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GAVIN NEWSOM, Governor
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Sent via email

Governor's Office of Planning & Research

Aug 16 2022

STATE CLEARINGHOUSE

Evan Langan
Project Planner
County of Riverside Planning Department
4080 Lemon Street 12th Floor
Riverside, CA 92501

Dear Mr. Langan:

STANDARD GYPSUM MINE SURFACE MINING PERMIT NO.102 (PROJECT)
MITIGATED NEGATIVE DECLARATION (MND)
SCH# 2022070167

The California Department of Fish and Wildlife (CDFW) received a Mitigated Negative Declaration (MND) from the County of Riverside Planning Department for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA guidelines¹.

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

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may

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.

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: County of Riverside Planning Department

Objective: The project proposes a revision to the existing Surface Mining Permit for a gypsum mine located on a 611-acre property, including the expansion of the existing quarry over two phases, the development of three temporary (50-year) overburden stockpiles, and the construction of associated haul roads. The proposed project also includes final reclamation of the site to meet requirements under the Surface Mining and Reclamation Act. Phase 1 of the quarry expansion would total approximately 75 acres of which approximately 49 acres are part of the existing quarry or other disturbed land. Phase 2 would continue mining within this quarry area and mine under the existing processing area and add 1.5 acres of undeveloped land to the quarry. The overall mine site would encompass approximately 169.5 acres. The Remaining 411.5 acres of the site are not to be developed. Approximately 4.7 acres of previously disturbed land are outside of the planned facilities and are to be reclaimed. Overburden from the quarry would be stockpiled into three overburden stockpiles totaling 34.9 acres. Proposed haul roads will be constructed to transport overburden to the stockpiles.

Location: The proposed project is located in eastern Riverside County at an existing surface mine on the west side of the Little Maria Mountains, approximately 25 miles northwest of the City of Blythe and 10 miles west of Midland Road. The Project is located within Assessor's Parcel Numbers 809-170-025 and 809-170-016.

Timeframe: The proposed Project would operate over a 50-year period with an additional five years for reclamation activities.

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). The MND has not adequately identified and disclosed the Project's impacts (i.e., direct, indirect, and cumulative) to biological resources and whether those impacts are less than significant. CDFW offers the comments and recommendations below to assist County of Riverside Planning Department in adequately identifying and/or mitigating the Project's significant, or

potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW's comments and recommendations on the MND are explained in greater detail below and summarized here. The MND bases analysis of impacts to biological resources on biological surveys for burrowing owls, desert tortoise, and other special-status wildlife and plants that were last conducted in 2017 and 2018. CDFW generally considers field assessments for wildlife valid for a 1-year period. In addition, focused surveys must be conducted at the appropriate time of year to detect the presence of special-status species. Recent surveys during the appropriate times of the year are also needed to inform appropriate avoidance, minimization, and mitigation measures. Further, because wildlife surveys are outdated, it is unclear if impacts to biological resources are less than significant. The MND lacks a discussion of how impacts to ephemeral streams will be avoided, minimized, and mitigated so that impacts are less than significant. The MND also lacks an analysis of artificial nighttime lighting and its impacts on bats and other biological resources. If the revised MND cannot demonstrate that impacts to biological resources are mitigated to a level that is less than significant, CDFW recommends that an Environmental Impact Report be prepared by the County of Riverside for the Project.

1) *Recent Inventory and Mitigation Measures for Rare, Threatened, Endangered, and Other Sensitive Species*

Desert Tortoise (*Gopherus agassizii*)

Page 12 of the Project's Biological Resources Assessment dated October 31, 2016, indicates that based on the size and array of sign for desert tortoise observed during baseline surveys, numerous individuals are most likely present within the Project area. One adult desert tortoise was detected during baseline surveys. In contrast to baseline survey results, the MND indicated that protocol-level surveys in 2017 and 2018 did not identify recent sign of desert tortoises and suggested that desert tortoises are not currently residing within the project area. The MND does not indicate if more recent surveys for desert tortoises have been conducted. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period. CDFW recommends that updated protocol-level surveys for desert tortoises are conducted and that survey findings are included in a revised MND. Because the MND does not include either details on the total acres of suitable habitat for desert tortoise that are proposed to be impacted or recent focused surveys for desert tortoise, CDFW assumes that the entire 59.2 acres of undisturbed areas to be developed by the Project is suitable, and has the potential to be occupied by desert tortoise. CDFW recommends that the MND include compensatory mitigation for unavoidable impacts to desert tortoise habitat including the permanent protection of suitable habitat for desert tortoise at a minimum ratio of 2:1.

Further, the MND lacks a discussion of the acres of suitable habitat for desert tortoise onsite and mitigation measures to offset impacts to suitable desert tortoise habitat. The MND should describe the acres and location of suitable desert tortoise habitat onsite and proposed impacts to that habitat. For unavoidable impacts to desert tortoise habitat, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail in the MND. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail in the MND.

CDFW recommends the following revisions to Mitigation Measure BIO-6, with additions in **bold**:

Mitigation Measure BIO-6 Desert Tortoise

Prior to any impacts to desert tortoise habitat in the expansion area and subsequent to the issuance of SMP 102R1, the project proponent shall consult with USFWS, obtain a Section 7 or Section 10 incidental take permit under the Endangered Species Act, and secure a Section 2080.1 Consistency Determination or 2081 Incidental Take Permit from CDFW. The project proponent shall adhere to all measures set forth in the permit, including any compensatory mitigation measures. **Compensatory mitigation shall include the permanent protection of suitable habitat for desert tortoise at a minimum ratio of 2:1, or amount determined within the take permits, to offset all Project impacts to suitable habitat for desert tortoise.** Additionally, the following avoidance and minimization measures shall be incorporated into project activities:

[...]

- 100 percent coverage clearance surveys of the areas proposed for work activities to occur within the project site, with a focus on locating all desert tortoises above and below ground, shall be conducted by an authorized biologist and/or desert tortoise monitors designated by the authorized biologist no more than 72 hours prior to surface disturbance. **Over the proposed 50-year operations of the mine, clearance surveys shall be completed each time that operations activities will expand into a new area where desert tortoises have the potential to occur.** One hundred percent coverage clearance surveys shall continue daily prior to work activities occurring in an area until the desert tortoise exclusion fence is installed around the perimeter of the project site.

[...]

Burrowing Owl (*Athene cunicularia*)

The MND indicates that burrowing owls have the potential to occur onsite due to a portion of the Project area being occupied by fossorial animals, and that a burrowing owl habitat assessment and a focused burrow survey were last conducted in October 2017. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period. Additionally, the burrowing owl survey in 2017 was completed after the recommended peak breeding season window (April 15 through July 15) for breeding season surveys. CDFW recommends that an updated assessment of suitable habitat, focused surveys during the appropriate time of year, and an impact assessment are conducted according to the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012); available for download from CDFW's website: <https://www.wildlife.ca.gov/conservation/survey-protocols>. CDFW recommends that the findings of the updated habitat assessment, surveys, and impact assessment are included in a revised MND.

Further, because the MND does not include either details on the total acres of suitable habitat for burrowing owls that are proposed to be impacted or recent focused surveys for burrowing owls, CDFW assumes that the entire 59.2 acres of undisturbed areas to be developed by the Project is suitable, and potentially occupied by burrowing owls. CDFW recommends that the MND is revised to include a mitigation strategy to offset impacts to suitable, occupied burrowing owl habitat following the best practices of mitigating for impacts to burrowing owls in the *Staff Report on Burrowing Owl Mitigation*.

Additionally, because the Project's mine expansion and stockpiling activities may impact suitable burrowing owl habitat at different times during the long-term operations of the Project, focused burrowing owl surveys should be conducted each time that operations activities will expand into a new area where burrowing owls have the potential to occur.

CDFW recommends adding the following mitigation measure:

Mitigation Measure BIO-[X]: Burrowing Owls

Pre-construction Burrowing Owl breeding bird surveys shall be conducted by a qualified biologist within three days of ground disturbance or vegetation clearance following the recommended guidelines in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012). If the preconstruction surveys confirm occupied burrowing owl habitat, or if burrowing owls are detected after the Project has started, then construction activities shall be halted immediately. CDFW and USFWS shall be notified within 48 hours of detection. The qualified biologist and Project Applicant shall coordinate with the County, CDFW, and USFWS to develop a Burrowing Owl Plan to be approved by the County, CDFW and USFWS prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed

avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. For unavoidable impacts to suitable, occupied burrowing owl habitat, the Burrowing Owl Plan will outline a mitigation strategy for the perpetuity conservation of suitable, occupied burrowing owl habitat following the best practices for mitigating impacts in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012). The Permittee shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.

Desert Kit Fox (*Vulpes macrotis arsipus*), American Badger (*Taxidea taxus*), and Ringtail (*Bassariscus astutus*)

The MND indicates that wildlife surveys for were last conducted in 2016, 2017, and 2018. Desert kit fox sign was identified during 2016 surveys, and the ringtail and American badger were determined to have a high and moderate potential, respectively, to be present within the Project site. CDFW generally considers biological field assessments for wildlife to be valid for a one-year period. CDFW recommends that updated focused surveys for desert kit fox, American badger, and ringtail are conducted and findings are included in a revised MND. In addition to the avoidance and minimization measures in Mitigation Measure BIO-4, CDFW recommends that the County also indicates in a revised MND the anticipated acres of impact to suitable habitat for each of these species. For unavoidable impacts to these species or their suitable habitat, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail in a revised MND.

Because the MND does not include either details on the total acres of suitable habitat for desert kit fox, American badger, and ringtail that are proposed to be impacted or recent focused surveys for these species, CDFW assumes that the entire 59.2 acres of undisturbed areas to be developed by the Project are suitable habitat for desert kit fox, American badger, and ringtail. CDFW recommends that unavoidable impacts to suitable habitat for these species are offset through the permanent protection of suitable habitat for these species at a minimum of a 2:1 ratio.

Further CDFW recommends that the County incorporate in to a revised MND the following revisions to Mitigation Measure BIO-4 to support the Project Applicant in avoiding and minimizing impacts to desert kit fox, American badger, and ringtail. Recommended additions are in **bold** and removals in ~~strike through~~.

Mitigation Measure BIO-4: Avoid **and Mitigate for** Impacts to Desert Kit Fox, American Badger, and Ringtail

Prior to any initial ground disturbance within the proposed expansion areas and subsequent to the issuance of SMP 102R1, a qualified biologist shall conduct surveys for desert kit fox, American badger, and ringtails ~~by identifying any active burrows~~ **following guidelines discussed below**. ~~Active burrows and dens shall be flagged and avoided by 50 feet for badger and 200 feet for ringtail. Unoccupied dens shall be collapsed or closed with rock to prevent re-occupancy.~~ **For unavoidable impacts to suitable habitat for desert kit fox, American badger, and ringtails, suitable habitat for these species shall be permanently protected at an onsite or offsite location at a minimum of a 2:1 ratio.**

American Badger:

No more than 30 days prior to the beginning of ground disturbance and/or construction activities, a qualified biologist shall conduct a survey to determine if potential American badger burrows are present in the Project Area. If potential burrows are located, they shall be monitored using the best judgement of the qualified biologist. If the burrow is determined to be active, the qualified biologist shall flag and create a 50-foot buffer around the den. If impacts to the den are unavoidable, the qualified biologist will verify there are suitable burrows in avoided habitat within the Project Area or outside of the Project Area prior to undertaking passive relocation actions. If no suitable burrows are located, artificial burrows shall be created at least 14 days prior to passive relocation. The qualified biologist shall block the entrance of the active burrow with soil, sticks, and debris for 3-5 days to discourage the use of the burrow prior to Project activities. The entrance shall be blocked to an incrementally greater degree over the 3-5 day period. After the qualified biologist has determined there are no active burrows, the burrows shall be hand-excavated to prevent re-use. No disturbance of active dens shall take place when juvenile American badgers may be present and dependent on parental care. A qualified biologist shall determine appropriate buffers and maintain connectivity to adjacent habitat should natal burrows be present. ~~Occupied badger dens within the project site shall be hand-excavated if avoidance is not possible. Dens shall only be hand-excavated outside of the breeding season (February 15 through July 1). Any relocation of badgers shall take place after consultation and approval with CDFW.~~

Ringtail:

No more than 30 days prior to the beginning of ground disturbance and/or construction activities, a qualified biologist shall conduct a survey to determine if potential ringtail burrows are present in the Project Area. If

potential burrows are located, they shall be monitored by the qualified biologist. If the burrow is determined to be active, the qualified biologist shall flag and create a 200-foot buffer around the den. If avoidance of occupied ringtail dens is not possible, denning ringtail shall be safely evicted under the direction of a qualified biologist. ~~The biologist shall delay construction activity for a e of 5 days during the rest of the year (June 16 to April 30). If the qualified biologist documents ringtail voluntarily vacating the den site during this period, construction may begin within 7 days. If the ringtails do not vacate the den voluntarily within the required period (excluding the early pup-rearing period of May 1 to June 15), then the qualified biologist may passively relocate the ringtail after consultation with CDFW.~~ **No disturbance of active dens shall take place when juveniles may be present and dependent on parental care. Any relocation of ringtails shall take place after consultation and approval with CDFW.**

Desert Kit Fox:

Prior to commencing Project activities, a qualified biologist shall conduct a focused survey for desert kit fox, including assessment of all burrows in the Project area. If potential burrows are located, they should be monitored by the qualified biologist. If a burrow is determined to be active, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures.

No more than 14 days prior to the beginning of ground disturbance and/or Project activities, a qualified biologist shall conduct pre-construction surveys to determine if potential desert kit fox burrows/dens are present in the Project area. Pre-construction surveys should include 100 percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupied desert kit fox habitat, Project activities shall be immediately halted within a 500-foot buffer, and the qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures. No disturbance of active dens shall take place when juvenile desert kit fox may be present and dependent on parental care.

~~In the event that active desert kit fox den complexes are found, the complex shall be monitored to for a minimum of three days to classify them as natal or non-natal. If the complex is determined to be natal, a 300- to 500-foot non-disturbance buffer zone shall be established until a qualified biologist determines the young have dispersed. If the complex is determined to be non-natal, passive hazing techniques (e.g., one-way doors) shall be employed after consultation and approval with CDFW to discourage kit fox from using the complex. Upon successful exclusion of kit fox from the dens, the dens may then be collapsed.~~

Other Special-Status Wildlife Species

The MND identified 28 special-status wildlife species with the potential to occur in the Project site. Because biological surveys were last conducted in 2018, CDFW recommends that updated surveys for each of these species, during the appropriate times of the year, are conducted and the findings provided in a revised MND, along with appropriate mitigation measures that emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail in a revised MND.

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code section 86 defines “take” as hunt, pursue, catch, capture or kill or attempt to hunt, pursue, catch, capture or kill”) of state-listed CESA species, either through construction or over the life of the Project. CESA ITPs are issued to conserve protect, enhance, and restore state listed CESA species and their habitats.

2) Impacts and Mitigation Measures for Special Status Plants and Sensitive Plant Communities

Special Status Plants

The MND indicates that seven special-status plant species were determined to be present or have a high likelihood of occurring on the Project site. Several of these species are annual herbs, including Harwood’s milk-vetch (*Astragalus insularis* var. *harwoodii*), winged cryptantha (*Cryptantha holoptera*), and Abrams’ spurge (*Euphorbia abramsiana*). The MND also indicates that surveys, including a habitat assessment for rare plants, were conducted in September and October of 2016 – outside of the growing season when annual herbs are most identifiable. The Project’s Biological Resources Assessment dated October 31, 2016 indicates that official protocol-level surveys for sensitive plant and animal species determined to have a moderate to high potential to occur within the Project area will be conducted during the appropriate time periods starting in 2017; however, the MND and supplemental documentation do not indicate if more recent surveys for sensitive plant species were ever conducted. CDFW generally considers biological field assessments for rare plants to be valid for a period of up to three years. CDFW recommends that a thorough, recent, floristic-based assessment of special status plants and natural communities is conducted following CDFW’s Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and

Natural Communities (CDFW 2018²). The results of this assessment should be included in a revised MND. For unavoidable impacts to special status species, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail in a revised MND.

CDFW recommends that Mitigation Measure BIO-1: Special-Status Plant Species is revised with the following additions in **bold**:

Mitigation Measure BIO-1: Special-Status Plant Species

Prior to obtaining a permit for activities involving subsurface disturbance, the project applicant shall prepare documentation acceptable to the County that shows compliance with the following:

A thorough floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018 or most recent version) should be performed by a qualified biologist prior to commencing Project activities. Should any CESA-listed plant species be present in the Project area, the Project proponent should obtain take authorization through an Incidental Take Permit for those species prior to the start of Project activities. Where surveys determine that special-status plant species are present adjacent to the proposed project site, impacts to special-status plant species shall be avoided through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place. Within the project site, where avoidance of impacts to special-status plant species is not feasible, seed or plant propagules shall be collected from these species. The project applicant shall retain a qualified biologist to develop a mitigation and monitoring plan detailing impacts to special-status plant species, including foxtail cactus (*Coryphantha alversonii*) and Las Animas colubrina (*Colubrina californica*). The special-status plant mitigation and monitoring plan shall include:

- o Documentation of proposed impacts to special-status plant species;
- o Proposed mitigation including a combination of transplantation **during the**

² CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

appropriate time of year or reestablishment of impacted populations and/or ~~preservation~~ **permanent protection** and management of existing populations **at an onsite or offsite location at a minimum of a 2:1 ratio for all unavoidable impacts;**

- o Proposed methods for transplantation, re-establishment, or restoration;
- o A 5-year monitoring program with annual reporting;
- o Performance criteria for transplants or plantings including (a) survivorship, (b) density and (c) cover, and performance criteria for invasive plants and other potential threats to the success of the mitigation efforts such as erosion, human disturbance, etc.; and
- o A contingency plan for addressing any failure to meet performance criteria.

Sensitive Plant Communities

Regarding impacts the sensitive plant communities, the MND and associated documentation contains the following information on desert lavender scrub:

- Page 41 of the MND indicates that 5.33 acres of desert lavender scrub, an S-3 ranked sensitive plant community, are located within the mine expansion and reclamation areas.
- Page 44 of the MND indicates that the proposed expansion would have no impact on desert lavender scrub found within the Project area.
- Page 21 of the Project's Biological Resources Assessment dated October 31, 2016 indicates that the proposed expansion would permanently impact 0.87 acres of desert lavender scrub.
- Page 25 of the Project's Biological Resources Assessment dated October 31, 2016 indicates that desert lavender occurs in dry washes, and any impacts to this community will be compensated as part of mitigation requirements associated with the U.S. Army Corps of Engineers, Regional Water Quality Control Board, and CDFW, and therefore no additional compensatory mitigation is recommended in the MND.

CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. CDFW recommends that the MND is revised to include a discussion on how the Project is designed to fully avoid and otherwise protect desert lavender scrub, and any other sensitive plant communities, from project-related direct and indirect impacts. Any unavoidable Project impacts to desert lavender scrub or other sensitive plant communities should be consistently identified throughout the MND

and supporting documentation, and a detailed mitigation strategy to offset any unavoidable impacts should be discussed in a revised MND.

3) Nesting Bird Protection

Mitigation Measure BIO-2 in the MND indicates that preconstruction nest surveys will be performed only between February 1 through August 15. 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.). The nesting bird season is shifting due to climate change, with some birds nesting earlier and later due to shifts in climate. To support the Project applicant in complying with these laws related to nesting birds and raptors, CDFW recommends that the County include in a revised MND the following revisions to Mitigation Measure BIO-2, with additions in **bold** and removals in ~~strikethrough~~:

Mitigation Measure BIO-2: Avoidance of Nesting Birds ~~during Nesting Season~~

Disturbance of occupied nests of migratory birds and raptors, including special-status birds, within the project site shall be avoided **any time birds or raptors are nesting onsite.**, ~~where feasible, during the local nesting season for avian species (February 1 through August 15). If any such activities take place outside of the nesting season (August 16 through January 31), then no further action is necessary. If any such activities occur during the nesting season,~~ p
Preconstruction nest surveys shall be performed within 443 days prior to such activities to determine the presence and location of nesting birds.

If active bird nests are located during the preconstruction survey, construction activities shall be restricted as determined by the qualified biologist to avoid disturbance of the nest until young have fledged and the qualified biologist has determined that there is no further risk of injury to birds or nests from project-related activities. At a minimum for non-special-status species, a no disturbance buffer of 250 feet shall be established around active nests of non-raptor bird species and a no-disturbance buffer of 500 feet shall be established around

active nests of raptors. Appropriate no-disturbance buffers around special-status species shall be determined in consultation with CDFW.

A preconstruction nest survey report shall be submitted to the CDFW no later than seven days following the survey. Survey results are valid for 443 days; if construction work has not commenced within the surveyed areas in that period, surveys must be conducted again.

4) Analysis of Direct and Indirect Impacts of Artificial Nighttime Lighting on Biological Resources

Page 20 of the MND indicates that mining operations are proposed to occur 24 hours a day requiring on-site lighting. However, the Project lacks both details on the artificial nighttime lighting produced by the Project and an analysis of the indirect impacts artificial lighting on biological resources. Bats are particularly susceptible to artificial nighttime lighting, and the MND indicates that three bat species that are California Species of Special Concern (SSC)—California leaf-nosed bat (*Macrotus californicus*), Western mastiff bat (*Eumops perotis californicus*), and Pallid bat (*Antrozous pallidus*)—have been identified within or nearby the Project area. Two other bats with SSC status were identified as having a moderate potential to be present at the Project site.

Numerous studies have shown that direct lighting on roost structures can have profound negative effects on bats roosting in those structures. For example, the complete abandonment (or significant reduction of the bat population) at human-made structures used by roosting bats following the installation of bright artificial lighting has been documented on multiple occasions (e.g., Boldogh et al. 2007; Rydell et al. 2017). Downs et al. (2003) found that the intensity of the artificial light near the roost affected the bats' behavior during emergence more than the color of the light, while Rydell et al. (2017) found that the loss of bat colonies at structures that were newly illuminated was most apparent when light was applied in such a manner that there was no dark corridor for the bats to exit and return to the roost.

Adverse effects from the illumination of a roost structure by artificial lights extend beyond simply having the potential to discourage further use of that structure by bats. For example, Boldogh et al. (2007) found that not only did bright artificial lighting at roosts delay the start of the emergence and/or prolong the duration of bats' emergence from that structure, but also juveniles at roost structures that were illuminated were significantly smaller than juveniles at roost structures that were not illuminated by bright artificial lights. The smaller body masses of juveniles at illuminated sites may be attributed to the delayed emergences at those sites, which not only reduces the total foraging time available for lactating female bats (and later, juveniles learning to hunt) each night, but also causes those bats to miss the peak insect abundance that occurs at dusk, reducing their foraging efficiency. These findings suggest that even if a maternity colony chooses to remain at a newly illuminated roost site, juvenile survivorship is

negatively affected, and therefore the reproductive success of those colonies could be severely compromised.

Rydell et al. (2017) and Voigt et al. (2018) note that maintaining darkness at maternity roosts is particularly important because at these types of roosts, aggregations of bats are present consistently over a long period of time, individual bats emerge from predictable locations, and juvenile bats are learning how to fly. Illumination of a maternity roost renders the colony more vulnerable to opportunistic predators such as raptors and owls, and predator-avoidance behaviors such as delayed emergence times reduce their foraging opportunities, thereby lowering juvenile survivorship. Suitable maternity roost sites are a limited resource, and if an alternate roost site is not available, extirpation of the entire colony could occur as a result of artificial lighting. Various studies (e.g., Boldogh et al. 2007; Rydell et al. 2017; Voigt et al. 2018) have concluded that because bright artificial lighting at roost structures has significant negative effects on bats, including the potential for the extirpation of an entire maternity colony, the addition of lighting near an established roost should be considered during the environmental impact review process.

CDFW recommends that the MND is updated to include a description of the artificial nighttime lighting that will be used at the Project site and a thorough discussion of the indirect impacts of artificial lighting expected to adversely affect wildlife including bats. CDFW recommends that a habitat assessment for bat roosting habitat, specifically focused on the bats with SSC status that have a moderate to high potential to use the site, is conducted. Because the last bat surveys were conducted in 2018, updated nighttime emergence surveys should be completed at suitable roosting locations within the Project site and surrounding area. Based on results of updated surveys, MND should be revised to include a discussion describing and analyzing reasonable alternatives that would avoid or substantially lessen the Project's negative impacts to bats and other wildlife associated with artificial nighttime lighting. CDFW strongly recommends that all artificial nighttime lighting is shielded. Additionally, lighting intensity should be reduced to the greatest extent possible. Lighting curfews (periods when artificial nighttime lighting is turned off) should also be considered.

CDFW recommends that the County add the following mitigation measure to a revised MND:

MM BIO-[Y]: Artificial Nighttime Lighting

During both Project construction activities and the long-term operations, the Project shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active. Ensure that lighting for Project activities is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the International

Dark-Sky Association standards at <http://darksky.org/>). Use LED lighting with a correlated color temperature of 3,000 Kelvins or less, properly dispose of hazardous waste, and recycle lighting that contains toxic compounds with a qualified recycler.

5) Avoidance, Minimization and Mitigation Measures for Impacts to Streams

Mitigation Measure BIO-7 of the MND indicates that the Project will be designed, where possible, to minimize and avoid permanent impacts to desert wash habitats in the expansion areas; however, the MND contains limited information on how impacts to ephemeral streams will be avoided, minimized, or mitigated. Ephemeral streams perform important ecological and hydrological functions, such as transporting sediment, seeds, and nutrients; storing water; recharging groundwater; serving as wildlife habitat and migration corridors; providing forage, refugia, and nesting habitat; and storing and cycling nutrients.³ CDFW recommends that the MND is revised to include a detailed discussion of how the Project is designed to avoid and/or minimize impacts to ephemeral streams, what Project design alternatives were considered to this end, and why a preferred alternative was selected. Further, the MND indicates that the Project applicant will obtain all required permits from resources agencies and adhere to all compensatory mitigation measures in these permits. However, the MND does not include any additional details on a mitigation strategy to offset the Project's impacts to ephemeral streams. The MND should fully identify, for public review, the potential impacts to stream resources, and provide adequate avoidance, minimization, and mitigation.

Additionally, page 41 of the MND indicates that in March of 2019 the Project applicant submitted an application to CDFW with regard to Waters of the State. CDFW recommends that additional details be provided in the MND, including the type of application (e.g., notification of streambed alteration) and the outcome of this application including and any permit issued. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the

³ The Ecological and Hydrological Significance of Ephemeral and Intermittent Streams in Arid and Semi-arid American Southwest, Environmental Protection Agency, November 2008

flood plain of a body of water.

CDFW recommends that the County add the following mitigation measure to a revised MND:

MM BIO-[Z]: CDFW Lake and Streambed Alteration Program

Prior to the initiation of Project activities, the Project applicant should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, or the Project applicant should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project.

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 of Riverside Planning Department in identifying and mitigating Project impacts to biological resources. CDFW concludes that the MND does not adequately identify or mitigate for the Project's significant, or potentially significant, impacts on biological resources. CDFW recommends that the MND include a more complete assessment of the Project's

Evan Langan, Project Planner
County of Riverside Planning Department
August 15, 2022
Page 17

potential impacts on biological resources—including updated biological field assessments and focused surveys for wildlife and rare plants—as well as appropriate avoidance, minimization, and mitigation measures. If the revised MND cannot demonstrate that impacts to biological resources are mitigated to a level that is less than significant, CDFW recommends that an Environmental Impact Report be prepared by the County for the Project. 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:

84F92FFEEFD24C8...

Kim Freeburn
Acting Environmental Program Manager

Attachment 1: MMRP for CDFW-Proposed Mitigation Measures

ec:

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ATTACHMENT 1: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

Mitigation Measures	Timing and Methods	Responsible Parties
<p>CDFW recommends that Mitigation Measure BIO-1: Special-Status Plant Species be revised with the following additions in bold:</p> <p>Mitigation Measure BIO-1: Special-Status Plant Species</p> <p>Prior to obtaining a permit for activities involving subsurface disturbance, the project applicant shall prepare documentation acceptable to the County that shows compliance with the following:</p> <p>A thorough floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018 or most recent version) should be performed by a qualified biologist prior to commencing Project activities. Should any CESA-listed plant species be present in the Project area, the Project proponent should obtain take authorization through an Incidental Take Permit for those species prior to the start of Project activities. Where surveys determine that special-status plant species are present adjacent to the proposed project site, impacts to special-status plant species shall be avoided through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place. Within the project site, where avoidance of impacts to special-status plant species is not feasible, seed or plant propagules shall be collected from these species. The project applicant shall retain a qualified biologist to develop a mitigation and monitoring plan detailing impacts to special-status plant species, including foxtail cactus (<i>Coryphantha alversonii</i>) and Las Animas colubrina (<i>Colubrina californica</i>). The special-status plant mitigation and monitoring plan shall include:</p>	<p>Timing: Prior to Project construction and during long-term operations</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>

<ul style="list-style-type: none"> o Documentation of proposed impacts to special-status plant species; o Proposed mitigation including a combination of transplantation during the appropriate time of year or reestablishment of impacted populations and/or preservation permanent protection and management of existing populations at an onsite or offsite location at a minimum of a 2:1 ratio for all unavoidable impacts; o Proposed methods for transplantation, re-establishment, or restoration; o A 5-year monitoring program with annual reporting; o Performance criteria for transplants or plantings including (a) survivorship, (b) density and (c) cover, and performance criteria for invasive plants and other potential threats to the success of the mitigation efforts such as erosion, human disturbance, etc.; and o A contingency plan for addressing any failure to meet performance criteria. 		
<p>CDFW recommends that Mitigation Measure BIO-2 be revised with the following additions in bold and removals in strikethrough:</p> <p>Mitigation Measure BIO-2: Avoidance of Nesting Birds during Nesting Season</p> <p>Disturbance of occupied nests of migratory birds and raptors, including special-status birds, within the project site shall be avoided any time birds or raptors are nesting onsite, where feasible, during the local nesting season for avian species (February 1 through August 15). If any such activities take place outside of the nesting season (August 16 through January 31), then no further action is necessary. If any such activities occur during the nesting season, p Preconstruction nest surveys shall be performed within 443 days prior to such activities to determine the presence and location of nesting birds.</p> <p>If active bird nests are located during the preconstruction survey, construction activities shall be restricted as determined by the qualified biologist to avoid disturbance of the nest until young have fledged and the qualified biologist has determined that there is no further risk of injury to birds or nests from project-related activities. At a minimum for non-special-status</p>	<p>Timing: Prior to Project construction and during long-term operations</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>

<p>species, a no disturbance buffer of 250 feet shall be established around active nests of non-raptor bird species and a no-disturbance buffer of 500 feet shall be established around active nests of raptors. Appropriate no-disturbance buffers around special-status species shall be determined in consultation with CDFW.</p> <p>A preconstruction nest survey report shall be submitted to the CDFW no later than seven days following the survey. Survey results are valid for 443 days; if construction work has not commenced within the surveyed areas in that period, surveys must be conducted again.</p>		
<p>CDFW recommends Mitigation Measure BIO-4: Avoid Impacts to Desert Kit Fox, American Badger, and Ringtail be revised with the following additions in bold and removals in strikethrough:</p> <p>Mitigation Measure BIO-4: Avoid and Mitigate for Impacts to Desert Kit Fox, American Badger, and Ringtail</p> <p>Prior to any initial ground disturbance within the proposed expansion areas and subsequent to the issuance of SMP 102R1, a qualified biologist shall conduct surveys for desert kit fox, American badger, and ringtails by identifying any active burrows following guidelines discussed below. Active burrows and dens shall be flagged and avoided by 50 feet for badger and 200 feet for ringtail. Unoccupied dens shall be collapsed or closed with rock to prevent re-occupancy. e</p> <p>American Badger:</p> <p>No more than 30 days prior to the beginning of ground disturbance and/or construction activities, a qualified biologist shall conduct a survey to determine if potential American badger burrows are present in the Project Area. If potential burrows are located, they shall be monitored using the best judgement of the qualified biologist. If the burrow is determined to be active, the qualified biologist shall flag and create a 50-foot buffer around the den. If impacts to the den are unavoidable, the qualified biologist will verify there are suitable burrows in avoided habitat within the Project Area or outside of the Project Area prior to undertaking passive relocation actions. If no suitable burrows are located,</p>	<p>Timing: Prior to Project construction and during long-term operations</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>

<p>artificial burrows shall be created at least 14 days prior to passive relocation. The qualified biologist shall block the entrance of the active burrow with soil, sticks, and debris for 3-5 days to discourage the use of the burrow prior to Project activities. The entrance shall be blocked to an incrementally greater degree over the 3-5 day period. After the qualified biologist has determined there are no active burrows, the burrows shall be hand-excavated to prevent re-use. No disturbance of active dens shall take place when juvenile American badgers may be present and dependent on parental care. A qualified biologist shall determine appropriate buffers and maintain connectivity to adjacent habitat should natal burrows be present. Occupied badger dens within the project site shall be hand-excavated if avoidance is not possible. Dens shall only be hand-excavated outside of the breeding season (February 15 through July 1). Any relocation of badgers shall take place after consultation and approval with CDFW.</p> <p>Ringtail:</p> <p>No more than 30 days prior to the beginning of ground disturbance and/or construction activities, a qualified biologist shall conduct a survey to determine if potential ringtail burrows are present in the Project Area. If potential burrows are located, they shall be monitored by the qualified biologist. If the burrow is determined to be active, the qualified biologist shall flag and create a 200-foot buffer around the den. If avoidance of occupied ringtail dens is not possible, denning ringtail shall be safely evicted under the direction of a qualified biologist. The biologist shall delay construction activity for a e of 5 days during the rest of the year (June 16 to April 30). If the qualified biologist documents ringtail voluntarily vacating the den site during this period, construction may begin within 7 days. If the ringtails do not vacate the den voluntarily within the required period (excluding the early pup-rearing period of May 1 to June 15), then the qualified biologist may passively relocate the ringtail after consultation with CDFW. No disturbance of active dens shall take place when juveniles may be present and dependent on parental care. Any relocation of ringtails</p>		
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<p>shall take place after consultation and approval with CDFW.</p> <p>Desert Kit Fox:</p> <p>Prior to commencing Project activities, a qualified biologist shall conduct a focused survey for desert kit fox, including assessment of all burrows in the Project area. If potential burrows are located, they should be monitored by the qualified biologist. If a burrow is determined to be active, the qualified biologist shall immediately notify CDFW and USFWS to determine appropriate avoidance, minimization, and mitigation measures.</p> <p>No more than 14 days prior to the beginning of ground disturbance and/or Project activities, a qualified biologist shall conduct pre-construction surveys to determine if potential desert kit fox burrows/dens are present in the Project area. Pre-construction surveys should include 100 percent visual coverage of the Project area and cannot be combined with other surveys conducted for other species while using the same personnel. If the pre-construction surveys confirm occupied desert kit fox habitat, Project activities shall be immediately halted within a 500-foot buffer, and the qualified biologist shall notify CDFW and USFWS to develop avoidance, minimization, and mitigation measures. No disturbance of active dens shall take place when juvenile desert kit fox may be present and dependent on parental care.</p> <p>In the event that active desert kit fox den complexes are found, the complex shall be monitored to for a minimum of three days to classify them as natal or non-natal. If the complex is determined to be natal, a 300- to 500-foot non-disturbance buffer zone shall be established until a qualified biologist determines the young have dispersed. If the complex is determined to be non-natal, passive hazing techniques (e.g., one-way doors) shall be employed after consultation and approval with CDFW to discourage kit fox from using the complex. Upon successful exclusion of kit fox from the dens, the dens may then be collapsed.</p>		
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<p>CDFW recommends the following revisions to Mitigation Measure BIO-6, with additions in bold:</p> <p>Mitigation Measure BIO-6 Desert Tortoise</p> <p>Prior to any impacts to desert tortoise habitat in the expansion area and subsequent to the issuance of SMP 102R1, the project proponent shall consult with USFWS, obtain a Section 7 or Section 10 incidental take permit under the Endangered Species Act, and secure a Section 2080.1 Consistency Determination or 2081 Incidental Take Permit from CDFW. The project proponent shall adhere to all measures set forth in the permit, including any compensatory mitigation measures. Compensatory mitigation shall include the permanent protection of suitable habitat for desert tortoise at a minimum ratio of 2:1, or amount determined within the take permits, to offset all Project impacts to suitable habitat for desert tortoise. Additionally, the following avoidance and minimization measures shall be incorporated into project activities:</p> <p>[...]</p> <ul style="list-style-type: none"> • 100 percent coverage clearance surveys of the areas proposed for work activities to occur within the project site, with a focus on locating all desert tortoises above and below ground, shall be conducted by an authorized biologist and/or desert tortoise monitors designated by the authorized biologist no more than 72 hours prior to surface disturbance. Over the proposed 50-year operations of the mine, clearance surveys shall be completed each time that operations activities will expand into a new area where desert tortoises have the potential to occur. One hundred percent coverage clearance surveys shall continue daily prior to work activities occurring in an area until the desert tortoise exclusion fence is installed around the perimeter of the project site. <p>[...]</p>	<p>Timing: Prior to Project construction and during long-term operations</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>
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<p>MM BIO-[X]: Burrowing Owls</p> <p>Pre-construction Burrowing Owl breeding bird surveys shall be conducted by a qualified biologist within three days of ground disturbance or vegetation clearance following the recommended guidelines in the Staff Report on Burrowing Owl Mitigation (Department of Fish and Game, March 2012). If the preconstruction surveys confirm occupied burrowing owl habitat, or if burrowing owls are detected after the Project has started, then construction activities shall be halted immediately. CDFW and USFWS shall be notified within 48 hours of detection. The qualified biologist and Project Applicant shall coordinate with the County, CDFW, and USFWS to develop a Burrowing Owl Plan to be approved by the County, CDFW and USFWS prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance, relocation, monitoring, minimization, and/or mitigation actions. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls shall also be included in the Burrowing Owl Plan. For unavoidable impacts to suitable, occupied burrowing owl habitat, the Burrowing Owl Plan will outline a mitigation strategy for the perpetuity conservation of suitable, occupied burrowing owl habitat following the best practices for mitigating impacts in the <i>Staff Report on Burrowing Owl Mitigation</i> (Department of Fish and Game, March 2012). The Permittee shall implement the Burrowing Owl Plan following CDFW and USFWS review and approval.</p>	<p>Timing: Prior to Project construction and during long-term operations Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant Monitoring and Reporting: County of Riverside</p>
<p>MM BIO-[Y]: Artificial Nighttime Lighting</p> <p>During both Project construction activities and the long-term operations, the Project shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light during the hours of dawn and dusk when many wildlife species are most active. Ensure that lighting for Project activities is shielded, cast downward, and does not spill over onto other properties or upward into the night sky (see the</p>	<p>Timing: During Project construction and long-term operations Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant Monitoring and Reporting: County of Riverside</p>

<p>International Dark-Sky Association standards at http://darksky.org/). Use LED lighting with a correlated color temperature of 3,000 Kelvins or less, properly dispose of hazardous waste, and recycle lighting that contains toxic compounds with a qualified recycler.</p>		
<p>MM BIO-[Z]: CDFW Lake and Streambed Alteration Program</p> <p>Prior to the initiation of Project activities, the Project applicant should obtain written correspondence from the California Department of Fish and Wildlife (CDFW) stating that notification under section 1602 of the Fish and Game Code is not required for the Project, <i>or</i> the Project applicant should obtain a CDFW-executed Lake and Streambed Alteration Agreement, authorizing impacts to Fish and Game Code section 1602 resources associated with the Project</p>	<p>Timing: Prior to Project construction</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: Project applicant</p> <p>Monitoring and Reporting: County of Riverside</p>