

Appendix D Protocol Burrowing Owl Surveys and Report

Appendix

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Memorandum

Date: July 22, 2022

To: Placeworks

From: Juan J. Hernandez, Principal Biologist

Subject: Focused Burrowing Owl Survey Report for APNs 414-212-08 and 414-212-09 located in the city of Hesperia, San Bernardino County, California

This memorandum provides the methods and results of a California Department of Fish and Wildlife (CDFW) protocol burrowing owl (*Athene cunicularia*) (BUOW) survey for Assessor's Parcel Numbers (APNs) 414-212-08 and 414-212-09 located in the city of Hesperia, San Bernardino County, California.

Project Location

The approximate 14.11-acre project site is located on the east side of the Interstate 15, west of Hesperia Road, south of Mojave Street, and directly east of Third Avenue, in the City of Hesperia, San Bernardino County, California (Figures 1 and 2). Specifically, the project site is located within Section 16, Township 4 North, Range 4 West, San Bernardino Base Meridian (SBBM), on the *Hesperia* United States Geological Survey (USGS) 7.5-minute topographic quadrangles. The Project site center point latitude and longitude are 34°26'05.2014" North and 117°18'02.7994" West. (Figures 1 and 2).

Project Description

The project proposed the development of a new campus for Pathways to College Charter School (Figure 3). The development is expected to impact 14.11 acres. The proposed project will consist of a 21,400 square foot (SF) main building, 130 parking spaces, a playground, and recreational areas. Outside of the project boundary, roadside improvements and a proposed water and sewer line will be developed, impacting Third Avenue and Mojave Street. Approximately 14.11 total acres are expected to be impacted by development.

Project Contact Information

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Field Survey Methods

HES implemented the three steps as described in the *Burrowing Owl Survey Instructions for the Western Riverside County Multiple Species Habitat Conservation Plan Area*. The General Biological Assessment and Western Riverside MSHCP Consistency Analysis prepared for the project determined that focused surveys for BUOW would be required due to the presence of suitable habitat documented during the October 27, 2021, habitat assessment. In accordance with the CDFW, focused burrow and focused BUOW surveys (Part A and Part B, respectively) were conducted on four separate days during the 2022 nesting season: March 2, April 25, May 25, and June 24. Survey times, weather, and sunrise/sunset information is described in Table 1 below.

Table 1. Survey Information

Survey	Date	Survey Start Time	Survey End Time	Sunrise/Sunset	Weather
1	March 2, 2022	O830 hours	O955 hours	O615 hours 1746 hours	55-65 degrees Fahrenheit, 5% cloud cover, winds 0-4 miles per hour from the southeast.
2	April 25, 2022	O850 hours	O855 hours	O604 hours 1930 hours	61-63 degrees Fahrenheit, 0% cloud cover, winds 0-4 miles per hour from the northeast.
3	May 25, 2022	O745 hours	O812 hours	O540 hours 1952 hours	73-76 degrees Fahrenheit, 0% cloud cover, winds 0-3 from the northwest.
4	June 24, 2022	O745 hours	O815 hours	O538 hours 2005 hours	73-74 degrees Fahrenheit, 0% cloud cover, winds 0-6 mile per hour from the southeast.

Surveys were conducted from one hour before sunrise to two hours after sunrise or two hours before sunset to one hour after sunset and during weather that was conducive to observing owls outside their burrows and detecting BUOW sign. The surveys were not conducted during rain, high winds (> 20 miles per hour), dense fog, or temperatures above 90 degrees Fahrenheit. Surveys involved walking through potentially suitable habitat within the survey area. The

pedestrian survey transects were spaced approximately 30 to 50 feet apart to allow 100 percent visual coverage of the ground surface. Special attention was paid to those habitat areas that appeared to provide suitable habitat for BUOW. Where permission to access the buffer areas could not be obtained, the biologist visually inspects adjacent habitats with binoculars (Figure 4).

All encountered burrows or structure entrances were checked for the presence of BUOW, molted feathers, cast pellets, prey remains, eggshell fragments, tracks, or excrement. Natural or man-made structures and debris piles that could support BUOW were also surveyed. The locations of all suitable BUOW habitat, potential burrows, BUOW sign, and any BUOW observed was recorded and mapped with a handheld Global Positioning System (GPS) unit.

All wildlife species encountered visually or audibly during the field survey were identified and recorded in field notes. Binoculars were used to aid in the identification of observed wildlife. Representative site photographs were taken and are included within Appendix A.

Results

The project site supports one habitat community: ruderal habitat. Soil at the project site is classified as Bryman loamy fine sand (105), 0 to 2 percent slopes and Bryman loamy fine sand (106) 2 to 5 percent slopes. The project site has elevation ranges of 3149 feet above mean sea level (ASML) to 3175 feet ASML. The California ground squirrel was observed frequently and was very active on site. A 2008 historical sighting of a burrowing owl existed northwest of the project site. This burrow has been threatened by agricultural, commercial, and urban development the last several decades. Burrows were found during the focused surveys, and all were determined to be inactive. The site is bordered by various developments including residential areas west, and south, a private organization to the north and railroad tracks to the east. Dominant characteristic species on site include downy chess (*Bromus tectorum*), and tumbleweed (*Salsola tragus*).

The habitat assessment conducted on October 27, 2021, found that the project site does provide suitable burrows/nesting opportunities for BUOW. Evidence of ground squirrels and ground squirrel activity was observed, and approximately 141 suitable burrows were identified and recorded in the study area (Figure 5). 77 burrows occur within the project site and 64 burrows occur within the 500-foot buffer. BUOW signs such as molted feathers, cast pellets, and excrement found on rock outcroppings were not found. All burrows are considered inactive and not in use by burrowing owl. No BUOW were observed on the project site.

Based on the absence of BUOW and BUOW evidence (i.e., scat, pellets, and feathers) within the study area, it can be concluded that the study area is not in use by BUOW.

Recommendations

It is recommended that the following measures be implemented to ensure that potential impacts to BUOW are less than significant:

It is recommended that the following measures be implemented to ensure that potential impacts to BUOW are less than significant:

- Based on the presence of suitable habitat documented during the habitat assessment and focused burrowing owl surveys, a 30-day preconstruction survey will be conducted prior to the initiation of construction to ensure the protection of BUOW.
- If BUOW are found to have colonized the project site prior to the initiation of construction, the project proponent will immediately inform the Wildlife Agencies and will need to prepare a Burrowing Owl Protection and Relocation Plan for approval by the Wildlife Agencies prior to initiating ground disturbance.
- If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure burrowing owl has not colonized the site since it was last disturbed. If burrow owl is found, the same coordination described above will be necessary.

Certification

I hereby certify that the statements furnished above and in the attached exhibits present data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: July 22, 2022



Juan J. Hernandez
Principal Biologist

Enclosures:

- Figure 1: Location Map
- Figure 2: Vicinity Map
- Figure 3: Project Plans
- Figure 4: Survey Area Map
- Figure 5: Survey Results Map
- Appendix A: Site Photographs

FIGURE 1

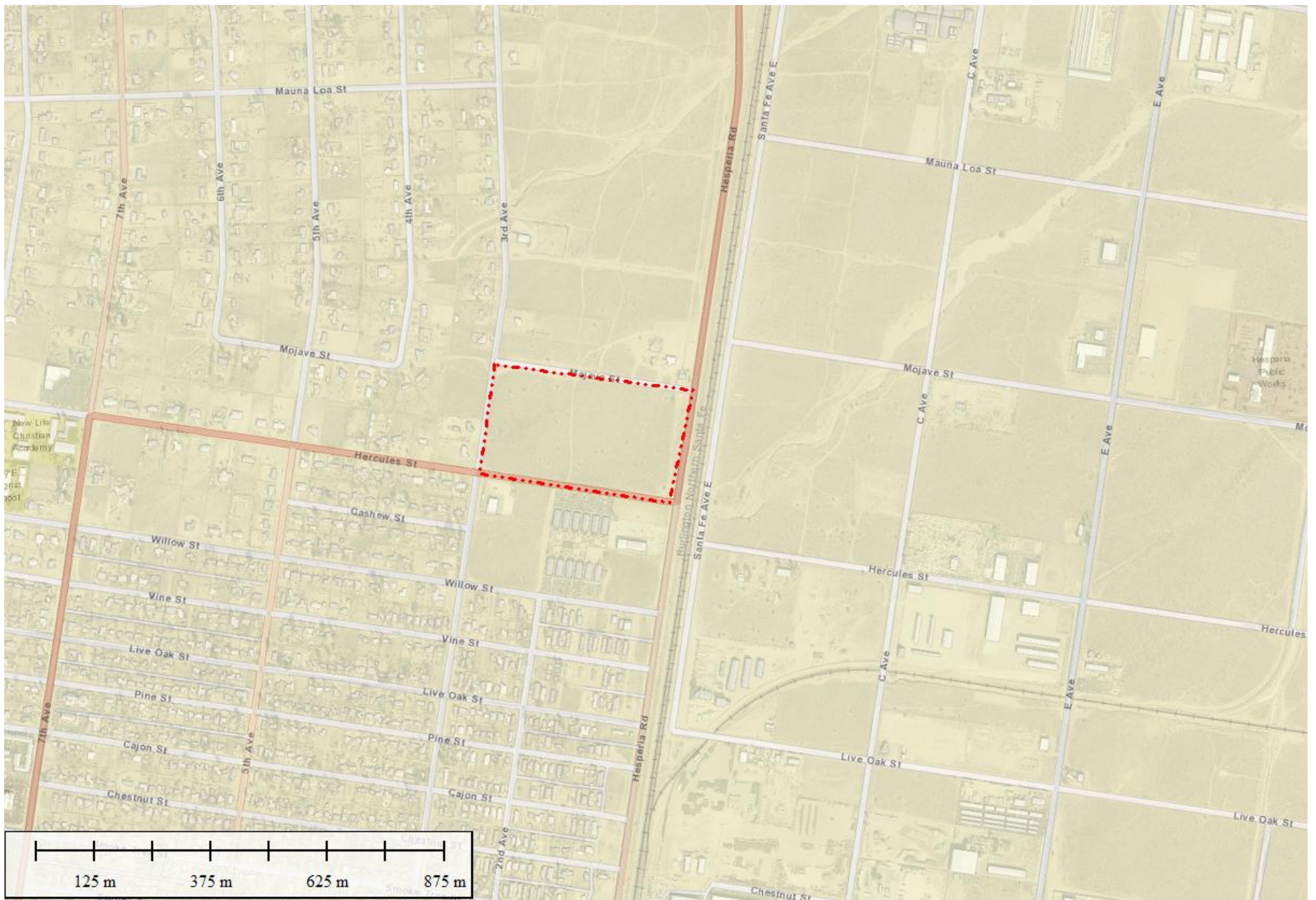


Figure 1
 Location Map
 Pathways to College
 San Bernardino County, California

Legend

 Project Site Boundary



FIGURE 2

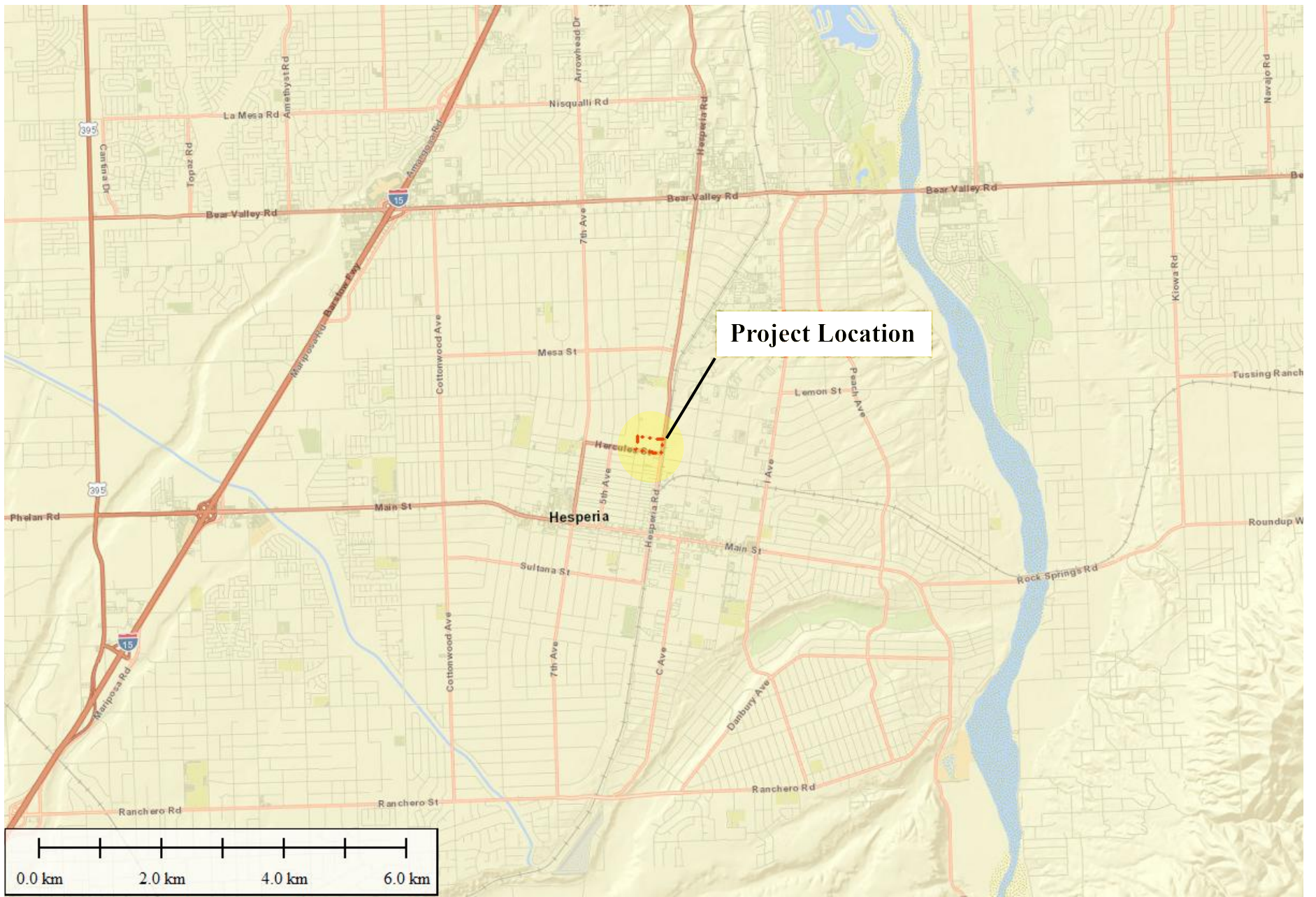


Figure 2
 Vicinity Map
 Pathways to College
 San Bernardino County, California

Legend


 Project Site Boundary



FIGURE 3

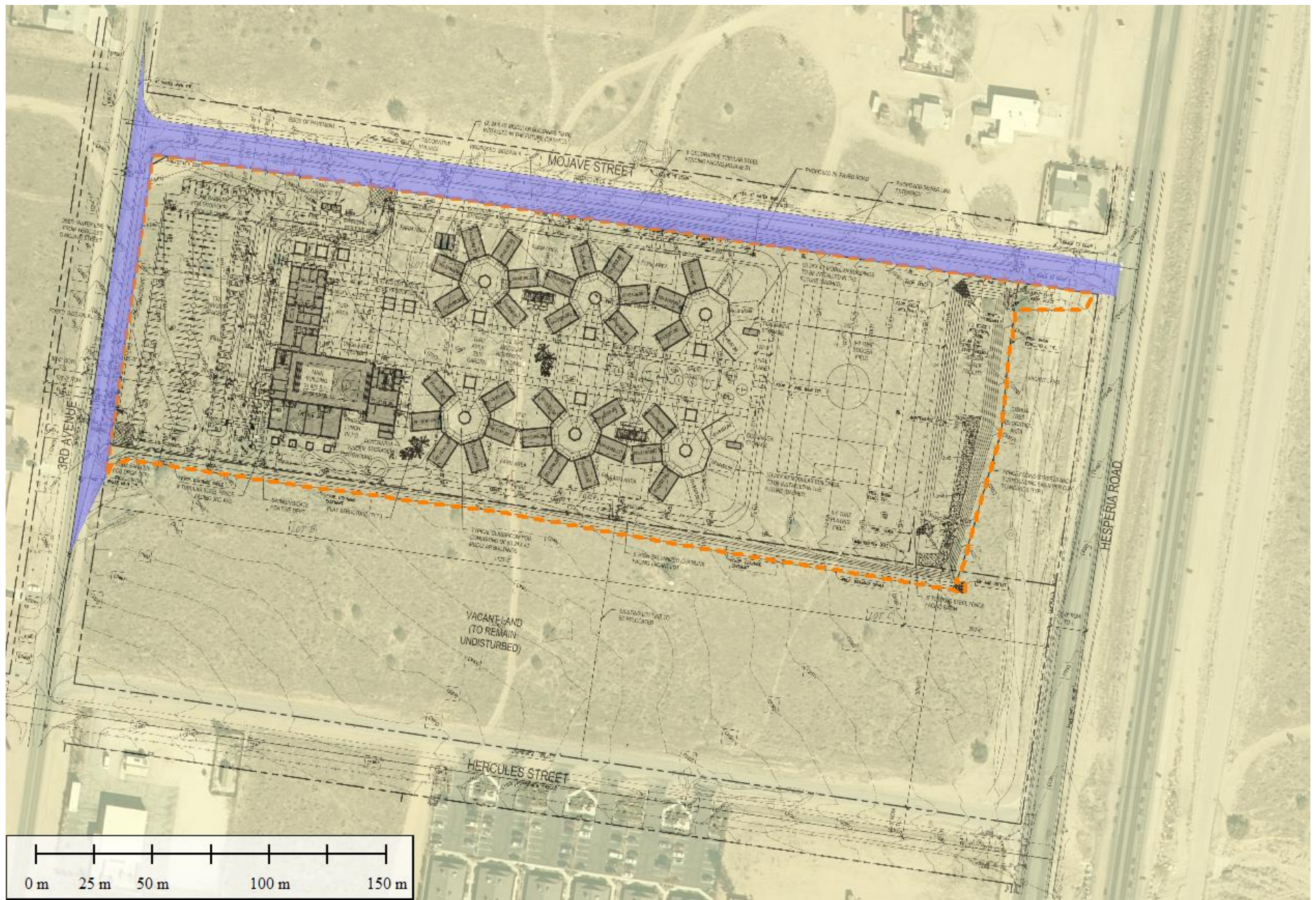


Figure 3
 Project Plans
 Pathways to College
 San Bernardino County, California

Legend



-  Onsite Impacts (12.13 acres)
-  Offsite Impacts (1.98 acres)



FIGURE 4

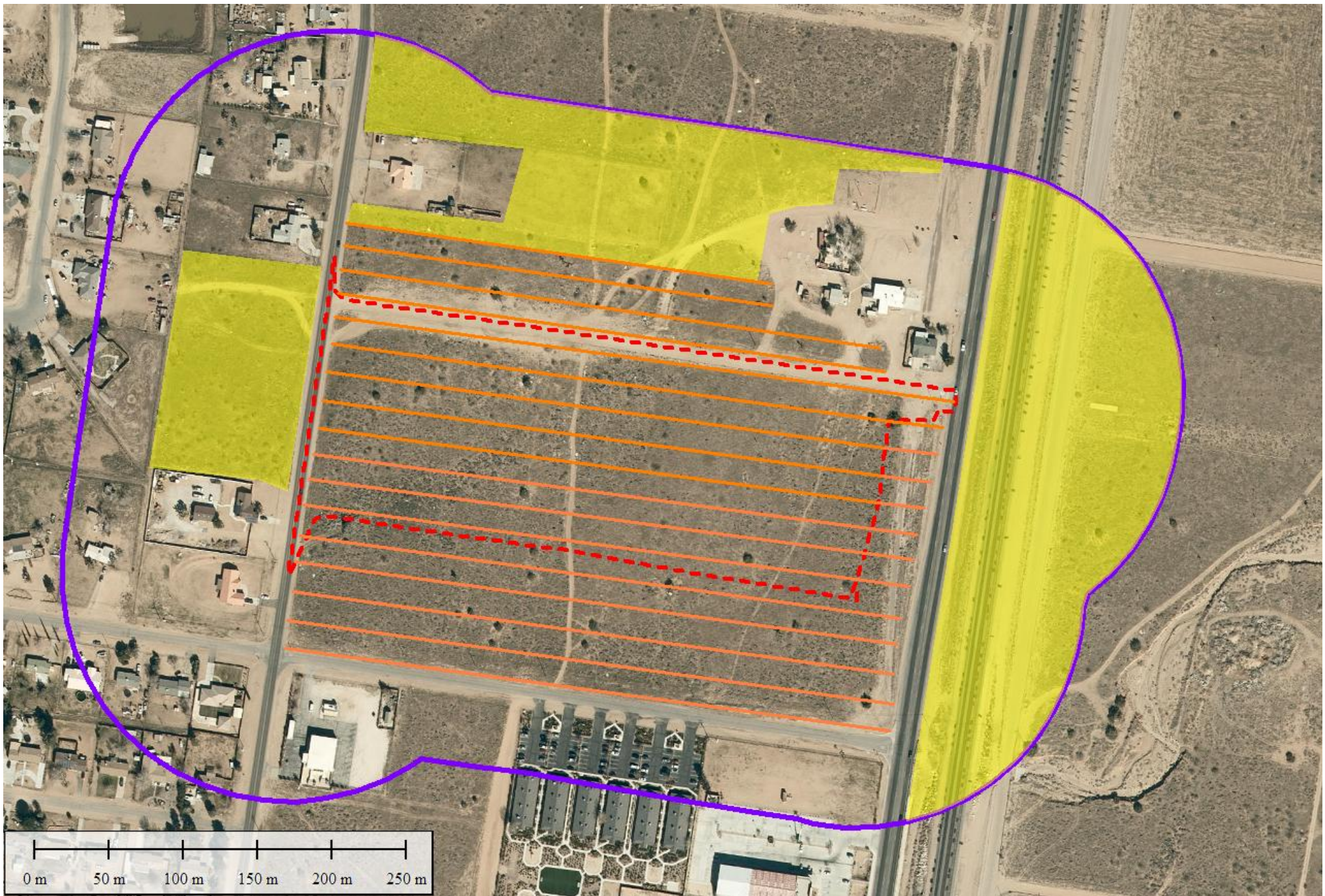


Figure 4
 BUOW Survey Area Map
 Pathways to College
 San Bernardino County, CA

- Legend**
- Project Site Boundary
 - 500 Foot Buffer
 - Area Viewed with Binoculars
 - Transects

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 Hernandez
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FIGURE 5

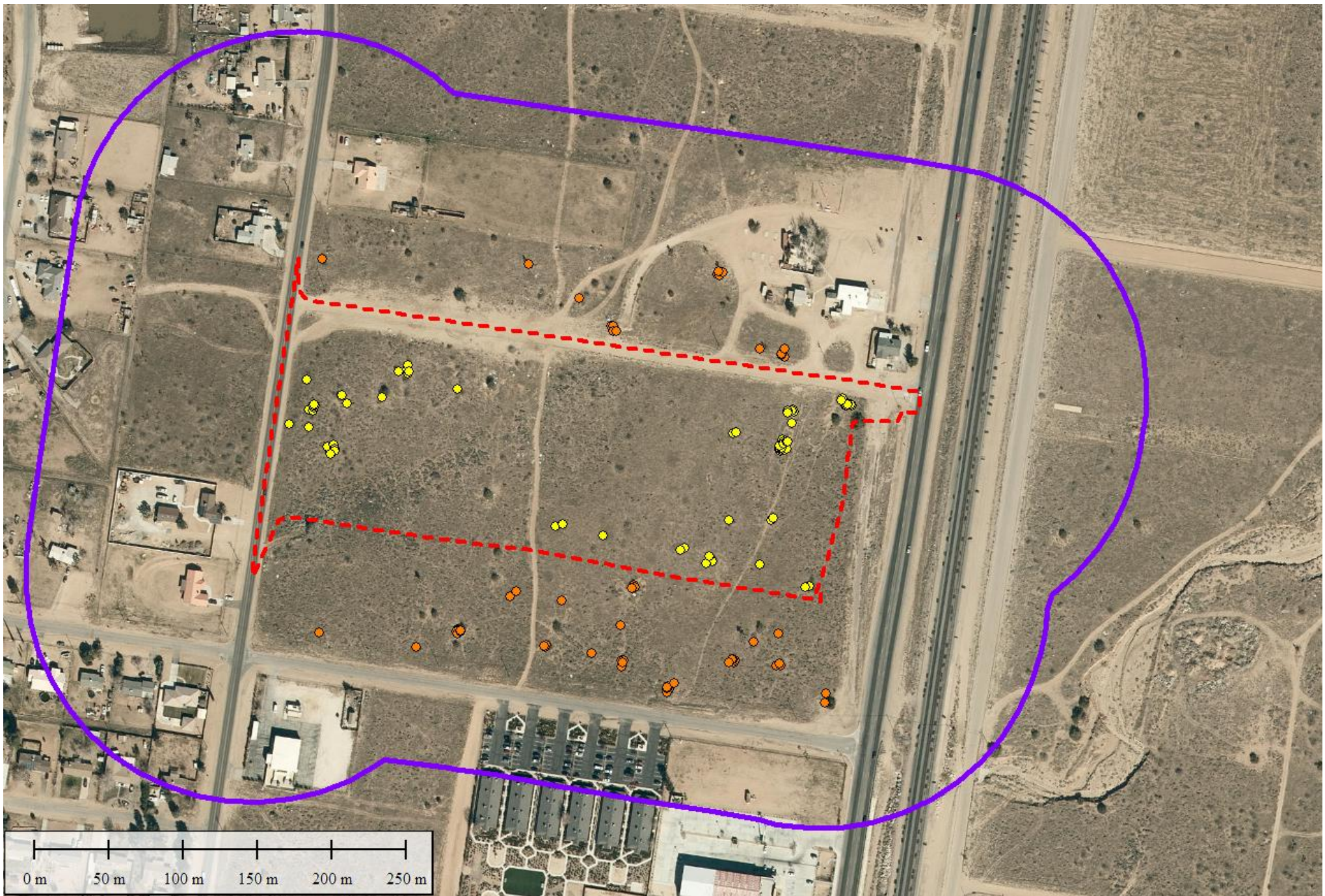


Figure 5
 BUOW Survey Results Map
 Pathways to College
 San Bernardino County, CA

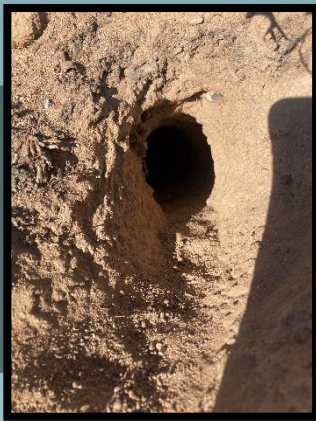
- Legend**
- Project Site Boundary
 - 500 Foot Buffer
 - Potential Burrows onsite (x77)
 - Potential Burrows offsite (x64)

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APPENDIX A



Burrow found on site in disturbed habitat.



Burrow found on site among Nevada joint fir scrub habitat near western border.



Burrows found on site beneath creosote bushes (*Larrea tridentata*) and juniper trees (*Juniperus*).



Burrow found on site beneath Joshua tree (*Yucca brevifolia*).



Creosote bushes on site where impacts will occur. View looking northeast.