

FINAL INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

Phase II Desert View Conservation Area Recreational Trails Project

Prepared by



Department of Public Works
Special Districts
222 West Hospitality Lane, 2nd Floor
San Bernardino, CA 92415

With assistance from



5020 Chesebro Road, Suite 200
Agoura Hills, CA 91301

March 2026

Revisions/Additions to the Draft Initial Study/Mitigated Negative Declaration

The public review period for the draft Initial Study/Mitigated Negative Declaration (IS/MND) for the Phase II Desert View Conservation Area Recreational Trails Project (proposed Project or Project) started on January 15, 2026 to February 16, 2026.

Newspaper notices of the Notice of Intent (NOI) were published in the *Hi-Desert Star* and *The Desert Trail*, newspapers of general circulation, on January 14, 2026 and January 21, 2026. The NOI was also posted at the Project site and at John L. Duncan Community Center (6171 Sunburst Street, Joshua Tree). See Appendix C, Proof of Publication, for copies of the publications.

The draft IS/MND was available for public review on Special Districts' website:
<https://dpw.sbcounty.gov/public-notices/>.

Electronic copies of the document were also made available by contacting
John.Hernandez@dpw.sbcounty.gov.

In response to comments received (see Appendix D for comment letters and responses), five mitigation measures from the Draft IS/MND have been modified in the Final IS/MND, as described below. These changes will not result in new significant impacts, nor has an impact increased. These text changes occur in the following locations in the Final IS/MND.

Page 1, Table of Contents

Appendices

- C. Proof of Publication
- D. Response to Comments
- E. Mitigation Monitoring and Reporting Program

Page 27, Section IV, Item (a). Biological Resources

MM BIO-8. Desert Tortoise. A qualified biologist shall conduct pre-construction surveys no more than 48 hours prior to the start of ground-disturbing activities consistent with the U.S. Fish and Wildlife Service 2019 Desert Tortoise Survey Protocol (USFWS, 2019). Surveys shall cover the entire Project footprint and a 50-foot survey buffer to identify any active burrows or individuals. If a burrow is determined to be active, the Qualified Biologist shall establish a no-disturbance buffer of 50 feet or greater around the burrow. A Qualified Biologist shall be present during all ground-disturbing activities, vegetation removal, or when heavy equipment is being operated within desert tortoise habitat and shall stop work if a desert tortoise is detected at or within 50 feet of work activities, until the individual leaves on its own. Lastly, within desert tortoise habitat, vehicles shall not exceed 15 miles per hour on access roads during periods of increased desert tortoise activity (March 1 through October 31). If a vehicle is parked, the ground around and under the vehicle shall be inspected for desert tortoises before the vehicle is moved. If a desert tortoise is present, the equipment or vehicle shall remain place until the desert tortoise moves 50 feet from the equipment or vehicle. All field personnel shall immediately inform the Qualified Biologist if a desert tortoise is seen during the implementation of any Project activity. Lastly, no desert tortoise shall be handled or disturbed.

MM BIO-9. Nesting Birds. Regardless of the time of year, pre-construction surveys for active bird nests shall be conducted on the Project site and within 500 feet of the Project site by a Qualified Avian Biologist, who is knowledgeable in the life histories and ecology of species, no more than three

days before the initiation of construction and vegetation removal activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). If a nest is suspected, but not confirmed, the Qualified Avian Biologist shall establish a disturbance-free buffer until additional surveys or monitoring can be completed. The Qualified Avian Biologist shall not risk failure of the nest to determine the exact location or status and shall make every effort to limit the nest to potential predation as a result of the survey/monitoring efforts (e.g., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, immediately depart nest area if indicators of stress or agitation are displayed). Active nests must be monitored during construction and vegetation removal activities by a Qualified Avian Biologist or Biological Monitor. The Biological Monitor may provide assistance to the Qualified Avian Biologist with biological surveys and monitoring, if needed. The Qualified Avian Biologist shall establish a conservative buffer surrounding the nest based on their professional judgement and experience. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a manner that it attracts predators. Once the buffer is established, the Qualified Avian Biologist shall document baseline behavior, stage of reproduction, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. Following documentation of baseline conditions, the Qualified Avian Biologist may choose to adjust the buffer based on site characteristics, stage of reproduction, and types of Project activities proposed at/near that location. The Qualified Avian Biologist or Biological Monitor shall be present onsite daily to monitor all existing nests, the efficacy of established buffers, and to document any new nesting occurrences. If Project activities disturb nesting, the Biological Monitor shall notify the construction manager and halt activities within the vicinity of the nest. The Qualified Avian Biologist has the authority to implement measures to reduce disturbance in the vicinity. If Loggerhead shrike and Le Conte's thrasher nests are found during the survey or through ongoing monitoring, a 500-foot avoidance buffer shall be established and monitored as described above. The avoidance buffer shall be maintained until the young have fledged.

MM BIO-10. Burrowing Owl. Due to presence of suitable nesting and overwintering habitat for western burrowing owl (BUOW) on the Project site, a Qualified Avian Biologist shall perform breeding season and non-breeding season surveys consistent with the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. If performing both breeding season and non-breeding season surveys is infeasible, Special Districts shall coordinate with CDFW regarding whether to proceed with either breeding season surveys or non-breeding season surveys. Additionally, if there is a lapse of one year since focused BUOW surveys occurred, within 14 days prior to the start of ground disturbing Project activities, a Qualified Avian Biologist shall conduct western burrowing owl surveys within the Project site and 500 feet of the Project site and again within 24 hours prior to the start of ground disturbing Project activities. If an active burrow or BUOW is detected on the Project site during any of the surveys, Special Districts shall fully avoid impacts to BUOW, and the Qualified Avian Biologist shall place a disturbance free avoidance buffer sufficient to ensure full avoidance. Occupied burrows shall not be disturbed at any time during Project activities. If BUOW are present and have a potential to be impacted by the Project, Special Districts shall obtain an Incidental Take Permit from CDFW.

Page 28, Section IV, Item (a). Biological Resources

MM BIO-11. Desert Bighorn Sheep. If any desert bighorn sheep are observed during Project activities, work within a minimum of 500 feet of the sheep shall be halted, and activities would resume after the animal moves away on its own as determined by a Qualified Biologist or Biological Monitor. Project activities shall also use noise-reducing construction methods as feasible and limit work to daylight hours to reduce disturbance. Lastly, Project activities that result in loud noises shall occur outside of the lambing season (January through June). To prevent potential transmission of disease from domestic animals to desert bighorn sheep, Special Districts shall require all workers who have had contact with livestock, such as goats and sheep to decontaminate work boots prior to entering the Project site. Decontamination shall involve scrubbing of the soles of work boots with a 10% bleach solution to remove all organic matter and kill pathogens. Alternatively, footwear may be changed to ensure that potentially contaminated footwear does not enter the Project site. Heavy equipment previously used in livestock operations, including, but not limited to, sheep and goat livestock operations, or where roadside clearing has occurred through grazing shall not be utilized for Project activities.

MM BIO-12. Kit Fox and Badger. Within 14 days prior to the start of Project activities, a qualified biologist shall conduct surveys for desert kit fox and American badger, including dens or sign (e.g., tracks, scat, prey remains) within the Project site and a 500-foot survey buffer around the Project site. If an active desert kit fox or American badger den is identified, Special Districts shall contact California Department of Fish and Wildlife (CDFW) and fully avoid impacts to desert kit fox or American badger, and a minimum 500-foot avoidance buffer shall be established by the Qualified Biologist based on their best professional judgment and experience, and no activities within the buffer will be allowed unless authorized by a Qualified Biologist during the non-breeding season. If a den is suspected to be inactive but not confirmed; for example, the entirety of the den cannot be seen, the Qualified Biologist or Biological Monitor shall monitor the den for 3 consecutive nights using infrared camera stations at the entrance(s). If no tracks or sign are observed at the den or no photos of the desert kit fox or American badger are captured after 3 nights, then the den shall be excavated by hand and backfilled with handheld equipment or mechanized equipment by the Qualified Biologist.

Page 70, Section 3.4, Mitigation Measures

MM BIO-8. Desert Tortoise. A qualified biologist shall conduct pre-construction surveys no more than 48 hours prior to the start of ground-disturbing activities consistent with the U.S. Fish and Wildlife Service 2019 Desert Tortoise Survey Protocol (USFWS, 2019). Surveys shall cover the entire Project footprint and a 50-foot survey buffer to identify any active burrows or individuals. If a burrow is determined to be active, the Qualified Biologist shall establish a no-disturbance buffer of 50 feet or greater around the burrow. A Qualified Biologist shall be present during all ground-disturbing activities, vegetation removal, or when heavy equipment is being operated within desert tortoise habitat and shall stop work if a desert tortoise is detected at or within 50 feet of work activities, until the individual leaves on its own. Lastly, within desert tortoise habitat, vehicles shall not exceed 15 miles per hour on access roads during periods of increased desert tortoise activity (March 1 through October 31). If a vehicle is parked, the ground around and under the vehicle shall be inspected for desert tortoises before the vehicle is moved. If a desert tortoise is present, the equipment or vehicle shall remain place until the desert tortoise moves 50 feet from the equipment or vehicle. All field personnel shall immediately inform the Qualified Biologist if a desert tortoise is seen during the implementation of any Project activity. Lastly, no desert tortoise shall be handled or disturbed.

Page 71, Section 3.4, Mitigation Measures

MM BIO-9. Nesting Birds. Regardless of the time of year, pre-construction surveys for active bird nests shall be conducted on the Project site and within 500 feet of the Project site by a Qualified Avian Biologist, who is knowledgeable in the life histories and ecology of species, no more than three days before the initiation of construction and vegetation removal activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Surveys shall focus on both direct and indirect evidence of nesting, including nest locations and nesting behavior (e.g., copulation, carrying of food or nest materials, nest building, removal of fecal sacks, flushing suddenly from atypically close range, agitation, aggressive interactions, feigning injury or distraction displays, or other behaviors). If a nest is suspected, but not confirmed, the Qualified Avian Biologist shall establish a disturbance-free buffer until additional surveys or monitoring can be completed. The Qualified Avian Biologist shall not risk failure of the nest to determine the exact location or status and shall make every effort to limit the nest to potential predation as a result of the survey/monitoring efforts (e.g., limit number of surveyors, limit time spent at/near the nest, scan the site for potential nest predators before approaching, immediately depart nest area if indicators of stress or agitation are displayed). Active nests must be monitored during construction and vegetation removal activities by a Qualified Avian Biologist or Biological Monitor. The Biological Monitor may provide assistance to the Qualified Avian Biologist with biological surveys and monitoring, if needed. The Qualified Avian Biologist shall establish a conservative buffer surrounding the nest based on their professional judgement and experience. The buffer shall be delineated to ensure that its location is known by all persons working within the vicinity but shall not be marked in such a manner that it attracts predators. Once the buffer is established, the Qualified Avian Biologist shall document baseline behavior, stage of reproduction, and existing site conditions, including vertical and horizontal distances from proposed work areas, visual or acoustic barriers, and existing level of disturbance. Following documentation of baseline conditions, the Qualified Avian Biologist may choose to adjust the buffer based on site characteristics, stage of reproduction, and types of Project activities proposed at/near that location. The Qualified Avian Biologist or Biological Monitor shall be present onsite daily to monitor all existing nests, the efficacy of established buffers, and to document any new nesting occurrences. If Project activities disturb nesting, the Biological Monitor shall notify the construction manager and halt activities within the vicinity of the nest. The Qualified Avian Biologist has the authority to implement measures to reduce disturbance in the vicinity. If Loggerhead shrike and Le Conte's thrasher nests are found during the survey or through ongoing monitoring, a 500-foot avoidance buffer shall be established and monitored as described above. The avoidance buffer shall be maintained until the young have fledged.

MM BIO-10. Burrowing Owl. Due to presence of suitable nesting and overwintering habitat for western burrowing owl (BUOW) on the Project site, a Qualified Avian Biologist shall perform breeding season and non-breeding season surveys consistent with the California Department of Fish and Wildlife (CDFW) 2012 Staff Report on Burrowing Owl Mitigation. If performing both breeding season and non-breeding season surveys is infeasible, Special Districts shall coordinate with CDFW regarding whether to proceed with either breeding season surveys or non-breeding season surveys. Additionally, if there is a lapse of one year since focused BUOW surveys occurred, within 14 days prior to the start of ground disturbing Project activities, a Qualified Avian Biologist shall conduct western burrowing owl surveys within the Project site and 500 feet of the Project site and again within 24 hours prior to the start of ground disturbing Project activities. If an active burrow or BUOW is detected on the Project site during any of the surveys, Special Districts shall fully avoid impacts to BUOW, and the Qualified Avian Biologist shall place a disturbance free avoidance buffer sufficient to ensure full avoidance. Occupied burrows shall not be disturbed at any time

during Project activities. If BUOW are present and have a potential to be impacted by the Project, Special Districts shall obtain an Incidental Take Permit from CDFW.

MM BIO-11. Desert Bighorn Sheep. If any desert bighorn sheep are observed during Project activities, work within a minimum of 500 feet of the sheep shall be halted, and activities would resume after the animal moves away on its own as determined by a Qualified Biologist or Biological Monitor. Project activities shall also use noise-reducing construction methods as feasible and limit work to daylight hours to reduce disturbance. Lastly, Project activities that result in loud noises shall occur outside of the lambing season (January through June). To prevent potential transmission of disease from domestic animals to desert bighorn sheep, Special Districts shall require all workers who have had contact with livestock, such as goats and sheep to decontaminate work boots prior to entering the Project site. Decontamination shall involve scrubbing of the soles of work boots with a 10% bleach solution to remove all organic matter and kill pathogens. Alternatively, footwear may be changed to ensure that potentially contaminated footwear does not enter the Project site. Heavy equipment previously used in livestock operations, including, but not limited to, sheep and goat livestock operations, or where roadside clearing has occurred through grazing shall not be utilized for Project activities.

MM BIO-12. Kit Fox and Badger. Within 14 days prior to the start of Project activities, a qualified biologist shall conduct surveys for desert kit fox and American badger, including dens or sign (e.g., tracks, scat, prey remains) within the Project site and a 500-foot survey buffer around the Project site. If an active desert kit fox or American badger den is identified, Special Districts shall contact California Department of Fish and Wildlife (CDFW) and fully avoid impacts to desert kit fox or American badger, and a minimum 500-foot avoidance buffer shall be established by the Qualified Biologist based on their best professional judgment and experience, and no activities within the buffer will be allowed unless authorized by a Qualified Biologist during the non-breeding season. If a den is suspected to be inactive but not confirmed; for example, the entirety of the den cannot be seen, the Qualified Biologist or Biological Monitor shall monitor the den for 3 consecutive nights using infrared camera stations at the entrance(s). If no tracks or sign are observed at the den or no photos of the desert kit fox or American badger are captured after 3 nights, then the den shall be excavated by hand and backfilled with handheld equipment or mechanized equipment by the Qualified Biologist.