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GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



July 25, 2023
Sent via email

Scott Nesor
Urban/Regional Planner
Riverside County Planning Department
77588 El Duna Ct, Suite H
Palm Desert, CA 92211



Jordan Outreach Ministries Training Center (PROJECT)
Mitigated Negative Declaration (MND)
SCH# 2023060726

Dear Scott Nesor:

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from the Riverside County Planning Department (County) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those 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.

¹CEQA 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.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

Proponent: Jordan Outreach Ministries

Objective: The proposed Project involves the construction of a training center campus for community outreach efforts that includes the development of offices, classrooms, dormitories, a dining hall, distribution center, maintenance building, media room, outdoor amphitheater, retention basin, and parking lot with 58 spaces on a 10-acre site. The Project is designed to include a landscape buffer along the perimeter of the site and also includes a large, landscaped open area in the southern half of the site. During the construction phase, there would be no need to add security lighting for construction areas or construction staging areas, because nighttime construction is not anticipated. At Project buildout, the site can be expected to generate increased levels of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the site during the day and nighttime; however, it would not require use of high intensity lighting. Main access would be off of 54th Avenue.

Location: The proposed Project is located on the southwest corner of the Avenue 54 and Van Buren Street intersection in the community of Thermal, Riverside County, California. The entire Project site is located within Assessor's Parcel Number 780-330-004. The Project is within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan but outside of a Conservation Area.

Timeframe: The MND does not indicate a timeframe for Project construction.

COMMENTS AND RECOMMENDATIONS

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

Project's impacts (i.e., direct, indirect, and cumulative) on biological resources and whether those impacts are reduced to less than significant.

CDFW's comments and recommendations on the MND are explained in greater detail below and summarized here. CDFW is concerned that the MND does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. CDFW also concludes that the MND lacks sufficient information to facilitate a meaningful review by CDFW, including a complete and accurate Project description. CDFW requests that additional information and analyses be added to a revised MND, along with avoidance, minimization, and mitigation measures that avoid or reduce impacts to less than significant.

Project Description

Compliance with CEQA is predicated on a complete and accurate description of the proposed Project. Without a complete and accurate Project description, the MND likely provides an incomplete assessment of Project-related impacts to biological resources. CDFW has identified gaps in information related to the Project description.

The MND lacks a discussion of plans for artificial nighttime lighting. CDFW requests that the MND is revised to include design plans for artificial nighttime lightning and lightning specifications. Artificial nighttime lighting can negatively impact biological resources in a variety of ways as discussed in the Artificial Nighttime Lightning section below. To conduct a meaningful review and provide biological expertise on how to protect fish and wildlife resources, CDFW requires a complete and accurate Project description.

Mitigation Measures

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

1) *Nesting Birds*

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in

the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

Page 1 of the Project's Biological Resources Assessment, dated June 10, 2022, indicates "shrubs were observed throughout the project site but are mainly concentrated along the west and south portions". Additionally, "ornamental shrubs (*firethorn* sp.) were observed growing on the western and southern fences bordering a date palm farm to the west, and another agriculture [area] to the south."

Because the Project site is located adjacent to areas with non-native palm trees and ornamental shrubs, Project construction activities and long-term operations have the potential to directly or indirectly impact nesting birds and other wildlife that use these areas. Birds like hooded oriole (*Icterus cucullatus*) primarily nest in palm trees and build hanging nests on the undersides of palm fronds.² Mourning doves (*Zenaida macroura*),³ owls, greater roadrunner (*Geococcyx californianus*), and house finch (*Haemorhous mexicanus*)⁴ frequently nest in the thick skirts of palms.⁵

The MND includes Mitigation Measure BIO-1, which indicates that if "construction must begin within the breeding season, then a preconstruction nesting bird survey shall be conducted no more than three (3) days prior to initiation of ground disturbance and vegetation-removal activities." CDFW recommends that disturbance of occupied nests of migratory birds and raptors within the Project site and surrounding area be avoided **any time birds are nesting on-site**. CDFW considers the Mitigation Measure BIO-1 to

² Garrett, K., and J. Dunn. 1981. Birds of southern California. Los Angeles Audubon Soc., Los Angeles.

³ Sayre, M. W. and N. J. Silvy. (1993). "Nesting and production." In Ecology and management of the Mourning Dove, edited by T. S. Baskett, M. W. Sayre, R. E. Tomlinson and R. E. Mirarchi, 81-104. Harrisburg, PA: Stackpole Books.

⁴ Badyaev, A. V., V. Belloni, and G. E. Hill (2020). House Finch (*Haemorhous mexicanus*), version 1.0. In Birds of the World (A. F. Poole, Editor). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bow.houfin.01>

⁵ Cornett, J. W., How did palm oases get to the California desert? A behind-the-scenes look at these 'tropical islands'. Desert Magazine. Sept. 13, 2018.

be insufficient in scope and timing to reduce impacts to nesting birds to less than significant.

CDFW recommends the County revise Mitigation Measure BIO-1, with additions in **bold** and removals in ~~strikethrough~~:

Mitigation Measure BIO-3: Avoidance of Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Established buffers shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance. ~~To avoid disturbance of nesting and special-status birds, including raptorial species protected by the MBTA and CFGC, activities related to the Project, including, but not limited to, vegetation removal, ground disturbance, and construction and demolition shall occur outside of the bird breeding season (February 1 through August 30). If construction must begin within the breeding season, then a preconstruction nesting bird survey shall be conducted no more than three (3) days prior to initiation of ground disturbance and vegetation removal activities. The nesting bird pre-construction survey shall be conducted within the Project site, plus a 300-foot buffer (500-foot for raptors), on foot, and within inaccessible areas (i.e., private lands) afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California desert communities. If nests are found, an avoidance buffer (which is dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be determined and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground-disturbing activities shall occur within this buffer until the~~

~~avian biologist has confirmed that breeding/nesting is completed, and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.~~

2) Artificial Nighttime Lighting

Page 19 of the MND indicates that at Project buildout, “the site can be expected to generate increased levels of light and glare from interior and exterior building lighting, safety and security lighting, landscape lighting, and vehicles accessing the site during the day and nighttime, however, it would not require use of high intensity lighting.” The MND lacks additional details on the Project’s lighting plans and lighting specifications. CDFW requests that the MND is revised to include a discussion of the Project’s lighting plans and lighting specifications to be used over long-term operations of the Project to allow CDFW to conduct a meaningful review and provide expertise on activities that have the potential to adversely affect fish and wildlife resources.

Additionally, because the Project is located adjacent to open-space areas that may support nesting birds in non-native palm trees and ornamental shrubs (see Nesting Bird section above), western yellow bats (*Lasiurus xanthinus*) that may forage on insects associated with date palms (*Phoenix dactylifera*),⁶ migratory birds that fly at night, and other nocturnal and crepuscular wildlife, CDFW recommends the MND is revised to include an analysis of the direct, indirect, and cumulative impacts of artificial nighttime lighting expected to adversely affect biological resources surrounding the Project site. Artificial nighttime lighting often results in light pollution, which has the potential to significantly and adversely affect fish and wildlife. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; and the detection of resources and natural enemies; and navigation.⁷ Many species use photoperiod cues for communication (e.g., bird song⁸), determining when to begin foraging,⁹ behavioral

⁶ Western Yellow Bat (*Lasiurus xanthinus*), Texas Parks and Wildlife Website, <https://tpwd.texas.gov/huntwild/wild/species/westyellow/>. Accessed 25 July 2023.

⁷ Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological Reviews*, 88.4: 912-927.

⁸ Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.

⁹ Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123–1127.

thermoregulation,¹⁰ and migration.¹⁰ Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it.¹¹

To support County in reducing impacts of artificial nighttime lighting on biological resources to less than significant, CDFW recommends that County add to a revised MND the following mitigation measure:

Mitigation Measure BIO-[A]: Artificial Nighttime Lighting

Throughout the lifetime operations of the Project, the County of Riverside shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County of Riverside shall ensure that all lighting for the Project is fully shielded, cast downward, reduced in intensity to the greatest extent, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The County of Riverside shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

3) *Burrowing Owl*

Burrowing owl (*Athene cunicularia*) is a California Species of Special Concern. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5, and 3513. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.). Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”

¹⁰ Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.

¹¹ Longcore, T., and C. Rich. 2004. Ecological light pollution -Review. *Frontiers in Ecology and the Environment* 2:191–198.

Page 1 of the Project's Biological Resources Assessment Memorandum dated June 10, 2022 (Biological Assessment) describes the Project site as "vacant and disturbed [and] historically identified as agriculture. Sparse shrubs along with annual and perennial grasses, weeds, with salt grass (*Distichlis spicata*) and several saltbush (*Atriplex sp.*) shrubs were observed throughout the project site but are mainly concentrated along the west and south portions." In California, preferred habitat is generally typified by short, sparse vegetation with few shrubs, level to gentle topography and well-drained soils.¹² Grassland, shrub steppe, and desert are naturally occurring habitat types used by the species. In addition, burrowing owls may occur in some agricultural areas, ruderal grassy fields, vacant lots and pastures if the vegetation structure is suitable and there are useable burrows and foraging habitat in proximity.¹³ The Project site contains habitat suitable for burrowing and foraging activities by burrowing owl. Although "limited small mammal burrows were observed in the southwest corner of the study area, which were small and could have been previously used by voles or lizards [and] no evidence of any large burrows, or of other burrowing mammals were observed," burrowing owls have potential to occupy the site in between the period that field surveys were conducted in May 2022 (page 3 of Biological Assessment) and the start of Project construction activities given the suitable habitat on the Project site. Although the MND includes Mitigation Measure BIO-MM A for burrowing owl, CDFW considers the measure to be inadequate in scope and timing to reduce impacts to less than significant. CDFW recommends that County include an additional mitigation measure for burrowing owl as follows:

Mitigation Measure BIO-[B]: Burrowing Owl Surveys

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the *Staff Report on Burrowing Owl Mitigation*. If burrowing owls are detected during the focused surveys, the qualified biologist and Project Applicant shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions.

¹² Haug, E. A., B. A. Millsap, and M. S. Martell. 1993. Burrowing owl (*Speotyto cunicularia*), in A. Poole and F. Gill, editors, *The Birds of North America*, The Academy of Natural Sciences, Philadelphia, Pennsylvania, and The American Ornithologists' Union, Washington, D.C., USA.

¹³ Gervais, J. A., D. K. Rosenberg, and L. A. Comrack. Burrowing Owl (*Athene cunicularia*) in Shuford, W.D. and T. Gardali, editors. 2008. *California Bird Species of Special Concern: A ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California*. Studies of Western Birds 1. Western Field Ornithologists, Camarillo, California, and California Department of Fish and Game, Sacramento, California, USA.

The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.

Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities. Prior to the issuance of any permit to allow ground disturbance on the site, the Project Proponent shall furnish the County with pre-construction surveys for burrowing owl and MBTA covered birds.

4) Landscaping

Page 12 of the MND indicates that the Project landscaping will “include a landscape buffer along the perimeter of the site and also includes a large, landscaped open area in the south one-half of the site.” Page 56 of the MND indicates that “approximately one-half of the Project site will remain as open space not covered with impervious surfaces. This includes grass, landscaping, and bio retention basin.” The MND lacks additional details on landscaping plans the plant species proposed for landscaping. To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts in your area may be able to

provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com/>. CDFW also recommends that the DEIS include recommendations regarding landscaping from Section 4.0 of the CVMSHCP "Table 4-112: Coachella Valley Native Plants Recommended for Landscaping" (pp. 4-180 to 4-182; <https://cvmshcp.org/plan-documents/>).

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be filled out and submitted online at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of environmental document filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the environmental document filing fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.)


CONCLUSIONS

CDFW appreciates the opportunity to comment on the MND to assist the County in identifying and mitigating Project impacts to biological resources. CDFW concludes that the MND does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. CDFW also concludes that the MND lacks sufficient information for a meaningful review of impacts to biological resources, including a complete project description. The CEQA Guidelines (§ 15088.5) indicate that recirculation is required when insufficient information in the MND precludes a meaningful review. CDFW recommends that a revised MND, including a complete Project description with lighting plans and specifications be recirculated for public comment. CDFW also recommends that revised and additional mitigation measures as described in this letter be added to a revised MND.

Scott Nesor, Urban/Regional Planner
County of Riverside
July 25, 2023
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CDFW personnel are available for consultation regarding biological resources and strategies to minimize impacts. Questions regarding this letter or further coordination should be directed to Jacob Skaggs, Environmental Scientist, at jacob.skaggs@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Kim Freeburn
Environmental Program Manager

Attachment 1: MMRP for CDFW-Proposed Mitigation Measures

ec:

Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
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ATTACHMENT 1: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation Measures	Timing and Methods	Responsible Parties
<p>Mitigation Measure BIO-3: Avoidance of Nesting Birds</p> <p>Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to vegetation removal or ground-disturbing activities. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Established buffers shall remain on site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.</p>	<p>Timing: No more than 3 days prior to vegetation removal or ground-disturbing activities.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: County of Riverside</p> <p>Monitoring and Reporting: County of Riverside</p>
<p>Mitigation Measure BIO-[A]: Artificial Nighttime Lighting</p> <p>Throughout the lifetime operations of the Project, the County of Riverside shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The County of Riverside shall ensure that all lighting for the Project is fully shielded, cast downward, reduced in intensity to the greatest extent, and does not result in lighting trespass</p>	<p>Timing: Throughout the lifetime operations of the Project</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: County of Riverside</p> <p>Monitoring and Reporting: County of Riverside</p>

<p>including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The County of Riverside shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.</p>		
<p>Mitigation Measure BIO-[B]: Burrowing Owl Surveys</p> <p>Suitable burrowing owl habitat has been confirmed on-site; therefore, focused burrowing owl surveys shall be conducted by a qualified biologist according to the <i>Staff Report on Burrowing Owl Mitigation</i>. If burrowing owls are detected during the focused surveys, the qualified biologist and Project Applicant shall prepare a Burrowing Owl Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, minimization, mitigation, and monitoring actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites, acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures if avoidance is proposed. If impacts to occupied burrowing owl habitat or burrow cannot be avoided, the Burrowing Owl Plan shall also describe minimization and relocation actions that will be implemented. Proposed implementation of burrow exclusion and closure should only be considered as a last resort, after all other options have been evaluated as exclusion is not in itself an avoidance, minimization, or mitigation method and has the possibility to result in take. If impacts to occupied burrows cannot be avoided, information shall be provided regarding adjacent or nearby suitable habitat available to owls along with proposed relocation actions. The Project proponent shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</p> <p>Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version). Preconstruction surveys should be performed by a qualified biologist following the recommendations and guidelines provided in</p>	<p>Timing: Focused surveys: Prior to the start of Project-related activities. Pre-construction surveys: No less than 14 days prior to start of Project-related activities and within 24 hours prior to ground disturbance.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: County of Riverside and Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>

<p>the <i>Staff Report on Burrowing Owl Mitigation</i>. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.</p>		
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