

COUNTY OF RIVERSIDE, STATE OF CALIFORNIA  
RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

ENCROACHMENT PERMIT

Eastern Municipal Water District  
Post Office Box 8300  
Perris, CA 92572-8300

Attention: John Ward

January 11, 20 21

In compliance with your request of October 28, 2019 and subject to all the terms, conditions and restrictions written below or printed as general or special provisions on any part of this form

PERMISSION IS HEREBY GRANTED TO

Install approximately 435 LF of 42-inch CML&C pipe within a 54-inch steel casing via microtunnel bore (within Murrieta Road) beneath Salt Creek Channel at approximate Station 215+78 of District Drawing No. 4-0169 and in accordance with Murrieta Road Transmission plans prepared by Gannet Fleming and approved by Eastern Municipal Water District on August 25, 2020 and approved by the City of Menifee on October 18, 2019 per Encroachment Permit No. 19-316.

Install approximately 15 LF of 36-inch CML&C pipe via open trench beneath Salt Creek Murrieta Road Storm Drain (facility is in the process of being accepted for maintenance) at approximate Station 3+50 of District Drawing No. 4-0665 and in accordance with Murrieta Road Transmission plans prepared by Gannet Fleming and approved by Eastern Municipal Water District on August 25, 2020 and approved by the City of Menifee on October 18, 2019 per Encroachment Permit No. 19-316. Proper shoring and protection methods shall be used throughout project construction. **Pipe support and protection plan will need to be submitted to the District for review prior to construction.**

This permit is to be strictly construed and no work other than that specifically mentioned above is authorized hereby. Performance of the work shall be deemed to be acceptance by the Permittee of all terms and conditions of this permit.

The permit shall be voided unless work herein contemplated shall have been completed before

June 30, 20 21

Drawing No(s) 4-0169, 4-0641, 4-0665 Sheet(s) 6, 2, 2

APPROVED:

By   
JASON E. UHLEY  
GENERAL MANAGER-CHIEF ENGINEER

ec: Miguel Negrete  
Michelle Cano

EO:rlp

## GENERAL PROVISIONS

1. ACCEPTANCE OF PROVISIONS. It is understood and agreed by the Permittee that the performance of any work authorized under this permit shall constitute an acceptance of the provisions contained herein, and failure to comply with said provisions shall result in revocation of this permit by the Riverside County Flood Control and Water Conservation District.
2. NO PRECEDENT ESTABLISHED. This permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any certain kind of encroachment to be erected within right-of-way of the Riverside Flood Control and Water Conservation District.
3. KEEP PERMIT ON WORK. This permit shall be kept at the site of the work and must be shown to any representative of the Riverside County Flood Control and Water Conservation District upon request.
4. PERMITS FROM OTHER AGENCIES. The party or parties to whom this permit is issued shall, whenever the same is required by law, secure the written order or consent to any work hereunder from the Public Utilities Commission of the State of California or any other public Board having jurisdiction, and this permit shall be suspended in operation unless and until such order or consent is obtained.
5. CLEAN UP RIGHT OF WAY. Upon completion of the work, all brush, timber, scraps and material shall be entirely removed and the right-of-way left in as presentable condition as before work started.
6. STANDARDS OF CONSTRUCTION. All work shall conform to recognized standards of construction.
7. SUPERVISION OF GRANTOR. All the work shall be done subject to the supervision of, and to the satisfaction of, the Riverside County Flood Control and Water Conservation District.
8. FUTURE MOVING OF INSTALLATION. It is understood by the Permittee that whenever construction, reconstruction or maintenance work on the right-of-way may require the installation provided for herein shall, upon request of the Riverside County Flood Control and Water Conservation District, be immediately moved by, and at the sole expense of, the Permittee.
9. LIABILITY FOR DAMAGES. The Permittee shall indemnify and hold the Riverside County Flood Control and Water Conservation District, its officers, agents, employees and independent contractors free and harmless from any liability whatsoever, based or asserted upon any act or omission of Permittee, its officers, agents, employees, subcontractors, independent contractors, guests and invitees, for property damage, bodily injury or death or any other element of damage of any kind or nature related to or in anywise connected with or arising from the Permittee's use of the premises, including, but not limited to, the construction, operation and maintenance of the installation provided for herein on the District's right-of-way or any such claims that may arise out of the failure of such installation, the condition thereof or the obligations to be performed by the Permittee herein. The Permittee shall defend, at its expense, including attorney's fees, the Riverside County Flood Control and Water Conservation District, its officers, agents, employees and independent contractors, in any claim or legal action based upon such alleged acts or omissions.
10. SURVEY MONUMENTS. Riverside County Flood Control and Water Conservation District monuments and/or right-of-way markers placed for the convenience of the Permittee and monuments or right-of-way markers destroyed or requiring placement during or after completion of the work shall be done by the Riverside County Flood Control and Water Conservation District's survey crews and the Permittee shall pay to the Riverside County Flood Control and Water Conservation District any and all costs incurred in the placement or replacement of District monuments and/or right-of-way markers within thirty (30) days of billing from the Riverside County Flood Control and Water Conservation District.
11. MAKING REPAIRS. The Permittee shall replace and restore the right-of-way at the place of the excavation to its condition prior to the making of the excavation.
12. CARE OF DRAINAGE. If the work herein contemplated shall interfere with the established drainage, ample provision shall be made by the Permittee to provide for it as may be directed by the grantor.
13. MAINTENANCE. The Permittee agrees by the acceptance of this permit to exercise reasonable care to maintain properly any encroachment placed by it in the right-of-way and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the right-of-way as a result of the work done under this permit, including any and all injury to the right-of-way which would not have occurred had such work not been done or such encroachment not placed therein.
14. PERFORMANCE WARRANTY. Bond may be required of the Permittee whenever in the judgment of the Riverside County Flood Control and Water Conservation District; it becomes necessary or advisable to guarantee performance.
15. DURATION. This permit may be cancelled by the Riverside County Flood Control and Water Conservation District upon thirty (30) days written notice to Permittee

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## SPECIAL PROVISIONS

1. INSPECTION FEE REQUIRED BY GRANTOR. The Permittee shall deposit a sum in the amount of \$ \_\_\_\_\_ with the Riverside County Flood Control and Water Conservation District at least five (5) working days prior to the anticipated start of work covered by this permit. Said amount is to cover the estimated cost of inspection, investigation, testing, etc., by the District of the work proposed under the permit.
2. NOTICE OF BEGINNING OF WORK. The Permittee shall advise the Chief Engineer in writing of the anticipated start of work covered by this permit. Said notice shall be delivered to the office of the Riverside County Flood Control and Water Conservation District at least five (5) working days prior to the start of work.

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Install approximately 20 LF of 18-inch steel pipe above ground, supported by a stanchion post, over Deer Creek Circle Storm Drain (facility is in the process of being accepted for maintenance) at approximate Station 7+35 of District Drawing No. 4-0641 and in accordance with EMWD Desalination Complex Overall Piping plans prepared by Eastern Municipal Water District.

Environmental review yielded the following conditions:

1. A qualified biologist shall conduct a pre-construction survey for active bird nests and burrowing owls no more than three (3) days prior to the onset of ground disturbance activities. The Permittee shall supply the District with copies of the pre-construction nesting bird survey results. The District Nesting Bird and Burrowing Owl Pre-disturbance Checklist can be utilized prior to construction if needed.
2. The Permittee shall be responsible for obtaining any regulatory permits (e.g., Sections 404, 401, and 1602), if necessary.

All construction shall be performed in accordance with the appropriate provisions of the Standard Specifications for Public Works Construction, latest edition, unless otherwise stated below.

Prior to starting work under this encroachment permit, the Permittee or the contractor performing the work shall furnish a certificate of insurance specifying comprehensive liability limits of \$2,000,000 per occurrence and \$2,000,000 general aggregate. The Permittee, the District, the County of Riverside and any municipal corporation within which the work is to be performed shall each be named as an additional insured. Alternatively, comprehensive liability limits shall be \$1,000,000 per occurrence, with \$2,000,000 general aggregate and a minimum of \$2,000,000 excess liability. This insurance shall remain in effect for the duration of the work. Please reference the encroachment permit number (shown on your receipt for the initial deposit) on the certificate of insurance.

The Permittee's attention is called to all General and Special Provisions found on the reverse side of Sheet 1 of this permit.

The District requires five (5) days written notice prior to commencing work. Notice shall be given by contacting the Permit Section at 951.955.1266 and submitting the completed attached Construction Starting Notice to the District.

In the event Permittee or contractor fails to give proper notice before starting work, Permittee's contractor shall be required to remove the backfill for inspection and/or reconstruction of the work described in this permit, as directed by District's Permit Engineer. In addition, after any period of inactivity of three (3) working days or longer, the Permittee will again be required to notify the District at least one working day in advance of the resumption of work. Failure to properly notify the District could result in the permit being revoked.

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The Permittee shall complete the work on the punch list provided by the District inspector. The Permittee shall then schedule a final inspection with the inspector prior to the District providing final approval for the construction authorized by this encroachment permit.

Within ten (10) working days after completing construction, the Permittee shall fill out the attached Construction Completion Notice and submit it to the District. The District must receive the Construction Completion Notice before acceptance of the work authorized by this permit and before a refund of unused funds can be processed.

The Permittee shall accept full responsibility for obtaining any permits necessary to perform the proposed work and for complying with all terms and conditions of these permits and all federal, state and county environmental laws.

After the utility installation, as-built drawings of the utility location(s) shall be submitted by the Permittee to the District. The Permittee or utility owner shall pothole to the precise location of the utility, if requested in the future by the District. The potholing shall be at the expense of the Permittee or utility owner.

The Permittee shall have the responsibility of relocating or removing the utility in the future if it is necessary to allow the District to access the flood control facility for maintenance purposes or to modify the size of the facility. The Permittee shall incur the cost of relocation or removal.

Prior to the completion of the work authorized by this permit, the Permittee shall submit to the District for record and future information, any locations obtained by potholing of existing utilities next to flood control facilities. The utility locations shall be submitted with the Construction Completion Notice attached to the permit.

#### NPDES COMPLIANCE

The Permittee shall comply with the following Encroachment Permit conditions to meet the District's NPDES requirements:

- Encroachment permit Permittees whose project is a new development project or significant redevelopment projects shall demonstrate compliance with post-construction BMPs by providing to the District a copy of the project-specific WQMP.
- Encroachment permit Permittees who will discharge non-stormwater to District facilities must provide the following information to the District for review and approval:
  - The location, size and type of District facilities impacted.
  - The location(s) of the proposed connection points.
  - Discharge characteristics including discharge rate, duration, frequency and approximate volume.
  - Applicable NPDES Permits which authorize the discharge.

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- Encroachment permit Permittees whose project requires coverage under the Construction General Permit shall demonstrate coverage by providing to the District a copy of the Stormwater Pollution Prevention Plan (SWPPP) and the WDID number.
- Encroachment permit Permittees whose project is exempt from the requirements of the Construction General Permit shall provide to the District documentation which demonstrates why the Permittee's project is exempt.
- Encroachment permit Permittees whose project is exempt from the requirements of the Construction General Permit shall provide to the District a BMP plan which demonstrates how the Permittee plans to implement BMPs which are sufficient to address any potential pollutants that the Permittee may generate by this activity.
- Encroachment permit Permittees shall provide in either the SWPPP or the BMP plan described above, the following items to the District for review and approval for construction activities within District Rights of Way:
  - A vicinity map showing the location of the project.
  - A map identifying the maximum disturbance area.
  - If applicable, identify any natural hydrologic features on the site and how the Permittee proposes to preserve them, where feasible.
  - If applicable, identify any riparian buffers and corridors onsite and how the Permittee proposes to preserve them, where feasible.
  - Whether the activity is located within, adjacent to, or would directly discharge to a Receiving Water within an Environmentally Sensitive Area, and any additional BMPs implemented to prevent or minimize impacts to these areas.
  - The Permittee shall implement the minimum BMPs listed in Table 1 at the end of this section where applicable. The Permittee shall identify on a map a location of BMPs they determine to be applicable to the project. Where the Permittee determines that a BMP is not applicable, they shall provide an explanation describing why.
  - In addition, if upon review of the project, the District determines that the BMPs are not sufficient to prevent the discharge of pollutants to the District's facilities, then the District may require the Permittee to implement additional BMPs.

Discharges to the District's stormwater facilities are regulated pursuant to the Federal Clean Water Act (CWA), the State Porter-Cologne Water Quality Control Act (WQCA) and local ordinances. **Any discharge containing pollutants or that is not entirely composed of stormwater is expressly prohibited unless the discharge is: 1) specifically exempted by law or regulation; 2) authorized by a National Pollutant Discharge Elimination System (NPDES) Permit; or 3) authorized by Waste Discharge Requirements (WDR) or a waiver thereof.** By accepting this Encroachment Permit, the Permittee warrants that they shall at all times remain fully informed of and comply with the applicable provisions of the CWA, WQCA, Code of Federal Regulations, California Water Code, local ordinances, and any applicable NPDES Permit(s), WDRs or waivers thereof. A general permit for discharges shall be obtained from the State Water Resources Control Board or Regional Water Quality Control Board.

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The District may, at any time, require the Permittee to provide evidence showing the proposed discharge is duly authorized by law, regulation or permit. Such evidence includes, but is not limited to, an individual NPDES Permit, a Waste Discharge Identification letter, a WDR or waiver thereof or other evidence satisfactory to the District.

The Permittee shall be solely responsible for all penalties and any liability provided by law resulting from Permittee's failure to comply with the requirements of any applicable NPDES Permit, WDR or waiver thereof. For the purposes of this paragraph, penalties and liabilities include, but are not limited to, fines, civil penalties and other damages, whether assessed against the District, Contractor, Permittee or their successors in interest, including those levied under the CWA, WQCA or local ordinance.

**Table 1. Minimum BMPs**

BMP Name	CASQA BMPs	CALTRANS BMPs
<b><i>Erosion Controls</i></b>		
• Scheduling	EC-1	SS-1
• Preservation of Existing Vegetation	EC-2	SS-2
• Hydraulic Mulch	EC-3	SS-3
• Hydroseeding	EC-4	SS-4
• Straw Mulch	EC-6	SS-6
• Geotextiles and Mats	EC-7	SS-7
• Wood Mulching	EC-8	SS-8
• Earth Dikes and Drainage Swales	EC-9	SS-9
• Velocity Dissipation Devices	EC-10	SS-10
• Slope Drains	EC-11	SS-11
• Streambank Stabilization	EC-12	SS-12
<b><i>Sediment Controls</i></b>		
• Check Dams	SE-4	SC-4
• Fiber Rolls	SE-5	SC-5
• Straw Bale Barrier	SE-9	SC-9
• Active Treatment Systems	SE-11	-
<b><i>Tracking Controls</i></b>		
• Stabilized Construction Entrance/Exit	TC-1	TC-1
• Stabilized Construction Roadway	TC-2	TC-1
• Entrance/Outlet Tire Wash	TC-3	TC-3
<b><i>Wind Erosion Controls</i></b>		
• Wind Erosion Control	WE-1	WE-1
<b><i>Non-Stormwater Controls</i></b>		
• Temporary Stream Crossing	NS-4	NS-4
<b><i>Waste Management</i></b>		
• Waste Handling and Disposal	WM-5, WM-6	WM-5, WM-6
• Spill prevention, Control and Cleanup	WM-4	WM-4

**SEASONAL CONSTRAINTS**

All construction activity occurring between October 31<sup>st</sup> and March 31<sup>st</sup> must be started and completed during a clear weather forecast and within the scheduled duration of construction that is approved by the District prior to start of construction.

CONSTRUCTION STARTING NOTICE

TO: Encroachment Permits  
Riverside County Flood Control  
and Water Conservation District  
1995 Market Street  
Riverside, CA 92501

Work authorized under Encroachment Permit No. \_\_\_\_\_ is scheduled to begin on  
\_\_\_\_\_ at approximately \_\_\_\_\_ (a.m. / p.m.). In the event construction  
(date) (time)  
cannot start as proposed, we will notify the Riverside County Flood Control District of the starting time  
prior to the date shown above.

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Company and Telephone)  
\_\_\_\_\_  
(Print Name and Signature)

**CUT AND RETURN UPPER PART BEFORE CONSTRUCTION**  
**CUT AND RETURN LOWER PART AFTER COMPLETION**

CONSTRUCTION COMPLETION NOTICE

TO: Encroachment Permits  
Riverside County Flood Control  
and Water Conservation District  
1995 Market Street  
Riverside, CA 92501

Work authorized under Encroachment Permit No. \_\_\_\_\_ on \_\_\_\_\_  
(date issued)  
was completed on \_\_\_\_\_ in accordance with the permit conditions.  
(date)

Remarks: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Company and Telephone)  
\_\_\_\_\_  
(Print Name and Signature)

**Riverside County Flood Control and Water Conservation District  
Nesting Bird and/or Burrowing Owl Pre-Disturbance Checklist**

<b>DISTRICT CONTACT(S):</b> Firas Kassem 951.955.1225			
<b>EP No.</b>	<b>Applicant</b>	<b>Project</b>	
<b>District Facility (i.e., Channel Name)</b>		<b>City/General Location</b>	
<p><b>I understand that:</b> <i>(check boxes to show that you understand the following requirements)</i></p> <p><input type="checkbox"/> Nesting bird assessment must be conducted within 72 hours prior to commencing authorized work;</p> <p><input type="checkbox"/> Assessment cannot be conducted during a rain event or within 5 days after a rain event; and</p> <p><input type="checkbox"/> Assessment must include the work area and up to a 250-foot buffer around work area.</p>			
<b>Date of Assessment</b>	<b>Time of Assessment</b>	<b>Est. Work Start Date</b>	<b>Est. Work End Date</b>
<b>Site Description</b> <i>(e.g., earthen channel, DG access roads, riprap, culvert, etc.)</i>			
<b>Proposed Work</b> <i>(Briefly describe)</i>			
<b>NESTING BIRDS ASSESSMENT:</b> <i>General nesting season, December 15 – September 15</i>			
<p><i>The Migratory Bird Treaty Act (MBTA) makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. Migratory birds generally include all native birds in the United States (50 CFR 10.13). Prior to any work or disturbance within District right of way, construction areas shall be inspected for active nests during any time of year. <b>If adult birds are observed flying to and from a nest, or sitting on a nest (either in trees, on structures, or on the ground), it can be assumed that the nest is active.</b></i></p>			
<p><b>Nesting birds in trees?</b> <i>If yes, contact District immediately and <u>do not proceed with work until authorized to do so by the District.</u></i></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>		<p><b>Nesting birds on ground?</b> <i>If yes, contact District immediately and <u>do not proceed with work until authorized to do so by the District.</u></i></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	
<b>BURROWING OWL ASSESSMENT:</b> <i>See attached MSHCP Burrowing Owl protocol for more information</i>			
<p><b>Burrows Present?</b></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>	<p><b>Burrowing Owls Present?</b> <i>If burrowing owls are present, contact the District immediately and <u>do not proceed with work until authorized by the District.</u></i></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>		
<p><b>Coordination with CDFW? Explain:</b></p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p>			
<b>Other Information:</b>			

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Job Title

\_\_\_\_\_  
Date

Prior to commencing work authorized by the District, please return completed form via email to Firas Kassem at [fkassem@rcflood.org](mailto:fkassem@rcflood.org).



# **BURROWING OWL SURVEY INSTRUCTIONS**

## **For the**

### **Western Riverside Multiple Species Habitat Conservation Plan Area**

#### **PURPOSE OF THE SURVEYS**

According to the Multiple Species Habitat Conservation Plan (MSHCP), surveys for the burrowing owl are to be conducted as part of the environmental review process. The MSHCP Additional Surveys Needs and Procedures identify a specific burrowing owl survey area within the MSHCP Plan Area. The MSHCP also identifies species-specific objectives for the burrowing owl, namely species-specific objectives 5 and 6, both of which require burrowing owl surveys if suitable habitat occurs on a proposed project site.

Although the MSHCP references the California Department of Fish and Game Staff report which is based on the Burrowing Owl Consortium Guidelines, the purpose of the following instructions is to clarify the methods necessary to obtain sufficient information to address consistency with; 1) specific conservation requirements of the MSHCP as identified in species-specific Objective 5, and 2) ensure direct mortality of burrowing owls is avoided through implementation of species-specific objective 6 (Pre-construction surveys). Note that surveys conducted to address burrowing owl species-specific objective 5 are necessary during the project design phase while surveys to address species-specific objective 6 are to be conducted just prior to project construction. Habitat assessments and burrowing owl surveys should be conducted by a biologist knowledgeable in burrowing owl habitat, ecology, and field identification of the species and burrowing owl sign.

#### **STEP I: HABITAT ASSESSMENT**

**Burrowing Owl Habitat Description:** Burrowing owls use a variety of natural and modified habitats for nesting and foraging that is typically characterized by low growing vegetation. Burrowing owl habitat includes, but is not limited to, native and non-native grassland, interstitial grassland within shrub lands, shrub lands with low density shrub cover, golf-courses, drainage ditches, earthen berms, unpaved airfields, pastureland, dairies, fallow fields, and agricultural use areas.

Burrowing owls typically use burrows made by fossorial (adapted for burrowing or digging) mammals, such as ground squirrels (*Spermophilus beecheyi*) or badgers (*Taxidea taxus*), they often utilize manmade structures, such as earthen berms; cement culverts; cement, asphalt, rock, or wood debris piles; or openings beneath cement or asphalt pavement. Burrowing owls are often found within, under, or in close proximity to man-made structures.

The first step in the assessment process is to walk the property to identify the presence of burrowing owl habitat on the project site. If habitat is found on the site, then walk a 150-meter (approximately 500 feet) buffer zone around the project boundary. If permission to access the buffer area cannot be obtained, do not trespass on adjacent property but visually inspect the adjacent habitat areas with binoculars and/or spotting scopes. Habitat assessments that do not include walking the property will not be accepted. Driving by a site and reporting it as disturbed or under agricultural/dairy use is not acceptable.

If burrowing owl habitat occurs on-site, both Step II (focused surveys, census, and mapping) and Preconstruction Surveys are required. If burrows are found during the habitat assessment then suitable habitat is present and Step II is required. However, lack of identifying burrows during the habitat assessment does not negate the need for the systematic search for burrows included as part of the Step II survey instructions. If burrowing owl habitat is not present on-site (i.e. if the site is completely covered by chaparral, cement or asphalt) Step II of the survey is not necessary. No Pre-construction surveys are necessary if there is no suitable habitat on-site.

A written report (with photographs of the site) detailing results of the habitat assessment should be prepared, indicating whether or not the project site contains suitable burrowing owl habitat. Simply reporting that the site is disturbed or under agricultural/dairy use is not acceptable.

## **STEP II- LOCATING BURROWS AND BURROWING OWLS**

Completion of the following will constitute an acceptable burrowing owl survey. A minimum of one site visit must occur, but additional visits may be warranted depending on the results of the first site visit. Surveys conducted during the breeding season March 1 - August 31 are required to describe if, when, and how the site is used by burrowing owls. Negative results during surveys outside the breeding season are not conclusive proof that owls do not use the project site and may not provide an accurate picture of the number of owls that may utilize the site. Surveys that are conducted outside the breeding season will likely need to be repeated during the breeding season; therefore, it is recommended that surveys only be conducted during the breeding season (unless conducting Preconstruction surveys).

All surveys shall be conducted as described in Parts A and B below. Surveys should be conducted during weather that is conducive to observing owls outside their burrows and detecting burrowing owl sign. Surveys will not be accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. Part B surveys should be conducted in the morning one hour before sunrise to two hours after sunrise or in the early evening two hours before sunset to one hour after sunset. Count and map all burrowing owl sightings, occupied burrows, and burrows with owl sign. Record the location of all owls including numbers of pairs and juveniles and any behavior such as courtship and mating. Map the extent of all suitable habitat. It should be noted that owl sign may not be detectable if surveys under Part A are conducted within 5 days following rain. Absence of burrowing owl sign cannot be used to confirm absence of the species if the focused burrow survey (Part A) is conducted within 5 days of rain; therefore, in this instance, completion of all four focused burrowing owl surveys (Part B) is required.

### ***Part A: Focused Burrow Surveys***

A focused burrow survey that includes natural burrows or suitable man-made structures needs to be conducted as described below.

1. A systematic survey for burrows including burrowing owl sign should be conducted by walking through suitable habitat over the entire survey area (i.e. the project site and within 150 meters). Pedestrian survey transects need to be spaced to allow 100% visual coverage of the ground surface.

The distance between transect center lines should be no more than 30 meters (approximately 100 ft.) and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. To efficiently survey projects larger than 100 acres, it is recommended that two or more qualified surveyors conduct concurrent surveys.

2. The location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed should be recorded and mapped, including GPS coordinates. If the survey area contains natural or man-made structures that could potentially support burrowing owls, or owls are observed during the burrow surveys, the systematic surveys should continue as prescribed in Part B. If no potential burrows are detected, no further surveys are required. A written report including photographs of the project site, location of burrowing owl habitat surveyed, location of transects, and burrow survey methods should be prepared. If the report indicates further surveys are not required, then the report should state the reason(s) why further focused burrowing owl surveys are not necessary.

***Part B: Focused Burrowing Owl Surveys***

Focused Burrowing Owl Surveys will consist of site visits on four separate days. The first one may be conducted concurrent with the Focused Burrow Survey.

1. Upon arrival at the survey area and prior to initiating the walking surveys, surveyors using binoculars and/or spotting scopes should scan all suitable habitat, location of mapped burrows, owl sign, and owls, including perch locations to ascertain owl presence. This is particularly important if access has not been granted for adjacent areas with suitable habitat.
2. A survey for owls and owl sign should then be conducted by walking through suitable habitat over the entire project site and within the adjacent 150 m (approx. 500 feet). These “pedestrian surveys” should follow transects (i.e. Survey transects that are spaced to allow 100% visual coverage of the ground surface. The distance between transect center lines should be no more than 30 meters (approx 100 feet.) and should be reduced to account for differences in terrain, vegetation density, and ground surface visibility. To efficiently survey projects larger than 100 acres, it is recommended that two or more qualified surveyors conduct concurrent surveys.) It is important to minimize disturbance near occupied burrows during all seasons.

3. If access is not obtained, then the area adjacent to the project site shall also be surveyed using binoculars and/or spotting scopes to determine if owls are present in areas adjacent to project site. This 150-meter buffer zone is included to fully characterize the population. If the site is determined not to be occupied, no further surveys are required until 30 days prior to grading (see Pre-construction Surveys below).

### **STEP III: REPORTING REQUIREMENTS**

After completion of appropriate surveys, a final report shall be submitted to the Riverside County Environmental Programs Department and the RCA Monitoring Program Administrator, which discusses the survey methodology, transect width, duration, conditions, and results of the survey. Appropriate maps showing burrow locations shall be included.

### **PRE-CONSTRUCTION SURVEYS**

All project sites containing burrows or suitable habitat (based on Step I/Habitat Assessment) whether owls were found or not, require pre-construction surveys that shall be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls (MSHCP Species-Specific Objective 6).