

**Armtec Expansion Master Plan
Environmental Assessment 25-01
Conditional Use Permit 389
Architectural Review 25-02**

Response to Comments

The City received three comment letters to the Initial Study/Mitigated Negative Declaration for the proposed Project. The following provides individual comments and responses. The complete comments are attached to this response in Appendix A.

**United States Fish and Wildlife Service (USFWS)
Letter dated May 21, 2025**

Comment 1:

This letter is in response to the notice dated April 22, 2025, soliciting comments on the draft Initial Study and Intent to Adopt Proposed Mitigated Negative Declaration (ISMND) for the Armtec Expansion Master Plan (Project), located in the City of Coachella, Riverside County, California. The Project applicant, Armtec Defense Technologies proposes to construct new storage, research and development, and production facilities totaling to 37,800 square feet (sf), a 73,200-sf staging area, three retention basins, and off-site improvements adjacent to the Project site.

We offer the following comments on the draft ISMND as they relate to potential impacts on public trust resources. The primary concern and mandate of the U.S. Fish and Wildlife Service (Service) is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the American people. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened or endangered animals and plants listed under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The comments provided herein are based on the information provided in the draft ISMND and our knowledge of sensitive and declining fish and wildlife resources.

The Project site is located within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), and the City of Coachella (City) is a Local Permittee to the CVMSHCP. The Project site is adjacent to CVMSHCP-modeled habitat for the following Covered Species: crissal thrasher (*Toxostoma crissale*), least Bell's vireo (*Vireo bellii pusillus*), summer tanager (*Piranga rubra cooperi*), yellow-breasted chat (*Icteria virens*), and yellow warbler (*Dendroica petechia brewsteri*). The Project applicant completed Phase 1 of the Project which was the construction of a solar grid in early 2025. Phase 2 and Phase 3 of the Armtec Expansion Master Plan are the subject of this draft ISMND. As stated above, Phase 2 includes construction of a 15,000-sf storage warehouse, a 73,000-sf truck staging area, a 3,000-sf research and development facility, and three retention basins, totaling 75,650 sf. Phase 3 includes the construction of a 15,000-sf production facility, a 15,000-sf storage warehouse, two 900-sf storage structures, and an expansion of an existing storage warehouse by 6,000 sf. The proposed Project also includes off-site improvements, including improving and widening Tyler Street.

Response 1:

The comment is noted. It provides a description of the Project and requires no further response.

Comment 2:

The draft ISMND states that flora and fauna were observed during the field reconnaissance of the Project site on June 6, 2024, as part of the Archaeological and Paleontological Resources Assessment. However, the draft ISMND does not indicate completion of additional biological field surveys or include a biological resources assessment. A biological resources assessment is necessary to accurately assess the Project's potential impacts to fish and wildlife resources. Please revise the draft ISMND to include a biological resources assessment, including impacts to Covered Species (identified above) under the CVMSHCP and their habitat.

Response 2:

The ISMND currently describes the environmental setting and general conditions of the Armtec site under the Biological Resources "Setting" section and describes the heavily disturbed nature of the Project site in the "Discussion of Impacts" section. For clarification, most onsite vegetation is limited to areas of ornamental landscaping on the southern parcel, as shown in Exhibit 2: *Project Location Map*, and will not be impacted by Project improvements, which will occur in areas as shown on Exhibit 3: *Armtec Expansion Master Plan* and Exhibits 4: and 5: *Phase 2 Preliminary Site Plan Northern Parcel/Southern Parcel*. The portions of the project site where ground disturbance will occur are graded, predominantly bare soil surfaces that have been leveled and compacted, with minimal vegetation consisting of sparse, low-density patches of short grass or herbaceous growth. Furthermore, the site is heavily disturbed by existing Armtec facility operations, including daily vehicle and personnel activity, heavy machinery use, truck deliveries, and existing noise and light pollution from onsite and nearby development, which collectively deter species from occupying the site.

Moreover, as indicated in Comment 1, the site is "adjacent" to CVMSHCP-modeled habitat for the above-mentioned Covered Species, not within. As indicated in response IV. f) of the ISMND, "[t]he Project proponent will be required to pay the local development mitigation fee to mitigate impacts to covered species. Payment of the fee is a standard requirement of projects in the CVMSHCP coverage area." Also, ISMND Mitigation Measure (MM) BIO-1, as amended in Response 3, requires pre-construction surveys for burrowing owl and nesting birds which provides an appropriate approach to mitigating potential impacts to these species given the existing degraded site conditions

Supplemental site photographs are provided, below, to support the conclusion that the areas of proposed improvements are void of significant biological resources and that a biological resources assessment is not required to demonstrate that the project would impact wildlife resources including Covered Species under the CVMSHCP.

Areas of Project Disturbance



Phase 2 disturbance area: northern parcel, looking south towards Armtec



Phase 2 disturbance area: southern parcel, looking southwest towards Armtec



Comment 3:

Nesting Birds

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. § 703 *et seq*) prohibits take of individuals, parts, nests, or eggs of migratory birds. “Take” is defined in the Service’s general wildlife regulations as “to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 C.F.R. § 10.12).” The Service’s section 10(a)(1)(B) Permit associated with the CVMSHCP constitutes a Special Purpose Permit

under the MBTA for the Take of Covered Species. However, only Take of migratory bird habitat is provided, and the Permit states that “[a]ny such Take will not be in violation of the MBTA.” Therefore, Take of individuals, parts, nests, or eggs, as described in the MBTA is not authorized in the Special Purpose Permit, and any Take of migratory bird habitat associated with Covered Activities will not be in violation of the MBTA.

The draft ISMND states that the Project site has low potential to provide nesting opportunities due to the disturbed nature of the vegetation and soils and concludes that the proposed Project’s potential impacts to migratory bird species are negligible. Although the Project site is disturbed, the presence of sparse vegetation, particularly cover of shrubs, is suitable habitat for ground-nesting birds. Furthermore, bare ground or sparse vegetation cover constitutes suitable nesting habitat for some ground-nesting birds. The proposed ground disturbance may consequently result in unauthorized Take of migratory birds without implementation of the necessary avoidance, minimization, and mitigation measures. Additionally, the draft ISMND does not indicate completion of focused nesting bird surveys. Focused nesting bird surveys are necessary to accurately confirm nesting bird presence or absence on the Project site. A complete assessment of the biological resources within the Project area is required to assess the Project’s potential impacts to migratory birds. Please revise the draft ISMND to include a complete assessment of the Project’s potential impacts to nesting bird habitat, including completion of nesting bird surveys during the appropriate time of year, to determine the extent of nesting birds on the Project site.

Response 3:

See Response 2, above, which details regarding the existing ground conditions of the proposed disturbance areas. These conditions demonstrate that a separate biological resources assessment is not warranted. The pre-construction survey requirements (MM BIO-1, as amended herein) provide an appropriate measure to mitigate potential impacts to biological resources, ensuring compliance with applicable regulations.

The ISMND currently includes two pre-construction burrowing owl surveys with specific timeline requirements in compliance with CDFW protocol and explicitly requires CDFW consultation if burrowing owls are detected (MM BIO-1). The City acknowledges USFWS’s concern regarding the potential presence of ground nesting birds within the project area, therefore, in response to USFWS Comment 3 (and Comment 4), and in response to the CDFW comment letter received 5/22/25, we have expanded the pre-construction survey protocols in MM BIO-1 to address both burrowing owl and nesting birds by including concurrent nesting bird surveys. With the following additions in **bold** and removals in ~~striketrough~~, MM BIO-1 is hereby amended to read:

BIO-1 Burrowing Owl and Migratory Bird Surveys

*A qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys **following the CDFW (2012 or current) Staff Report on Burrowing Owl Mitigation, combined with nesting bird surveys in compliance with the Migratory Bird Treaty Act (MBTA).** ~~on the northern parcel of the Project site during Phase 2.~~ The first shall occur between 14 and 30 days prior to ground disturbance, and the*

second shall occur within 24 hours of ground disturbance. If the pre-construction surveys confirm burrowing owl presence, the Project applicant shall submit a Burrowing Owl Plan that includes avoidance, minimization, and mitigation measures to the USFWS and CDFW—collectively the Wildlife Agencies—for review and approval prior to beginning Project activities. The Project proponent shall coordinate with the Wildlife Agencies on the appropriate avoidance, minimization, and mitigation measures to be included in the Burrowing Owl Plan. If avoidance of burrowing owl is not possible, coordination with the Wildlife Agencies for a burrowing owl relocation plan is required pursuant Section 4.4 and Section 8.5.2 of the CVMSHCP. ~~If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.~~

If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffer(s), which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

Mitigation Monitoring:

BIO-A *Prior to the issuance of any permit to allow ground disturbance on the northern parcel of the site, the Project Proponent shall submit the pre-construction surveys for burrowing owl and nesting birds to the City.*

Pre-construction surveys: No less than 14 days prior to start of Project- related activities and within 24 hours prior to ground disturbance and when there is a pause in construction of more than 30 days.

If a Burrowing Owl Plan or a Burrowing Owl Relocation Plan is required, the Plan(s) shall be submitted to the City, USFWS and CDFW for approval prior to the issuance of grading permits.

Responsible Parties: Project applicant, project biologist, Planning Division.

The proposed revision to MM BIO-1 enhances the Project's environmental safeguards, addressing USFWS concerns in Comment 3 (and Comment 4), while maintaining compliance

with CEQA requirements. The inclusion of nesting bird surveys does not introduce new significant environmental impacts or substantially alter the project's scope, as it strengthens an existing mitigation measure to further minimize potential effects on nesting birds.

Comment 4:

Burrowing Owl

The Western burrowing owl (*Athene cunicularia hypugaea*; burrowing owl) is protected under the MBTA and is a Covered Species under the CVMSHCP. However, the Service's section 10(a)(1)(B) Permit for the CVMSHCP does not provide Take for burrowing owl individuals, nests, or eggs. Within the CVMSHCP boundary, as a Permittee, the City must ensure their activities comply with MBTA and implement the appropriate avoidance, minimization, and mitigation measures to avoid Take of burrowing owl individuals, nests, or eggs.

The draft ISMND states that the northern portion of the Project site has potential for burrowing owl presence due to its sparse vegetation. However, the draft ISMND does not indicate that focused burrowing owl surveys were completed. Pursuant to the California Department of Fish and Wildlife's (CDFW) Staff Report on Burrowing Owl Mitigation (2012 or most recent version), for both breeding and non-breeding season surveys, a minimum of four survey visits are required to accurately assess a site for burrowing owl presence. Given the lack of multiple, focused burrowing owl surveys, the total number of burrowing owl individuals or suitable and occupied burrows within the Project area is unknown. Please revise the draft ISMND to include an accurate assessment of the Project's potential impacts to burrowing owl, including focused survey results following the protocols outlined in the 2012 Staff Report on Burrowing Owl Mitigation.

Additionally, Mitigation Measure (MM) BIO-1 requires take avoidance pre-construction burrowing owl surveys and subsequent consultation with CDFW should burrowing owl presence be confirmed. MM-BIO-1 lacks further detail regarding the survey methodology for the pre-construction surveys. We recommend that MM-BIO-1 be revised to specify that the pre-construction surveys shall be completed in accordance with the Staff Report on Burrowing Owl Mitigation. In addition, we recommend that MM-BIO-1 be revised to require that, if the pre-construction surveys confirm burrowing owl presence, the Project applicant shall submit a Burrowing Owl Plan that includes avoidance, minimization, and mitigation measures to the Service and CDFW—collectively the Wildlife Agencies—for review and approval prior to beginning Project activities. The Project proponent shall coordinate with the Wildlife Agencies on the appropriate avoidance, minimization, and mitigation measures to be included in the Burrowing Owl Plan. If avoidance of burrowing owl is not possible, coordination with the Wildlife Agencies for a burrowing owl relocation plan is required pursuant Section 4.4 and Section 8.5.2 of the CVMSHCP.

Response 4:

See Response 3, above, which revises MM BIO-1 to clarify that take avoidance pre-construction burrowing owl surveys shall follow the CDFW (2012 or current) Staff Report on Burrowing Owl

Mitigation, which addresses USFWS's concerns about compliance with CDFW survey protocol. Per CDFW's 2012 Staff Report on Burrowing Owl Mitigation, "take avoidance surveys are intended to detect the presence of burrowing owls on a project site at a fixed period in time and inform necessary take avoidance actions." The two pre-construction surveys, as required by amended MM BIO-1, are standard, effective measures to detect any transient or resident owls immediately prior to construction.

The USFWS's concern for burrowing owl protection and their recommendation for a minimum of four survey visits to assess owl presence is noted. However, the revised MM BIO-1, requiring two preconstruction take surveys for burrowing owls in accordance with CDFW protocols, provides an appropriate approach to confirming owl presence given existing site conditions (see Response 2). The Armtec site's highly disturbed conditions—due to ongoing vehicle and personnel activity, heavy machinery, truck deliveries, and noise and light pollution—render it less suitable for burrowing owls, which prefer low-disturbance habitats. The two required surveys, conducted by qualified biologists, are sufficient to detect potential owl activity prior to construction, ensuring compliance with environmental regulations while addressing site-specific conditions. No additional surveys or revisions to the ISMND are necessary.

Comment 5:

We appreciate the opportunity to provide comments on the draft ISMND. If you have any questions regarding these comments, please contact Lory Salazar-Velasquez.

Response 5:

The City thanks the USFWS for its participation in this process.

**California Department of Fish and Wildlife (CDFW)
Letter dated May 22, 2025**

Comment 1:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration from the City of Coachella (City) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

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 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: Armtec Defense Products Co.

Objective: Armtec's existing industrial and manufacturing operations currently are located on the southern parcel, and the northern parcel currently contains a ±33,900 sf ground mounted solar grid located on the eastern half of the parcel. The proposed Project is Phase 2 and Phase 3 of the three-phase Armtec Expansion Master Plan. The Project proposes the construction of a new 15,000 sf storage warehouse, a ±73,200 truck staging area and 9,900 sf retention basin on the northern parcel, and a new 3,000 SF research and development (R&D) and production facility and two retention basins totaling 65,750 sf on the southern parcel. Phase 3 includes the construction of a new 15,000 SF production facility, a new 15,000 sf storage warehouse, two new 900 sf storage structures, and a 6,000 sf expansion of an existing storage warehouse, all located on the southern parcel.

The Project proposes off-site improvements adjacent to the site, including the widening and improvements of Tyler Street. The Project proposes new interior and exterior building lighting and safety and security lighting. The Project also proposes 97,000 SF of landscaping, on- and off-site, including landscaping around new buildings and within offsite street improvements.

Location: The Project is located at 85901 Avenue 53 in City of Coachella, Riverside County, California. The Project site consists of two parcels totaling approximately 52.65 acres in size, identified by assessor's parcel numbers (APNs) 778-420-013 (14.96 acres) and 778-390-008 (37.69 acres).

Timeframe: The MND proposes a construction timeframe from June 2025 through December 2026 for Phase 2. The timing for construction of Phase 3 is currently undetermined.

Response 1:

The comment is noted. It provides a description of the Project and requires no further response.

Comment 2:

COMMENTS AND RECOMMENDATIONS

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

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

Response 2:

The comment is noted. Individual responses to specific issues are provided below.

Comment 3:

Existing Environmental Setting

Compliance with CEQA is predicated on a complete and accurate description of the environmental setting that may be affected by the proposed Project. CDFW is concerned that the assessment of the existing environmental setting has not been adequately analyzed in the MND. CDFW is concerned that without a complete and accurate description of the existing environmental setting, the MND may provide an incomplete analysis of Project-related environmental impacts.

The MND lacks a complete and appropriate assessment of biological resources within the Project site and surrounding area specifically as it relates burrowing owl (*Athene cunicularia*) and nesting birds, as discussed in the Nesting Bird and Burrowing Owl sections below. A complete and accurate assessment of the environmental setting and Project-related impacts to biological resources is needed to both identify appropriate avoidance, minimization, and mitigation measures and demonstrate that these measures reduce Project impacts to less than significant.

Mitigation Measures

CEQA requires that an MND include mitigation measures to avoid or reduce significant impacts. CDFW is concerned that the mitigation measures proposed in the MND are not adequate to avoid or reduce impacts to biological resources to below a level of significance. To support the City in ensuring that Project impacts to biological resources are reduced to less than significant, CDFW recommends revising the mitigation measure for burrowing owl and adding mitigation measures for nesting birds, artificial nighttime lighting, and the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

Response 3:

The comment is noted, but is overbroad and does not identify what information about nesting birds, burrowing owl, and additional mitigation measures they believe is missing. Further discussion is provided below under each specific subject.

Comment 4:

1) Nesting Birds

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

With regard to the CVMSHCP, per its associated Implementing Agreement (IA) and Permits from CDFW and the U.S. Fish and Wildlife Service (the Wildlife Agencies), Take associated with Covered Activities will not be in violation of the Migratory Bird Treaty Act and will be consistent with Fish and Game Code sections 3503 and 3503.5; therefore, all Covered Activities within and outside Conservation Areas must undertake measures to avoid the take of individuals, nests, and eggs of nesting birds. The CVMSHCP includes a general conservation measure that applies to all bird species to avoid impacts to habitat for nesting birds during the nesting season (CVMSHCP Section 9.7). Per IA Section 13.2, the City is obligated to ensure the projects to which it confers Take Authorization under the CVMSHCP comply with all terms and requirements of the CVMSHCP, the Wildlife Agencies' Permits that create the CVMSHCP, and the IA, including compliance with laws that protect nesting birds.

Page 120 of the MND states that the “site has been previously graded and does not contain vegetation that could provide suitable habitat for nesting birds.” The MND lacks additional information on suitability of the Project site to support nesting birds (excluding burrowing owl). CDFW is concerned about the validity of the conclusion that the site does not provide suitable habitat for nesting birds. The Project site currently contains suitable habitat for ground-nesting birds such as killdeer (*Charadrius vociferus*), and shrubs have the potential to establish between grading and vegetation removal activities that can provide suitable habitat for nesting birds. CDFW recommends the MND is revised to include an accurate assessment of biological resources within the Project site as it relates to suitable habitat for nesting birds. The MND also lacks a mitigation measure for nesting birds. Given the suitability of the Project site to currently support ground-nesting birds and potentially support birds that nest in shrubs if vegetation establishes between maintenance activities, CDFW considers the MND to lack appropriate avoidance, minimization, and mitigation measures necessary to reduce impacts to nesting birds to a level less than significant.

CDFW also recommends the completion of nesting bird surveys regardless of the time of year to ensure that impacts to nesting birds and their nests and eggs are avoided. The timing of the nesting season varies greatly depending on several factors, such as bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). In response to warming, birds have been reported to breed earlier, thereby reducing temperatures that nests are exposed to during breeding and tracking shifts in availability of resources (Socolar et al., 20172). CDFW staff have observed that climate change conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. CDFW recommends that disturbance of occupied nests of migratory birds and raptors within the Project site and surrounding area be avoided any time birds are nesting on-site.

To support City in reducing impacts to nesting birds to a level less than significant level, CDFW recommends that the City add Mitigation Measure BIO-[A] to a revised MND:

Mitigation Measure BIO-[A]: Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to all vegetation removal or ground-disturbing activities throughout all portions of the Project. Pre- construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the

Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

Pursuant to the CEQA Guidelines, section 15097(f), CDFW has prepared a draft mitigation monitoring and reporting program (MMRP) in Attachment 1 for recommended revisions to MM BIO-1 and CDFW-recommended MM BIO-[A], MM BIO-[B], and MM BIO-[C].

Response 4:

The comment is noted. Most onsite vegetation is limited to areas of ornamental landscaping on the southern parcel, as shown in Exhibit 2: *Project Location Map*, and will not be impacted by Project improvements, as shown in Exhibit 3: *Armtec Expansion Master Plan*, and Exhibits 4: and 5: *Phase 2 Preliminary Site Plan Northern Parcel/Southern Parcel*. For clarification, the portions of the project site where proposed improvements and ground disturbance will occur are graded, predominantly bare soil surfaces that have been leveled and compacted, with minimal vegetation consisting of sparse, low-density patches of short grass or herbaceous growth. Furthermore, the site is heavily disturbed by existing Armtec facility operations, including daily vehicle and personnel activity, heavy machinery use, truck deliveries, and existing noise and light pollution from onsite and nearby development, which collectively deter species from occupying the site.

Please refer to the supplemental site photographs provided in Response 2 to the USFWS Comment 2 at the beginning of this document.

In response to this comment and the USFWS comment letter received 5/21/25, the City has expanded the pre-construction survey protocols in MM BIO-1 to address concerns regarding potential impacts to nesting birds and added clarifying text regarding burrowing owl survey protocols. Please see USFWS Response 3.

The proposed revision to MM BIO-1 enhances the Project's environmental safeguards, addressing CDFW and USFWS concerns regarding nesting birds, while maintaining compliance with CEQA requirements. The inclusion of nesting bird surveys does not introduce new significant environmental impacts or substantially alter the project's scope, as it strengthens an existing mitigation measure to further minimize potential effects on nesting birds.

Comment 5:

2) Burrowing Owl

On October 10, 2024, the Fish and Game Commission determined that western burrowing owl warrants protection as a candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). During the candidacy period, western burrowing owl will be afforded the same protection as threatened and endangered species under CESA. If Project activities, including relocation, could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities.

Take of individual burrowing owls and their nests or eggs is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” 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.).

With regard to the CVMSHCP, the CDFW Natural Community Conservation Plan (NCCP) Permit #2835-2008-001-06 does not provide Take Authorization for burrowing owl individuals, nests, or eggs. To the contrary, section 3.5.6 of the NCCP Permit states burrowing owl “pairs or individuals will not be Taken” and reiterates that the “HCP/NCCP does not authorize Take of [burrowing owl] nests [or] eggs[.]” Therefore, throughout the CVMSHCP area—both within and without Conservation Areas— Permittees must ensure that activities occurring within their jurisdictions do not result in the take, possession, or destruction of burrowing owl individuals, nests, or eggs. Any activity occurring within the CVMSHCP area that results in the take of burrowing owl individuals, nests, or eggs would be unlawful and would not be a Covered Activity under the CVMSHCP. Per IA Section 13.2, the City is obligated to ensure the projects to which it confers Take Authorization under the CVMSHCP comply with all terms and requirements of the CVMSHCP, the Wildlife Agencies’ Permits that create the CVMSHCP, and the IA, including compliance with laws that protect burrowing owls.

Page 39 of the MND indicates “since the northern portion of the site is predominantly vacant and covered sparsely with vegetation, there is potential of burrowing owl to be present. The CVMSHCP and State law prohibit the take of burrowing owl. Should burrowing owl be found on the northern portion of the property prior to construction of Phase 2, a significant impact would occur. To assure that potential impacts are avoided, Mitigation Measure BIO.1 is provided below, which requires pre-construction surveys of the northern parcel to assure that the species is not present, and/or to protect the species should it be identified on-site.” CDFW concurs that the Project site contains suitable habitat for burrowing owl; however, the MND and its supporting documents lack additional information on burrowing owl presence, including the results of focused surveys for burrowing owl. Given the MND’s lack of findings from focused surveys for burrowing owl following the guidelines in the Staff Report on Burrowing Owl Mitigation³, the number and locations of suitable and occupied burrows within the Project site and surrounding areas are unknown. Given the lack of results from focused surveys following recommended protocols and the lack of survey reports, CDFW is limited in its ability to provide biological expertise to support the City in reducing impacts to burrowing owl to a level less than significant. CDFW recommends that the MND is revised to include the results of focused surveys, including survey reports, for burrowing owl within the Project site and surrounding area following the

guidelines outlined in Appendix D of the Staff Report on Burrowing Owl Mitigation; and to incorporate appropriate avoidance, minimization, and mitigation measures for burrowing owl.

The MND includes Mitigation Measure BIO-1, which indicates that a “qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys on the northern parcel of the Project site during Phase 2. The first shall occur between 14 and 30 days prior to ground disturbance, and the second shall occur within 24 hours of ground disturbance. If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.” CDFW finds Mitigation Measure BIO-1 to be insufficient in scope and timing to reduce impacts to burrowing owl to a level less than significant. For example, Mitigation Measure BIO-1 lacks details on appropriate survey methods for burrowing owl and methods of avoiding impacts to burrowing owl if they are observed within the Project site and/or surrounding areas.

The MND also indicates that burrowing owl exclusion may be implemented by the Project. Burrowing owl relocation is considered a potentially significant impact under CEQA and should only be considered as a last resort, after all other options have been evaluated. Burrowing owl relocation (i.e., eviction/passive and active relocation) can result in take of burrowing owl individuals, nests, and eggs, which is not authorized under the CVMSHCP. Consultation with CDFW is warranted to determine if an Incidental Take Permit is necessary to avoid a violation of Fish and Game code section 2080. CDFW recommends that the City revise Mitigation Measure BIO-1 with the following additions in **bold** and removals in ~~strike through~~:

Mitigation Measure BIO-1: Burrowing Owl Focused and Pre-Construction Surveys

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a CVMSHCP-approved Acceptable Biologist in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance and monitoring actions, including measures necessary to avoid take of burrowing owl individuals, nests, and eggs. The Burrowing Owl Plan shall include the number and location of occupied burrow sites (occupied site means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site), acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow(s) or burrowing owl individuals, nests, or eggs cannot be avoided, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained from CDFW prior to commencement of Project activities.

Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the Staff Report on Burrowing Owl Mitigation (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a CVMSHCP-approved Acceptable Biologist following the recommendations and guidelines provided in the Staff Report on Burrowing Owl Mitigation. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities. A qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys on the northern parcel of the Project site during Phase 2. The first shall occur between 14 and 30 days prior to ground disturbance, and the second shall occur within 24 hours of ground disturbance. If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.

Response 5:

See USFWS Response 3 and 4, above, which revises MM BIO-1 to clarify that take avoidance pre-construction burrowing owl surveys shall follow the CDFW (2012 or current) Staff Report on Burrowing Owl Mitigation, and includes protocol for determining appropriate avoidance, minimization, and mitigation measures if burrowing owl is detected. MM BIO-1, as amended, sufficiently summarizes CDFW's requests made in Comment 5.

Comment 6:

3) Coachella Valley Multiple Species Habitat Conservation Plan Local Development Mitigation Fee

The Project is located within the CVMSHCP Plan Boundary and outside of a Conservation Area and contains habitat for Covered Species and/or conserved natural communities. Page 120 of the MND states that the "site is subject to payment of the Development Mitigation Fee to mitigate potential impacts to covered species under the CVMSHCP." Per CVMSHCP Section 5.2.1.1 and IA Sections 12.2.1 and 13.2, the City is obligated to impose a local development mitigation fee for new development within the Plan Area that impacts vacant land containing Habitat for Covered Species and/or conserved natural communities, including small vacant lots within urban areas that contain natural open space, and to transmit collected fees to CVCC at least quarterly and prior to impacts to Covered Species and their Habitats. To document the City's obligation to impose and transmit a Local Development Mitigation Fee for this Project, CDFW recommends the City add the following mitigation measure to a revised MND:

Mitigation Measure BIO-[B]: CVMSHCP Compliance

Prior to construction and issuance of any grading permit, the City shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure the collection of payment of the CVMSHCP Local Development Mitigation Fee and transfer of fees, at least quarterly and prior to impacts to Covered Species and their Habitats, to the Coachella Valley Conservation Commission.

Response 6:

The comment is noted. However, as allowed under CEQA, requirements of law are not mitigation measures, and are assumed to be implemented. Because the payment of the CVMSHCP fee is a requirement by the City, as stated in the Initial Study, its payment will reduce impacts to less than significant levels, and no mitigation measure is required.

Comment 7:

4) Artificial Nighttime Lighting

The Project site is located adjacent to vacant areas within the larger Armtec facility that provide suitable burrowing, nesting, roosting, foraging, and refugia habitat for birds, migratory birds that fly at night, and other nocturnal and crepuscular wildlife. The Project proposes “light and glare from interior and exterior building lighting, safety and security lighting” (page 24 of the MND). The Project’s proposed artificial nighttime lighting has the potential to significantly and adversely affect biological resources using these vacant areas within the larger Armtec facility. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural enemies; and navigation. Many species use photoperiod cues for communication (e.g., bird song⁵), determining when to begin foraging, behavioral thermoregulation, and migration. Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it.

Page 24 of the MND indicates that the Project “will abide by the city’s standards prohibiting reflective surfaces and spillage of light onto adjacent properties.” CDFW considers these plans to minimize the impacts of artificial nighttime lighting to be insufficient in scope to reduce the impacts of lighting to level less than significant. To support the City in avoiding or reducing impacts of artificial nighttime lighting on biological resources to less than significant, CDFW recommends the City add the following mitigation measure to a revised MND:

Mitigation Measure BIO-[C]: Artificial Nighttime Lighting

Throughout construction and the lifetime operations of the Project, the City and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most active. The City and Project proponent shall ensure that all

lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at <http://darksky.org/>). The City and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.

Response 7:

The commenter's opinion is noted, but provides no substantial evidence that the Project will result in substantial lighting that exceeds current lighting levels, or that the lighting proposed for the Project will impact biological resources. The Project is the expansion of the existing Armtec facilities. Lighting conditions in this area are already affected by existing Armtec facilities, including security lighting and vehicles accessing the site, traffic on adjacent streets and surrounding residential development. As stated in the ISMND (pg 24) "[l]ighting and glare levels are not expected to exceed typical levels that currently exist on-site and within the surrounding urban environment and will be regulated by City lighting standards." The addition of Project lighting on the existing Armtec site will not change the lighting environment for biological resources, and no mitigation is required.

Comment 8:

5) Landscaping

The MND indicates that the Project's landscaping will include "median and landscaping improvements" associated with the widening of Tyler Street (page 5), and "97,000 SF of landscaping, on- and off-site" (page 31). No additional details are provided on landscaping plans in the MND. CDFW recommends that the MND include recommendations regarding landscaping from Section 4.0 of the CVMSHCP "Table 4-112: Coachella Valley Native Plants Recommended for Landscaping" (pp. 4-180 to 4- 182; <https://cvmshcp.org/plan-documents/>). CDFW also recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water- efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants. More information on native plants suitable for the Project location and nearby nurseries is available at Calscape: <https://calscape.org/>. Local water agencies/cities and resource conservation cities in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com/>.

Response 8:

The comment is noted. The Project is required to comply with both the City's water efficient landscaping standards and CWA's water conservation requirements in landscaping, which include water budgeting for landscaped areas. The Project will therefore be regulated to assure low water use in landscaping, as clearly stated in the Initial Study.

Comment 9:

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.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts to biological resources. CDFW concludes that the MND does not adequately identify or mitigate the Project's significant, or potentially significant, impacts to biological resources. CDFW recommends that revised and additional mitigation measures and analysis as described in this letter be added to a revised MND.

CDFW personnel are available for consultation regarding biological resources and strategies to avoid and minimize impacts. Questions regarding this letter or further coordination should be directed to Jacob Skaggs, Senior Environmental Scientist Specialist, at jacob.skaggs@wildlife.ca.gov.

Response 9:

The City will continue to assure that biologists report their findings when studies are prepared, and that CDFW fees are paid when necessary. The commenter's opinions are noted, and as described above, MM BIO-1 has been amended to address CDFW's concerns about burrowing owl and nesting birds. The City thanks CDFW for their participation in this process.

Imperial Irrigation District (IID) Letter dated May 19, 2025 Comment 1:

On April 23, 2025, the Imperial Irrigation District received from the City of Coachella Development Services Department, the Notice of Intent to adopt a Mitigated Negative Declaration for the Armtec Expansion Master Plan; Environmental Assessment 25-01, Conditional Use Permit 389, Architectural Review 25-02. The project proposes 37,800 sq. ft. in new storage facilities, 3,000 sq. ft. in new research and development/small production facilities, 15,000 sq. ft. in new production facilities, a $\pm 73,200$ sq. ft. truck staging area, and three retention basins. The project also includes off-site improvements adjacent to the site, including the widening and improvements of Tyler Street. The proposed project is Phase 2 and Phase 3 of the three-phased Armtec Expansion Master Plan. Phase 1 of the Master Plan, which is not part of the project, was the construction of a $\pm 33,900$ sq. ft. ground-mounted solar grid and seven solar parking canopies on the northern parcel of the existing 52.65-acre Armtec Defense Technologies (Armtec) site located at 85901 Avenue 53 in Coachella, CA (APNs 778-420-013, 778-390-008).

IID has reviewed the project information has the following comments:

1. Based on the preliminary information provided to the IID, the district can accommodate the proposed project by the addition of new backbone line extensions, upgrades and reconfigurations to create ties with adjacent circuits in the area and extend electrical service to the proposed development. Based on current 2025 IID rates, a high-level cost estimate of these improvements amounts to \$355,000 (subject to change without notice, including for adjustments in costs of materials, supply or labor). It is important to note, new backbone lines extensions, upgrades or reconfigurations to create ties with adjacent circuits in the area with existing IID facilities will be required, all of which are at the expense of the Developer. The conditions of service could change as a result of the additional studies.
2. It is important to note that a feasibility study will be developed once a customer project application and approved plans and loading calculations are received. This detailed information will allow IID to perform an accurate assessment and provide a full report of any potential impacts and mitigation measures as well as costs. The conditions of service could change as a result of the additional studies. The cost of any technical assessment shall be borne by the applicant.

3. IID will not begin any engineering studies to provide electrical service to the project until the applicant submits a customer project application (available for download at www.iid.com/home/showpublisheddocument/12923/638440444053700000 and detailed loading information, panel sizes, project schedule and estimated in-service date. Applicant shall bear all costs associated with additional facilities deemed necessary to provide electrical service to the project, including but not limited to distribution feeder/backbone extensions, distribution overhead and/or underground line extensions, load balancing as well as any other related upgrades and applicable permits, zoning changes, landscaping (if required by the City) and rights-of-way and easements.
4. The district's ability to provide service from existing infrastructure is based on current available capacity, which may be impacted by future development in the area. IID is unable to hold system capacity to the detriment of other customers.
5. Underground infrastructure of any additional facilities needed such as double conduit/vault systems that include trenching, conduits, pull boxes, switch boxes and pads shall be installed at the applicant's expense following IID approved plans within the public utility easement or dedicated easement, if applicable. Physical field installation of underground infrastructures should be verified and approved by an IID inspector prior to cable installation as per IID Developer's Guide (available at the district website <https://www.iid.com/home/showdocument?id=14229>).
6. IID Regulations governing line extensions can be found at:
No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
No. 15 (<http://www.iid.com/home/showdocument?id=2555>),
7. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the project development planner assigned to the area.
8. It is important to note that IID's policy is to extend its electrical facilities only to those project that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments.
9. The project proponent will be required to provide and bear all costs associated with acquisition of land, rights of way, easements, and infrastructure relocations and realignments deemed necessary to accommodate the project. Any street or road improvements imposed by the local governing authority shall also be at the project

proponent cost.

10. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve a project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties where no public access exists.
11. Substations and switchyards shall be located on property that will transferred to IID in fee simple ownership with legal access.
12. Public utility easements over all private and public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.
13. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.

Response 1:

Comment noted. The comment provides a description of the Project and relates to design and other IID processes and does not pertain to CEQA. No further response is required.

Comment 2:

14. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and/or distribution lines, ancillary facilities associated with the conveyance of energy service; the acquisition and dedication of real property, rights of way and/or easements for the siting and construction of electrical utility substations, electrical transmission and/or distribution lines and ancillary facilities associated with the conveyance of energy service, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**

15. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.
16. When the project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID electrical grid), considered under the environmental factor "Utilities and Services" of the Environmental Checklist/Initial Study, and determine if the project would require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.

Response 2:

The ISMND complies with CEQA in that it considers the "whole action," both Phase 2 and Phase 3 of the Armtec Master Plan, and includes description of electricity services and infrastructure in the Utilities and Service Systems and Energy sections, including the required connections to nearby existing infrastructure. Project specific utility improvement plans will be reviewed and approved by the City in conjunction with the ISMND.

Comment 3:

17. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to

adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at with <https://www.iid.com/power/vegetation-management>

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Response 3:

The comment is noted but does not pertain to CEQA. No further response is required. The City thanks IID for participating in this process.

APPENDIX A
COMMENT LETTERS



United States Department of the Interior

U.S. FISH AND WILDLIFE SERVICE

Ecological Services
Palm Springs Fish and Wildlife Office
777 East Tahquitz Canyon Way, Suite 208
Palm Springs, California 92262



In Reply Refer to:
2025-0098153-CEQA-TA-ERV

May 21, 2025
Sent Electronically

Adrian Moreno
Associate Planner
City of Coachella
53990 Enterprise Way
Coachella, California 92236

Subject: Draft Initial Study and Intent to Adopt Proposed Mitigated Negative Declaration for the Armtec Expansion Master Plan, City of Coachella, Riverside County, California

Dear Adrian Moreno:

This letter is in response to the notice dated April 22, 2025, soliciting comments on the draft Initial Study and Intent to Adopt Proposed Mitigated Negative Declaration (ISMND) for the Armtec Expansion Master Plan (Project), located in the City of Coachella, Riverside County, California. The Project applicant, Armtec Defense Technologies proposes to construct new storage, research and development, and production facilities totaling to 37,800 square feet (sf), a 73,200-sf staging area, three retention basins, and off-site improvements adjacent to the Project site.

We offer the following comments on the draft ISMND as they relate to potential impacts on public trust resources. The primary concern and mandate of the U.S. Fish and Wildlife Service (Service) is the conservation, protection, and enhancement of fish and wildlife resources and their habitats for the continuing benefit of the American people. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and threatened or endangered animals and plants listed under the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*). The comments provided herein are based on the information provided in the draft ISMND and our knowledge of sensitive and declining fish and wildlife resources.

The Project site is located within the boundary of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP), and the City of Coachella (City) is a Local Permittee to the CVMSHCP. The Project site is adjacent to CVMSHCP-modeled habitat for the following Covered Species: crissal thrasher (*Toxostoma crissale*), least Bell's vireo (*Vireo bellii pusillus*), summer tanager (*Piranga rubra cooperi*), yellow-breasted chat (*Icteria virens*), and yellow warbler (*Dendroica petechia brewsteri*). The Project applicant completed Phase 1 of the Project which was the construction of a solar grid in early 2025. Phase 2 and Phase 3 of the Armtec Expansion Master Plan are the subject of this draft ISMND. As stated above, Phase 2 includes construction of a 15,000-sf storage warehouse, a 73,000-sf truck staging area, a 3,000-sf research and development facility, and three retention basins, totaling 75,650 sf. Phase 3 includes the

construction of a 15,000-sf production facility, a 15,000-sf storage warehouse, two 900-sf storage structures, and an expansion of an existing storage warehouse by 6,000 sf. The proposed Project also includes off-site improvements, including improving and widening Tyler Street.

The draft ISMND states that flora and fauna were observed during the field reconnaissance of the Project site on June 6, 2024, as part of the Archaeological and Paleontological Resources Assessment. However, the draft ISMND does not indicate completion of additional biological field surveys or include a biological resources assessment. A biological resources assessment is necessary to accurately assess the Project's potential impacts to fish and wildlife resources. Please revise the draft ISMND to include a biological resources assessment, including impacts to Covered Species (identified above) under the CVMSHCP and their habitat.

Nesting Birds

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. § 703 *et seq*) prohibits take of individuals, parts, nests, or eggs of migratory birds. "Take" is defined in the Service's general wildlife regulations as "to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to pursue, hunt, shoot, wound, kill, trap, capture, or collect (50 C.F.R. § 10.12)."

The Service's section 10(a)(1)(B) Permit associated with the CVMSHCP constitutes a Special Purpose Permit under the MBTA for the Take of Covered Species. However, only Take of migratory bird habitat is provided, and the Permit states that "[a]ny such Take will not be in violation of the MBTA." Therefore, Take of individuals, parts, nests, or eggs, as described in the MBTA is not authorized in the Special Purpose Permit, and any Take of migratory bird habitat associated with Covered Activities will not be in violation of the MBTA.

The draft ISMND states that the Project site has low potential to provide nesting opportunities due to the disturbed nature of the vegetation and soils and concludes that the proposed Project's potential impacts to migratory bird species are negligible. Although the Project site is disturbed, the presence of sparse vegetation, particularly cover of shrubs, is suitable habitat for ground-nesting birds. Furthermore, bare ground or sparse vegetation cover constitutes suitable nesting habitat for some ground-nesting birds. The proposed ground disturbance may consequently result in unauthorized Take of migratory birds without implementation of the necessary avoidance, minimization, and mitigation measures. Additionally, the draft ISMND does not indicate completion of focused nesting bird surveys. Focused nesting bird surveys are necessary to accurately confirm nesting bird presence or absence on the Project site. A complete assessment of the biological resources within the Project area is required to assess the Project's potential impacts to migratory birds. Please revise the draft ISMND to include a complete assessment of the Project's potential impacts to nesting bird habitat, including completion of nesting bird surveys during the appropriate time of year, to determine the extent of nesting birds on the Project site.

Burrowing Owl

The Western burrowing owl (*Athene cunicularia hypugaea*; burrowing owl) is protected under the MBTA and is a Covered Species under the CVMSHCP. However, the Service's section 10(a)(1)(B) Permit for the CVMSHCP does not provide Take for burrowing owl individuals,

nests, or eggs. Within the CVMSHCP boundary, as a Permittee, the City must ensure their activities comply with MBTA and implement the appropriate avoidance, minimization, and mitigation measures to avoid Take of burrowing owl individuals, nests, or eggs.

The draft ISMND states that the northern portion of the Project site has potential for burrowing owl presence due to its sparse vegetation. However, the draft ISMND does not indicate that focused burrowing owl surveys were completed. Pursuant to the California Department of Fish and Wildlife's (CDFW) Staff Report on Burrowing Owl Mitigation (2012 or most recent version), for both breeding and non-breeding season surveys, a minimum of four survey visits are required to accurately assess a site for burrowing owl presence. Given the lack of multiple, focused burrowing owl surveys, the total number of burrowing owl individuals or suitable and occupied burrows within the Project area is unknown. Please revise the draft ISMND to include an accurate assessment of the Project's potential impacts to burrowing owl, including focused survey results following the protocols outlined in the 2012 Staff Report on Burrowing Owl Mitigation.

Additionally, Mitigation Measure (MM) BIO-1 requires take avoidance pre-construction burrowing owl surveys and subsequent consultation with CDFW should burrowing owl presence be confirmed. MM-BIO-1 lacks further detail regarding the survey methodology for the pre-construction surveys. We recommend that MM-BIO-1 be revised to specify that the pre-construction surveys shall be completed in accordance with the Staff Report on Burrowing Owl Mitigation. In addition, we recommend that MM-BIO-1 be revised to require that, if the pre-construction surveys confirm burrowing owl presence, the Project applicant shall submit a Burrowing Owl Plan that includes avoidance, minimization, and mitigation measures to the Service and CDFW—collectively the Wildlife Agencies—for review and approval prior to beginning Project activities. The Project proponent shall coordinate with the Wildlife Agencies on the appropriate avoidance, minimization, and mitigation measures to be included in the Burrowing Owl Plan. If avoidance of burrowing owl is not possible, coordination with the Wildlife Agencies for a burrowing owl relocation plan is required pursuant Section 4.4 and Section 8.5.2 of the CVMSHCP.

We appreciate the opportunity to provide comments on the draft ISMND. If you have any questions regarding these comments, please contact [Lory Salazar-Velasquez](mailto:Lory_Salazar-Velasquez@fws.gov).¹

Sincerely,

for Brian Croft
Field Supervisor

¹ lory_salazar-velasquez@fws.gov.



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Boulevard, Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



May 22, 2025
Sent via email

Adrian Moreno
Associate Planner
City of Coachella
53990 Enterprise Way
Coachella, CA 92236
amoreno@coachella.org

Armtec Expansion Master Plan Project (PROJECT)
Mitigated Negative Declaration (MND)
SCH# 2025041097

Dear Adrian Moreno:

The California Department of Fish and Wildlife (CDFW) received a Notice of Intent to Adopt a Mitigated Negative Declaration from the City of Coachella (City) for the Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

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

CDFW ROLE

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

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.

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 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: Armtec Defense Products Co.

Objective: Armtec's existing industrial and manufacturing operations currently are located on the southern parcel, and the northern parcel currently contains a ±33,900 sf ground mounted solar grid located on the eastern half of the parcel. The proposed Project is Phase 2 and Phase 3 of the three-phase Armtec Expansion Master Plan. The Project proposes the construction of a new 15,000 sf storage warehouse, a ±73,200 truck staging area and 9,900 sf retention basin on the northern parcel, and a new 3,000 SF research and development (R&D) and production facility and two retention basins totaling 65,750 sf on the southern parcel. Phase 3 includes the construction of a new 15,000 SF production facility, a new 15,000 sf storage warehouse, two new 900 sf storage structures, and a 6,000 sf expansion of an existing storage warehouse, all located on the southern parcel.

The Project proposes off-site improvements adjacent to the site, including the widening and improvements of Tyler Street. The Project proposes new interior and exterior building lighting and safety and security lighting. The Project also proposes 97,000 SF of landscaping, on- and off-site, including landscaping around new buildings and within offsite street improvements.

Location: The Project is located at 85901 Avenue 53 in City of Coachella, Riverside County, California. The Project site consists of two parcels totaling approximately 52.65 acres in size, identified by assessor's parcel numbers (APNs) 778-420-013 (14.96 acres) and 778-390-008 (37.69 acres).

Timeframe: The MND proposes a construction timeframe from June 2025 through December 2026 for Phase 2. The timing for construction of Phase 3 is currently undetermined.

COMMENTS AND RECOMMENDATIONS

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

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

Existing Environmental Setting

Compliance with CEQA is predicated on a complete and accurate description of the environmental setting that may be affected by the proposed Project. CDFW is concerned that the assessment of the existing environmental setting has not been adequately analyzed in the MND. CDFW is concerned that without a complete and accurate description of the existing environmental setting, the MND may provide an incomplete analysis of Project-related environmental impacts.

The MND lacks a complete and appropriate assessment of biological resources within the Project site and surrounding area specifically as it relates burrowing owl (*Athene cunicularia*) and nesting birds, as discussed in the Nesting Bird and Burrowing Owl sections below. A complete and accurate assessment of the environmental setting and Project-related impacts to biological resources is needed to both identify appropriate avoidance, minimization, and mitigation measures and demonstrate that these measures reduce Project impacts to less than significant.

Mitigation Measures

CEQA requires that an MND include mitigation measures to avoid or reduce significant impacts. CDFW is concerned that the mitigation measures proposed in the MND are not adequate to avoid or reduce impacts to biological resources to below a level of significance. To support the City in ensuring that Project impacts to biological resources are reduced to less than significant, CDFW recommends revising the mitigation measure for burrowing owl and adding mitigation measures for nesting birds, artificial nighttime lighting, and the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP).

1) Nesting Birds

It is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

With regard to the CVMSHCP, per its associated Implementing Agreement (IA) and Permits from CDFW and the U.S. Fish and Wildlife Service (the Wildlife Agencies), Take associated with Covered Activities will not be in violation of the Migratory Bird Treaty Act and will be consistent with Fish and Game Code sections 3503 and 3503.5; therefore, all Covered Activities within and outside Conservation Areas must undertake measures to avoid the take of individuals, nests, and eggs of nesting birds. The CVMSHCP includes a general conservation measure that applies to all bird species to avoid impacts to habitat for nesting birds during the nesting season (CVMSHCP Section 9.7). Per IA Section 13.2, the City is obligated to ensure the projects to which it confers Take Authorization under the CVMSHCP comply with all terms and requirements of the CVMSHCP, the Wildlife Agencies' Permits that create the CVMSHCP, and the IA, including compliance with laws that protect nesting birds.

Page 120 of the MND states that the "site has been previously graded and does not contain vegetation that could provide suitable habitat for nesting birds." The MND lacks additional information on suitability of the Project site to support nesting birds (excluding burrowing owl). CDFW is concerned about the validity of the conclusion that the site does not provide suitable habitat for nesting birds. The Project site currently contains suitable habitat for ground-nesting birds such as killdeer (*Charadrius vociferus*), and shrubs have the potential to establish between grading and vegetation removal activities that can provide suitable habitat for nesting birds. CDFW recommends the MND is revised to include an accurate assessment of biological resources within the Project site as it relates to suitable habitat for nesting birds. The MND also lacks a mitigation measure for nesting birds. Given the suitability of the Project site to currently support ground-nesting birds and potentially support birds that nest in shrubs if vegetation establishes between maintenance activities, CDFW considers the MND to lack appropriate avoidance, minimization, and mitigation measures necessary to reduce impacts to nesting birds to a level less than significant.

CDFW also recommends the completion of nesting bird surveys *regardless* of the time of year to ensure that impacts to nesting birds and their nests and eggs are avoided. The timing of the nesting season varies greatly depending on several factors, such as

bird species, weather conditions in any given year, and long-term climate changes (e.g., drought, warming, etc.). In response to warming, birds have been reported to breed earlier, thereby reducing temperatures that nests are exposed to during breeding and tracking shifts in availability of resources (Socular et al., 2017²). CDFW staff have observed that climate change conditions may result in the nesting bird season occurring earlier and later in the year than historical nesting season dates. CDFW recommends that disturbance of occupied nests of migratory birds and raptors within the Project site and surrounding area be avoided **any time birds are nesting on-site.**

To support City in reducing impacts to nesting birds to a level less than significant level, CDFW recommends that the City add Mitigation Measure BIO-[A] to a revised MND:

Mitigation Measure BIO-[A]: Nesting Birds

Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to all vegetation removal or ground-disturbing activities throughout all portions of the Project. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.

Pursuant to the CEQA Guidelines, section 15097(f), CDFW has prepared a draft mitigation monitoring and reporting program (MMRP) in Attachment 1 for recommended revisions to MM BIO-1 and CDFW-recommended MM BIO-[A], MM BIO-[B], and MM BIO-[C].

² Socolar JB, Epanchin PN, Beissinger SR and Tingley MW (2017). Phenological shifts conserve thermal niches. Proceedings of the National Academy of Sciences 114(49): 12976-12981.

2) *Burrowing Owl*

On October 10, 2024, the Fish and Game Commission determined that western burrowing owl warrants protection as a candidate species under the California Endangered Species Act (Fish & G. Code, § 2050 et seq.). During the candidacy period, western burrowing owl will be afforded the same protection as threatened and endangered species under CESA. If Project activities, including relocation, could result in take, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained prior to commencement of Project activities.

Take of individual burrowing owls and their nests or eggs is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5, and 3513. Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.” 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.).

With regard to the CVMSHCP, the CDFW Natural Community Conservation Plan (NCCP) Permit #2835-2008-001-06 does not provide Take Authorization for burrowing owl individuals, nests, or eggs. To the contrary, section 3.5.6 of the NCCP Permit states burrowing owl “pairs or individuals will not be Taken” and reiterates that the “HCP/NCCP does not authorize Take of [burrowing owl] nests [or] eggs[.]” Therefore, throughout the CVMSHCP area—both within and without Conservation Areas—Permittees must ensure that activities occurring within their jurisdictions do not result in the take, possession, or destruction of burrowing owl individuals, nests, or eggs. Any activity occurring within the CVMSHCP area that results in the take of burrowing owl individuals, nests, or eggs would be unlawful and would not be a Covered Activity under the CVMSHCP. Per IA Section 13.2, the City is obligated to ensure the projects to which it confers Take Authorization under the CVMSHCP comply with all terms and requirements of the CVMSHCP, the Wildlife Agencies’ Permits that create the CVMSHCP, and the IA, including compliance with laws that protect burrowing owls.

Page 39 of the MND indicates “since the northern portion of the site is predominantly vacant and covered sparsely with vegetation, there is potential of burrowing owl to be present. The CVMSHCP and State law prohibit the take of burrowing owl. Should

burrowing owl be found on the northern portion of the property prior to construction of Phase 2, a significant impact would occur. To assure that potential impacts are avoided, Mitigation Measure BIO.1 is provided below, which requires pre-construction surveys of the northern parcel to assure that the species is not present, and/or to protect the species should it be identified on-site.” CDFW concurs that the Project site contains suitable habitat for burrowing owl; however, the MND and its supporting documents lack additional information on burrowing owl presence, including the results of focused surveys for burrowing owl. Given the MND’s lack of findings from focused surveys for burrowing owl following the guidelines in the *Staff Report on Burrowing Owl Mitigation*³, the number and locations of suitable and occupied burrows within the Project site and surrounding areas are unknown. Given the lack of results from focused surveys following recommended protocols and the lack of survey reports, CDFW is limited in its ability to provide biological expertise to support the City in reducing impacts to burrowing owl to a level less than significant. CDFW recommends that the MND is revised to include the results of focused surveys, including survey reports, for burrowing owl within the Project site and surrounding area following the guidelines outlined in Appendix D of the *Staff Report on Burrowing Owl Mitigation*; and to incorporate appropriate avoidance, minimization, and mitigation measures for burrowing owl.

The MND includes Mitigation Measure BIO-1, which indicates that a “qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys on the northern parcel of the Project site during Phase 2. The first shall occur between 14 and 30 days prior to ground disturbance, and the second shall occur within 24 hours of ground disturbance. If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.” CDFW finds Mitigation Measure BIO-1 to be insufficient in scope and timing to reduce impacts to burrowing owl to a level less than significant. For example, Mitigation Measure BIO-1 lacks details on appropriate survey methods for burrowing owl and methods of avoiding impacts to burrowing owl if they are observed within the Project site and/or surrounding areas.

The MND also indicates that burrowing owl exclusion may be implemented by the Project. Burrowing owl relocation is considered a potentially significant impact under CEQA and should only be considered as a last resort, after all other options have been evaluated. Burrowing owl relocation (i.e., eviction/passive and active relocation) can result in take of burrowing owl individuals, nests, and eggs, which is not authorized under the CVMSHCP. Consultation with CDFW is warranted to determine if an Incidental Take Permit is necessary to avoid a violation of Fish and Game code section

³ California Department of Fish and Game (CDFG). 2012. Staff report on burrowing owl mitigation. State of California, Natural Resources Agency. Available for download at: <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=83843&inline>

2080. CDFW recommends that the City revise Mitigation Measure BIO-1 with the following additions in **bold** and removals in ~~strikethrough~~:

Mitigation Measure BIO-1: Burrowing Owl Focused and Pre-Construction Surveys

Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a CVMSHCP-approved Acceptable Biologist in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance and monitoring actions, including measures necessary to avoid take of burrowing owl individuals, nests, and eggs. The Burrowing Owl Plan shall include the number and location of occupied burrow sites (occupied site means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site), acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow(s) or burrowing owl individuals, nests, or eggs cannot be avoided, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained from CDFW prior to commencement of Project activities.

Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the *Staff Report on Burrowing Owl Mitigation* (2012 or most recent version). Preconstruction surveys should be repeated when there is a pause in construction of more than 30 days. Preconstruction surveys should be performed by a CVMSHCP-approved Acceptable Biologist following the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation*. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities. ~~A qualified biologist shall conduct two (2) take avoidance pre-construction burrowing owl surveys on the northern parcel of the Project site during Phase 2. The first shall occur between 14 and 30 days prior to ground disturbance, and the second shall occur within 24 hours of ground disturbance. If burrowing owls are detected, the project proponent shall consult with CDFW to determine what course of action is needed, such as the use of exclusion devices (if~~

~~applicable) to discourage owls from using burrows that are believed to be in jeopardy of being impacted by implementation of the project.~~

3) *Coachella Valley Multiple Species Habitat Conservation Plan*

Local Development Mitigation Fee

The Project is located within the CVMSHCP Plan Boundary and outside of a Conservation Area and contains habitat for Covered Species and/or conserved natural communities. Page 120 of the MND states that the “site is subject to payment of the Development Mitigation Fee to mitigate potential impacts to covered species under the CVMSHCP.” Per CVMSHCP Section 5.2.1.1 and IA Sections 12.2.1 and 13.2, the City is obligated to impose a local development mitigation fee for new development within the Plan Area that impacts vacant land containing Habitat for Covered Species and/or conserved natural communities, including small vacant lots within urban areas that contain natural open space, and to transmit collected fees to CVCC at least quarterly and prior to impacts to Covered Species and their Habitats. To document the City's obligation to impose and transmit a Local Development Mitigation Fee for this Project, CDFW recommends the City add the following mitigation measure to a revised MND:

Mitigation Measure BIO-[B]: CVMSHCP Compliance

Prior to construction and issuance of any grading permit, the City shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure the collection of payment of the CVMSHCP Local Development Mitigation Fee and transfer of fees, at least quarterly and prior to impacts to Covered Species and their Habitats, to the Coachella Valley Conservation Commission.

4) *Artificial Nighttime Lighting*

The Project site is located adjacent to vacant areas within the larger Armtec facility that provide suitable burrowing, nesting, roosting, foraging, and refugia habitat for birds, migratory birds that fly at night, and other nocturnal and crepuscular wildlife. The Project proposes “light and glare from interior and exterior building lighting, safety and security lighting” (page 24 of the MND). The Project's proposed artificial nighttime lighting has the potential to significantly and adversely affect biological resources using these vacant areas within the larger Armtec facility. Artificial lighting alters ecological processes including, but not limited to, the temporal niches of species; the repair and recovery of physiological function; the measurement of time through interference with the detection of circadian and lunar and seasonal cycles; the detection of resources and natural

enemies; and navigation.⁴ Many species use photoperiod cues for communication (e.g., bird song⁵), determining when to begin foraging,⁶ behavioral thermoregulation,⁷ and migration.⁸ Phototaxis, a phenomenon that results in attraction and movement towards light, can disorient, entrap, and temporarily blind wildlife species that experience it.¹⁰

Page 24 of the MND indicates that the Project “will abide by the city’s standards prohibiting reflective surfaces and spillage of light onto adjacent properties.” CDFW considers these plans to minimize the impacts of artificial nighttime lighting to be insufficient in scope to reduce the impacts of lighting to level less than significant. To support the City in avoiding or reducing impacts of artificial nighttime lighting on biological resources to less than significant, CDFW recommends the City add the following mitigation measure to a revised MND:

Mitigation Measure BIO-[C]: Artificial Nighttime Lighting

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

5) Landscaping

The MND indicates that the Project’s landscaping will include “median and landscaping improvements” associated with the widening of Tyler Street (page 5), and “97,000 SF of landscaping, on- and off-site” (page 31). No additional details are provided on landscaping plans in the MND. CDFW recommends that the MND include recommendations regarding landscaping from Section 4.0 of the CVMSHCP “Table 4-

⁴ Gatson, K. J., Bennie, J., Davies, T., Hopkins, J. 2013. The ecological impacts of nighttime light pollution: a mechanistic appraisal. *Biological Reviews*, 88.4: 912-927.

⁵ Miller, M. W. 2006. Apparent effects of light pollution on singing behavior of American robins. *The Condor* 108:130–139.

⁶ Stone, E. L., G. Jones, and S. Harris. 2009. Street lighting disturbs commuting bats. *Current Biology* 19:1123–1127.

⁷ Beiswenger, R. E. 1977. Diet patterns of aggregative behavior in tadpoles of *Bufo americanus*, in relation to light and temperature. *Ecology* 58:98–108.

⁸ Longcore, T., and C. Rich. 2004. Ecological light pollution - Review. *Frontiers in Ecology and the Environment* 2:191–198.

112: Coachella Valley Native Plants Recommended for Landscaping” (pp. 4-180 to 4-182; <https://cvmshcp.org/plan-documents/>). CDFW also recommends incorporation of water-wise concepts in any Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants. More information on native plants suitable for the Project location and nearby nurseries is available at Calscape: <https://calscape.org/>. Local water agencies/cities and resource conservation cities in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens. Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California’s Save our Water website: <https://saveourwater.com/>.

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.)

CONCLUSION

CDFW appreciates the opportunity to comment on the MND to assist the City in identifying and mitigating Project impacts to biological resources. CDFW concludes that the MND does not adequately identify or mitigate the Project’s significant, or potentially significant, impacts to biological resources. CDFW recommends that revised and additional mitigation measures and analysis as described in this letter be added to a revised MND.

Adrian Moreno
City of Coachella
May 22, 2025
Page 12

CDFW personnel are available for consultation regarding biological resources and strategies to avoid and minimize impacts. Questions regarding this letter or further coordination should be directed to Jacob Skaggs, Senior Environmental Scientist Specialist, at jacob.skaggs@wildlife.ca.gov.

Sincerely,

DocuSigned by:

84F92FFEEFD24C8...

Kim Freeburn
Environmental Program Manager

Attachment 1: MMRP for CDFW-Proposed Mitigation Measures

ec:

Heather Brashear, Senior Environmental Scientist (Supervisor), CDFW
Heather.Brashear@Wildlife.ca.gov

Peter Satin, Coachella Valley Association of Governments
psatin@cvag.org

Mary Beth Woulfe, U.S. Fish and Wildlife Service
marybeth_woulfe@fws.gov

Lory Salazar-Velasquez, U.S. Fish and Wildlife Service
lory_salazar-velasquez@fws.gov

Noelle Ronan, U.S. Fish and Wildlife Service
noelle_ronan@fws.gov

Office of Planning and Research, State Clearinghouse, Sacramento
state.clearinghouse@opr.ca.gov

ATTACHMENT 1: MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

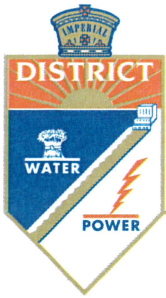
Mitigation Measures	Timing and Methods	Responsible Parties
Mitigation Measure BIO-[A]: Nesting Birds	Timing: No more than 3 days prior to all vegetation removal or	Implementation: City and Project proponent

<p>Regardless of the time of year, nesting bird surveys shall be performed by a qualified avian biologist no more than 3 days prior to all vegetation removal or ground-disturbing activities throughout all portions of the Project. Pre-construction surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior. The qualified avian biologist will make every effort to avoid potential nest predation as a result of survey and monitoring efforts. If active nests are found during the pre-construction nesting bird surveys, a qualified biologist shall establish an appropriate nest buffer to be marked on the ground. Nest buffers are species specific and shall be at least 300 feet for passerines and 500 feet for raptors. A smaller or larger buffer may be determined by the qualified biologist familiar with the nesting phenology of the nesting species and based on nest and buffer monitoring results. Construction activities may not occur inside the established buffers, which shall remain on-site until a qualified biologist determines the young have fledged or the nest is no longer active. Active nests and adequacy of the established buffer distance shall be monitored daily by the qualified biologist until the qualified biologist has determined the young have fledged or the Project has been completed. The qualified biologist has the authority to stop work if nesting pairs exhibit signs of disturbance.</p>	<p>ground-disturbing activities.</p> <p>Methods: See Mitigation Measure</p>	<p>Monitoring and Reporting: City and Project proponent</p>
<p>Mitigation Measure BIO-1: Burrowing Owl Focused and Pre-Construction Surveys</p> <p>Suitable burrowing owl habitat has been confirmed on the site; therefore, focused burrowing owl surveys shall be conducted by a CVMSHCP-approved Acceptable Biologist in accordance with the <i>Staff Report</i></p>	<p>Timing: Focused surveys: Prior to vegetation removal or ground-disturbing activities. Pre-construction surveys: No less than 14 days prior</p>	<p>Implementation: City and Project proponent</p> <p>Monitoring and Reporting: City and Project proponent</p>

<p>on <i>Burrowing Owl Mitigation</i> (2012 or most recent version) prior to vegetation removal or ground-disturbing activities for all phases of Project construction. If burrowing owls are detected during the focused surveys, the qualified biologist and Project proponent shall begin coordination with CDFW and USFWS immediately, and shall prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW for review and approval prior to commencing Project activities. The Burrowing Owl Plan shall describe proposed avoidance and monitoring actions, including measures necessary to avoid take of burrowing owl individuals, nests, and eggs. The Burrowing Owl Plan shall include the number and location of occupied burrow sites (occupied site means at least one burrowing owl or its sign has been observed within the last three years; may be indicated by owl sign including feathers, pellets, prey remains, eggshell fragments, or excrement at or near a burrow entrance or perch site), acres of burrowing owl habitat that will be impacted, details of site monitoring, and details on proposed buffers and other avoidance measures. If impacts to occupied burrowing owl habitat or burrow(s) or burrowing owl individuals, nests, or eggs cannot be avoided, appropriate CESA authorization (i.e., Incidental Take Permit under Fish and Game Code section 2081) should be obtained from CDFW prior to commencement of Project activities.</p> <p>Preconstruction burrowing owl surveys shall be conducted no less than 14 days prior to the start of Project-related activities and within 24 hours prior to ground disturbance, in accordance with the <i>Staff Report on Burrowing Owl Mitigation</i> (2012 or most recent version). Preconstruction surveys should be repeated when there is a</p>	<p>to start of Project-related activities and within 24 hours prior to ground disturbance and when there is a pause in construction of more than 30 days.</p> <p>Methods: See Mitigation Measure</p>	
--	---	--

<p>pause in construction of more than 30 days. Preconstruction surveys should be performed by a CVMSHCP-approved Acceptable Biologist following the recommendations and guidelines provided in the <i>Staff Report on Burrowing Owl Mitigation</i>. If the preconstruction surveys confirm occupied burrowing owl habitat, Project activities shall be immediately halted. The qualified biologist shall coordinate with CDFW and prepare a Burrowing Owl Avoidance and Monitoring Plan that shall be submitted to CDFW and USFWS for review and approval prior to commencing Project activities.</p>		
<p>Mitigation Measure BIO-[B]: CVMSHCP Compliance</p> <p>Prior to construction and issuance of any grading permit, the City shall ensure compliance with the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and its associated Implementing Agreement and shall ensure the collection of payment of the CVMSHCP Local Development Mitigation Fee and transfer of fees, at least quarterly and prior to impacts to Covered Species and their Habitats, to the Coachella Valley Conservation Commission.</p>	<p>Timing: Prior to construction and issuance of any grading permit.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City</p> <p>Monitoring and Reporting: City</p>
<p>Mitigation Measure BIO-[C]: Artificial Nighttime Lighting</p> <p>Throughout construction and the lifetime operations of the Project, the City and Project proponent shall eliminate all nonessential lighting throughout the Project area and avoid or limit the use of artificial light at night during the hours of dawn and dusk when many wildlife species are most</p>	<p>Timing: Throughout construction and lifetime operations of the Project.</p> <p>Methods: See Mitigation Measure</p>	<p>Implementation: City and Project Proponent</p> <p>Monitoring and Reporting: City and Project proponent</p>

active. The City and Project proponent shall ensure that all lighting for the Project is fully shielded, cast downward and directed away from surrounding open-space and agricultural areas, reduced in intensity to the greatest extent possible, and does not result in lighting trespass including glare into surrounding areas or upward into the night sky (see the International Dark-Sky Association standards at http://darksky.org/). The City and Project proponent shall ensure use of LED lighting with a correlated color temperature of 3,000 Kelvins or less, proper disposal of hazardous waste, and recycling of lighting that contains toxic compounds with a qualified recycler.		
--	--	--



IID

A century of service.

www.iid.com

Since 1911

May 19, 2025

Mr. Adrian Moreno
Associate Planner
Development Services Department
City of Coachella
53990 Enterprise Way
Coachella, CA 92236

SUBJECT: NOI to Adopt an MND for the Armtec Expansion Master Plan; EA 25-01, CUP 389, AR 25-02

Dear Mr. Moreno:

On April 23, 2025, the Imperial Irrigation District received from the City of Coachella Development Services Department, the Notice of Intent to adopt a Mitigated Negative Declaration for the Armtec Expansion Master Plan; Environmental Assessment 25-01, Conditional Use Permit 389, Architectural Review 25-02. The project proposes 37,800 sq. ft. in new storage facilities, 3,000 sq. ft. in new research and development/small production facilities, 15,000 sq. ft. in new production facilities, a $\pm 73,200$ sq. ft. truck staging area, and three retention basins. The project also includes off-site improvements adjacent to the site, including the widening and improvements of Tyler Street. The proposed project is Phase 2 and Phase 3 of the three-phased Armtec Expansion Master Plan. Phase 1 of the Master Plan, which is not part of the project, was the construction of a $\pm 33,900$ sq. ft. ground-mounted solar grid and seven solar parking canopies on the northern parcel of the existing 52.65-acre Armtec Defense Technologies (Armtec) site located at 85901 Avenue 53 in Coachella, CA (APNs 778-420-013, 778-390-008).

IID has reviewed the project information has the following comments:

1. Based on the preliminary information provided to the IID, the district can accommodate the proposed project by the addition of new backbone line extensions, upgrades and reconfigurations to create ties with adjacent circuits in the area and extend electrical service to the proposed development. Based on current 2025 IID rates, a high-level cost estimate of these improvements amounts to \$355,000 (subject to change without notice, including for adjustments in costs of materials, supply or labor). It is important to note, new backbone lines extensions, upgrades or reconfigurations to create ties with adjacent circuits in the area with existing IID facilities will be required, all of which are at the expense of the Developer. The conditions of service could change as a result of the additional studies.
2. It is important to note that a feasibility study will be developed once a customer project application and approved plans and loading calculations are received. This detailed information will allow IID to perform an accurate assessment and provide a full report of any potential impacts and mitigation measures as well as costs. The conditions of service could change as a result of the additional studies. The cost of any technical assessment shall be borne by the applicant.

3. IID will not begin any engineering studies to provide electrical service to the project until the applicant submits a customer project application (available for download at www.iid.com/home/showpublisheddocument/12923/638440444053700000 and detailed loading information, panel sizes, project schedule and estimated in-service date. Applicant shall bear all costs associated with additional facilities deemed necessary to provide electrical service to the project, including but not limited to distribution feeder/backbone extensions, distribution overhead and/or underground line extensions, load balancing as well as any other related upgrades and applicable permits, zoning changes, landscaping (if required by the City) and rights-of-way and easements.
4. The district's ability to provide service from existing infrastructure is based on current available capacity, which may be impacted by future development in the area. IID is unable to hold system capacity to the detriment of other customers.
5. Underground infrastructure of any additional facilities needed such as double conduit/vault systems that include trenching, conduits, pull boxes, switch boxes and pads shall be installed at the applicant's expense following IID approved plans within the public utility easement or dedicated easement, if applicable. Physical field installation of underground infrastructures should be verified and approved by an IID inspector prior to cable installation as per IID Developer's Guide (available at the district website <https://www.iid.com/home/showdocument?id=14229>).
6. IID Regulations governing line extensions can be found at:
No. 2 (<http://www.iid.com/home/showdocument?id=2540>),
No. 13 (<http://www.iid.com/home/showdocument?id=2553>),
No. 15 (<http://www.iid.com/home/showdocument?id=2555>),
7. For additional information regarding electrical service for the project, the applicant should be advised to contact the IID Energy - La Quinta Division Customer Operations, 81-600 Avenue 58 La Quinta, CA 92253, at (760) 398-5841 and speak with the project development planner assigned to the area.
8. It is important to note that IID's policy is to extend its electrical facilities only to those project that have obtained the approval of a city or county planning commission and such other governmental authority or decision-making body having jurisdiction over said developments.
9. The project proponent will be required to provide and bear all costs associated with acquisition of land, rights of way, easements, and infrastructure relocations and realignments deemed necessary to accommodate the project. Any street or road improvements imposed by the local governing authority shall also be at the project proponent cost.
10. The applicant will be required to provide rights of ways and easements for any proposed power line extensions and/or any other infrastructure needed to serve a project as well as the necessary access to allow for continued operation and maintenance of any IID facilities located on adjoining properties where no public access exists.

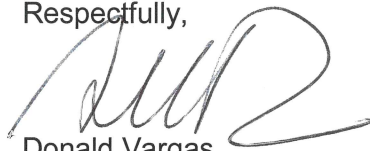
11. Substations and switchyards shall be located on property that will be transferred to IID in fee simple ownership with legal access.
12. Public utility easements over all private and public roads and additional ten (10) feet in width on both side of the private and public roads shall be dedicated to IID for the construction, operation, and maintenance of its electrical infrastructure.
13. Any construction or operation on IID property or within its existing and proposed right of way or easements including but not limited to: surface improvements such as proposed new streets, driveways, parking lots, landscape; and all water, sewer, storm water, or any other above ground or underground utilities; will require an encroachment permit, or encroachment agreement (depending on the circumstances). A copy of the IID encroachment permit application and instructions for its completion are available at <https://www.iid.com/about-iid/departments-directory/real-estate>. The IID Real Estate Section should be contacted at (760) 339-9239 for additional information regarding encroachment permits or agreements.
14. Any new, relocated, modified or reconstructed IID facilities required for and by the project (which can include but is not limited to electrical utility substations, electrical transmission and/or distribution lines, ancillary facilities associated with the conveyance of energy service; the acquisition and dedication of real property, rights of way and/or easements for the siting and construction of electrical utility substations, electrical transmission and/or distribution lines and ancillary facilities associated with the conveyance of energy service, etc.) need to be included as part of the project's California Environmental Quality Act (CEQA) and/or National Environmental Policy Act (NEPA) documentation, environmental impact analysis and mitigation. Failure to do so will result in postponement of any construction and/or modification of IID facilities until such time as the environmental documentation is amended and environmental impacts are fully mitigated. **Any mitigation necessary as a result of the construction, relocation and/or upgrade of IID facilities is the responsibility of the project proponent.**
15. Dividing a project into two or more pieces and evaluating each piece in a separate environmental document (Piecemealing or Segmenting), rather than evaluating the whole of the project in one environmental document, is explicitly forbidden by CEQA, because dividing a project into a number of pieces would allow a Lead Agency to minimize the apparent environmental impacts of a project by evaluating individual pieces separately, each of which may have a less-than-significant impact on the environment, but which together may result in a significant impact. Segmenting a project may also hinder developing comprehensive mitigation strategies. In general, if an activity or facility is necessary for the operation of a project, or necessary to achieve the project objectives, or a reasonably foreseeable consequence of approving the project, then it should be considered an integral project component that should be analyzed within the environmental analysis. The project description should include all project components, including those that will have to be approved by responsible agencies. The State CEQA Guidelines define a project under CEQA as "the whole of the action" that may result either directly or indirectly in physical changes to the environment. This broad definition is intended to provide the maximum protection of the environment. CEQA case law has

established general principles on project segmentation for different project types. For a project requiring construction of offsite infrastructure, the offsite infrastructure must be included in the project description. *San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus* (1994) 27 Cal.App. 4th 713.

16. When the project goes through the CEQA compliance process, it is important to bear in mind that to address the project impacts to the electrical utility (i.e., the IID electrical grid), considered under the environmental factor "Utilities and Services" of the Environmental Checklist/Initial Study, and determine if the project would require or result in the relocation or construction of new or expanded electric power facilities, the construction or relocation of which could cause significant environmental effects; a circuit study/distribution impact study, facility study, and/or system impact study must be performed.
17. Applicant should be advised that landscaping can be dangerous if items are planted too close to IID's electrical equipment. In the event of an outage, or equipment failure, it is vital that IID personnel have immediate and safe access to its equipment to make the needed repairs. For public safety, and that of the electrical workers, it is important to adhere to standards that limit landscaping around electrical facilities. IID landscaping guidelines are available at with <https://www.iid.com/power/vegetation-management>

Should you have any questions, please do not hesitate to contact me at (760) 482-3609 or at dvargas@iid.com. Thank you for the opportunity to comment on this matter.

Respectfully,



Donald Vargas
Compliance Administrator II