies but shall be no less than 1:1, replacing each acre of habitat lost with of one acre of equivalent or higher quality habitat. This mitigation may be in the form of habitat preservation, restoration, enhancement, and/or establishment (i.e., creation), or an in-lieu fee program discussed below. The Project Applicant shall implement one or a combination of these options, as approved by CDFW in the permit described in **MM BIO 3**. Successful implementation of **MM BIO 3** shall eliminate the requirements of **MM BIO 4**.

5. Preservation consists of acquisition of mitigation lands containing viable occurrences of the species, or that enhance the sustainability of the occurrences by protecting buffer lands and protecting those occurrences in perpetuity under a conservation easement or an in-lieu fee program that is transferred to a qualified land trust or public agency.
6. Restoration consists of the re-establishment or rehabilitation of mitigation land with the goal of returning natural or historic functions and characteristics. Restoration may result in a gain in habitat function, acreage, or both.
7. Enhancement consists of activities that heighten, intensify, or improve one or more habitat functions. Enhancement results in a gain in habitat function but does not result in a net gain in habitat acreage.
8. Establishment consists of the development of habitat in an area where it did not previously exist through manipulation of the physical, chemical, and/or biological characteristics of the site.

Compensatory mitigation may be in the form of permittee-responsible mitigation, in which the permittee maintains liability for the construction and long-term success of the mitigation site or through mitigation banking/in-lieu fee program, where liability for Project success is transferred to a third party (i.e., a mitigation bank/in-lieu fee sponsor). If the Project Applicant elects to provide mitigation through mitigation banking/in-lieu fee program, the mitigation bank/program shall be selected by the Project Applicant and approved by CDFW and payment shall be made prior to the issuance of grading or building permits. The Joshua Tree Conservation Act ITP process establishes an in-lieu fee program directly with CDFW (See **MM BIO 3**).

For permittee-responsible mitigation involving establishment, restoration, or enhancement of habitat, the Project Applicant shall retain a qualified Biologist to prepare a Habitat Mitigation Monitoring Plan (HMMP) to mitigate for loss of Joshua tree

woodland habitat. The HMMP shall be reviewed/approved by CDFW prior to issuance of grading or building permits. The detailed HMMP shall contain the following items:

8. **Responsibilities and Qualifications of the Personnel to Implement and Supervise the Plan.** The responsibilities of the Project Applicant or its designee, specialists, and maintenance personnel, as well as the qualifications of specialists and maintenance personnel that will supervise and implement the plan, will be specified.
9. **Site Selection.** Site selection for restoration, establishment, enhancement, and/or preservation mitigation shall be determined in coordination with the Project Applicant, or its designee, and resource agencies. The mitigation site(s) shall be located in a dedicated open space area or on land that shall be dedicated and/or purchased off site.
10. **Site Preparation and Planting Implementation.** Site preparation shall include the following, as determined by specific site conditions and permit requirements: protection of existing native species, trash and weed removal, native species salvage and reuse (i.e., duff), soil treatments (i.e., imprinting, decompacting), temporary irrigation installation, erosion-control measures (i.e., rice or willow wattles), seed mix application, and container species.
11. **Schedule.** A schedule that requires planting to occur between October 1 and March 1 shall be developed.
12. **Maintenance Plan/Guidelines.** The maintenance plan shall include the following, as determined by specific site conditions and permit requirements: weed control, herbivory control, trash removal, irrigation system maintenance, maintenance training, and replacement planting.
13. **Monitoring Plan.** The site shall be monitored and maintained for a minimum of five years to ensure successful establishment of riparian habitat within the restored and created areas. The monitoring plan shall include qualitative monitoring (i.e., photographs and general observations); quantitative monitoring (e.g., randomly placed transects); performance criteria, as approved by the resource agencies; and monthly reports for the first year with quarterly reports thereafter and annual reports for all five years.
14. **Long-Term Preservation.** Long-term preservation of the site shall be outlined in the restoration and enhancement plan to ensure the mitigation site is not impacted by future development.

Although monitoring plans are typically scheduled for five years, if performance standards are successfully met prior to five years, the Project Applicant may request to be released from remaining monitoring requirements by CDFW.

BIO 5 **City of Palmdale Tree Permit.** Per the City of Palmdale Emergency Ordinance No. 1556, a City approved Biologist shall prepare a Desert Vegetation Preservation Plan and the City shall issue a permit for Joshua tree removal prior to Project impacts. The City may defer to a CDFW ITP (See **MM BIO 3**), with no additional requirements, if one is issued for the project.

BIO 6 **Burrowing Owl Pre-Construction Survey.** Per the *Staff Report on Burrowing Owl Mitigation* (CDFG 2012), the Project Applicant shall retain a qualified Biologist to

conduct a pre-construction survey for the burrowing owl no less than 14 days prior to any ground disturbance by the Project and no greater than 30 days prior to ground disturbance in each Project area. The pre-construction survey shall include the area of proposed disturbance plus a 500-foot buffer (if access is available).

If an active burrow is observed outside the breeding season (i.e., September 1 to January 31) and it cannot be avoided, the burrowing owl shall be passively excluded from the burrow following methods described in CDFG 2012. One-way doors shall be used to exclude owls from the burrows; doors shall be left in place for at least 48 hours. Once the burrow is determined to be unoccupied, as verified by site monitoring, the burrow shall be closed by a qualified Biologist who shall excavate the burrow using hand tools. Prior to excluding an owl from an active burrow, a receptor burrow survey shall be conducted to confirm that at least two potentially suitable unoccupied burrows are within approximately 688 feet prior to installation of the one-way door. If two natural receptor burrows are not located, one artificial burrow shall be created for every burrow that would be closed.

If an active burrow is observed outside the breeding season (i.e., September 1 to January 31) and it can be avoided, the Biologist shall determine an appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 160 feet to 1,640 feet depending on the level of impact and the time of year (see Table below). The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant or its designee shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows.

If an active burrow is observed during the breeding season (i.e., February 1 to August 31), the active burrow shall be protected until nesting activity has ended (i.e., all young have fledged from the burrow). The Biologist shall determine the appropriate protective buffer for the burrow based on CDFW guidelines. The buffer shall range from 650 to 1,640 feet depending on the level of impact and the time of year (see Table below). The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant or its designee shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows. Construction shall be allowed to proceed when the qualified Biologist has determined that all fledglings have left the nest. Compensatory mitigation for the loss of foraging habitat shall be satisfied with implementation of MM BIO 6.

BURROWING OWL PROTECTIVE BUFFER SIZES

	Time of Year	Level of Disturbance		
		Low	Medium	High
Nesting sites	April 1 to August 15	656 feet (200 meters)	1,640 feet (500 meters)	1,640 feet (500 meters)
Nesting sites	August 16 to October 15	656 feet (200 meters)	656 feet (200 meters)	1,640 feet (500 meters)
Nesting sites	October 16 to March 31	164 feet (50 meters)	328 feet (100 meters)	1,640 feet (500 meters)

Upon completion of the pre-construction burrowing owl survey, a Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within two weeks of completion of the survey effort. If an active burrow is observed, the Letter Report shall include a description of the protective buffer that has been designated and a summary of any additional correspondence with the CDFW.

If time lapses of greater than 30 days occur during construction in a particular portion of the work area, an additional survey shall be conducted by a qualified Biologist within 24 hours prior to vegetation clearing and/or ground disturbance in that area. If any new burrowing owl burrows are observed, the conditions above shall be applied.

BIO 7 **Desert Kit Fox/American Badger Burrows.** The Project Applicant shall retain a qualified Biologist to conduct a pre-construction burrow survey for desert kit fox and American badger no less than 14 days and no more than 30 days prior to initiation of ground disturbance/construction activities. Ideally, this survey shall be conducted outside the breeding season (i.e., February 1 to September 15) to allow for passive exclusion, if necessary. The pre-construction survey shall include the Project site plus a 200-foot buffer (if access is available). If no active burrows are found, no further mitigation would be required.

If an active burrow is observed outside the breeding season (i.e., September 16 to January 31) and it cannot be avoided, the burrow shall be closed using passive exclusion. One-way doors shall be used to exclude American badgers from their burrows; doors shall be left in place for at least five nights. Progressive soil blocking shall be used to discourage use by desert kit fox. Once the burrow is determined to be unoccupied (i.e., not used for five nights), as verified by site monitoring (e.g., wildlife cameras), the burrow shall be closed by a qualified Biologist who shall excavate the burrow using hand tools.

If an active burrow is observed outside the breeding season (i.e., September 16 to January 31) and it can be avoided, a 50-foot protective buffer shall be delineated around the burrow. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant shall consult with CDFW to determine whether a reduced buffer can be accommodated without adversely impacting occupied burrows.

If an active den is observed during the breeding season (i.e., February 1 to September 15), the active den shall be protected with a 100-foot buffer until breeding activity has ended. The designated buffer will be clearly marked in the field and will be mapped as an ESA on construction plans. The Project Applicant shall contact CDFW to determine whether a reduced buffer can be accommodated without adversely impacting the occupied den. Construction shall be allowed to proceed when the qualified Biologist has determined that the burrow is no longer active based on site monitoring (i.e., no activity has been observed at the burrow for five nights).

Upon completion of the pre-construction burrow survey, a Letter Report shall be prepared and submitted to CDFW documenting the results of the survey within two weeks of completing the survey effort. If an active burrow/den is observed, the Letter Report shall include a description of the protective buffer that has been designated and a summary of any additional correspondence with the CDFW.

BIO 8 **Best Management Practices.** The Project Applicant shall incorporate Best Management Practices (BMPs), including applicable measures required through the National Pollutant Discharge Elimination System (NPDES) requirements, to ensure that the quantity and quality of runoff discharged by Project activities does not adversely affect the Project area. In particular, BMPs shall be designed to prevent (to the extent feasible) the runoff of toxins, chemicals, petroleum products, or other elements that might degrade water quality. Additionally, BMPs shall be used to minimize erosion.

The areas where stockpiling can occur shall be selected in consultation with the monitoring Biologist. Spoils shall be stockpiled in disturbed areas lacking native vegetation. The Construction Contractor shall clearly mark stockpile areas to define the limits where stockpiling can occur.

The Construction Contractor shall designate an area for vehicle maintenance that is not within or adjacent to drainages or native vegetation. Fueling and maintenance of equipment shall take place within the vehicle maintenance area. Impervious ground surfaces or plastic covering shall be used to prevent spillage or leakage onto the ground surface. Any spilled hazardous materials shall be immediately cleaned, and hazardous materials properly disposed of. Construction Contractor equipment shall be checked for leaks prior to operation and repaired as necessary.

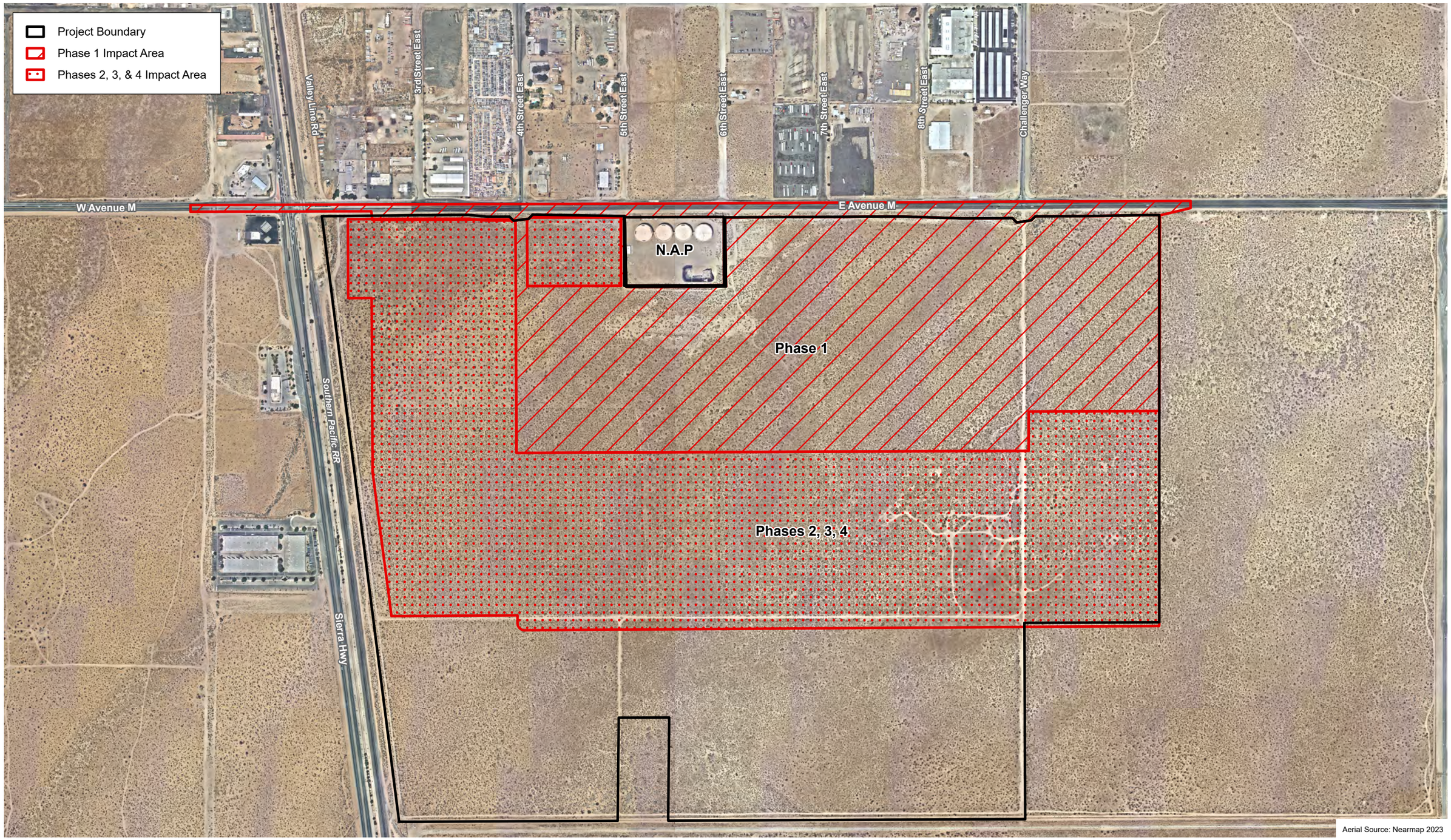
BIO 9 **Night Lighting.** The Project Applicant or its designee shall ensure that night lighting shall be directed away from open space areas and shielding shall be incorporated in the final Project design to minimize spillover of night lighting into adjacent open space to the greatest extent practicable. Any such light fixtures installed adjacent to open space areas shall direct/reflect light downward and away from adjacent habitat areas.

BIO 10 **Landscaping.** The Project Applicant or its designee shall retain a qualified Biologist to review the landscaping plan to ensure that any landscaping component of the Project does not include the planting of exotic, invasive species that would potentially degrade the quality of the surrounding natural open space. A list of potential landscaping plant species shall be submitted to the Biologist for review; the Biologist shall ensure that exotic plant species known to be invasive (e.g., those on the California Invasive Plant Council's [Cal-IPC's] invasive plant inventory) are not included on the list. The Biologist shall make recommendations for more suitable plant species if necessary. Once a final plant palette is prepared, landscaping installed in the development area shall include only species on the approved palette.

BIO 11 **Prevention of the Spread of Weed Seeds.** The introduction of exotic plant species shall be avoided and minimized to the extent practicable. Weed seeds entering the construction area via vehicles shall be minimized by requiring construction vehicles to be washed prior to delivery to the Project site. Track-clean or other methods of vehicle cleaning shall be used by the Construction Contractor to prevent weed seeds from entering/exiting the construction areas on vehicles. Additionally, wattles used for erosion control shall be certified as weed-free.

REFERENCES

Psomas. 2023 (*in prep*). *Biological Resources Technical Report Antelope Valley Commerce Center Project City of Palmdale, California*. Pasadena, CA: Psomas.



Aerial Source: Nearmap 2023

Project Impact Phasing

Exhibit 1

Antelope Valley Commerce Center Project

N
W E
S

600 300 0 600

Feet

PSOMAS

(Rev: 09/28/2023 JMC) R:\Projects\TBP\3TBP010200\Graphics\Biotech\ex_Boundaries.pdf