

# **Airport South Industrial Project Final Environmental Impact Report**

## **Errata Sheet May 2025**

### **Introduction**

In the time since the environmental analysis for the Airport South Industrial Project was published, the legal protection status of the burrowing owl was revised, and minor administrative clarifications in the text of the environmental analysis were identified. This Errata presents the revisions to the Airport South Industrial Project Final Environmental Impact Report (EIR). Revisions to the Final EIR text are presented in ~~strike-through~~ and double-underline format, and new revisions to the Draft EIR text are **highlighted**. The revisions to the Final EIR reflected in this Errata are meant to address minor administrative clarifications in the Final EIR text and the current status of the burrowing owl, and do not affect the adequacy of the previous environmental analysis contained in the Airport South Industrial Project Final EIR. Because the changes presented below would not result in any new significant impacts or increase in impact significance from what was identified in the Final EIR, recirculation of the Airport South Industrial Project Final EIR is not required.

The burrowing owl was designated as a candidate species under the California Endangered Species Act (CESA) on October 24, 2024, subsequent to when the Notice of Preparation (NOP) and Draft EIR for the Airport South Industrial Project were published. While the protected status of any species could change over time, even following the certification of an EIR, compliance with the requirements established by CESA would ensure adequate protection of such species at the time that development would occur. Furthermore, because burrowing owl is currently only a candidate species under CESA, it is unknown if, at the time of initiation of construction activities, the species will be officially protected under CESA or not. With respect to burrowing owl in the context of the Airport South Industrial Project, implementation of Mitigation Measure 4.4-6 would require a preconstruction survey for the presence of the species, and appropriate actions should burrowing owl be found, pursuant to Natomas Basin Habitat Conservation Plan (HCP) Take Avoidance, Minimization, and Mitigation Measures. Furthermore, Mitigation Measure 4.4-5(b), as amended on page 2-27 of the Final EIR, addresses potential impacts to Swainson's hawk by requiring, in part, that, prior to the issuance of any grading permit and commencement of project-related ground-disturbing activities outside of the Natomas Basin HCP permit area, the project applicant would consult with CDFW for a Section 2081 Incidental Take Permit, demonstrate to the City that none was required by CDFW, or pay fees (and dedicate land as applicable) under the Natomas Basin HCP if a portion of the City's surplus HCP coverage is made available to the proposed project. Such mitigation would not only apply to the protection of Swainson's hawk, but would apply to any species encountered on-site that is protected under CESA. As such, the existing mitigation included in the Final EIR adequately addresses potential impacts to special-status species that could occur on-site, including burrowing owl. Nonetheless, the Final EIR has been updated to reflect the status of the

burrowing owl, and specifically reference Mitigation Measure 4.4-5(b) as it relates to burrowing owl.

Along with the changed status of the burrowing owl, another change relevant to the Airport South Industrial Project that has occurred since the Draft EIR was published is the completed drafting of the Development Agreement for the project. As defined in Section 18.16.020 of the City's Municipal Code, the Development Agreement allows the City and the applicant to enter into an agreement to assure the City that the proposed project would be completed in compliance with the plans submitted by the applicant and assure the applicant of vested rights to develop the project. The Development Agreement was listed as an entitlement of the Airport South Industrial Project and was generally analyzed as part of the Draft EIR with the anticipation that the Development Agreement would not include any improvements that could result in physical impacts to the environment beyond what was included in the Draft EIR. Now that the Development Agreement has been finalized and is available for review, the conclusion that additional physical impacts to the environment would not occur beyond what was analyzed in the Draft EIR has been confirmed. As such, approval of the Development Agreement would not warrant further CEQA review beyond what is already included in the Draft EIR.

For clarification and disclosure purposes, the Final EIR has been updated to reflect the status of the burrowing owl, as well as to address other administrative clarifications.

### **Changes to the Final EIR text**

Page 2-27 of the Final EIR is hereby revised as follows:

Mitigation Measure 4.4-4(b) is hereby revised as follows:

*Industrial Park and Nonparticipating Parcels*

4.4-4(a) Prior to the issuance of any grading permit and commencement of ground-disturbing activities, the project applicant shall ensure that the following Natomas Basin HCP Take Avoidance, Minimization, and Mitigation Measure has been implemented:

*Natomas Basin HCP Section V.A.5.j:*

- 1. Take of the northwestern pond turtle as a result of habitat destruction during construction activities, including the removal of irrigation ditches and drains, and during ditch and drain maintenance, will be minimized by the dewatering requirement described above for giant garter snake (see Section 5.a.(3)).*

4.4-4(b) Implement Mitigation Measures 4.4-1(a), 4.4-3(a), and 4.4-3(b).

Page 3-12 of the Final EIR is hereby revised as follows:

Mitigation Measure 4.4-4(b), on page 4.4-50 of Chapter 4.4, Biological Resources, of the Draft EIR is hereby revised as follows:

Industrial Park and Nonparticipating Parcels

4.4-4(a) Prior to the issuance of any grading permit and commencement of ground-disturbing activities, the project applicant shall ensure that the following Natomas Basin HCP Take Avoidance, Minimization, and Mitigation Measure has been implemented:

Natomas Basin HCP Section V.A.5.j:

2. Take of the northwestern pond turtle as a result of habitat destruction during construction activities, including the removal of irrigation ditches and drains, and during ditch and drain maintenance, will be minimized by the dewatering requirement described above for giant garter snake (see Section 5.a.(3)).

4.4-4(b) Implement Mitigation Measures 4.4-1(a), 4.4-3(a), and 4.4-3(b).

[...]

Mitigation Measure 4.4-6, beginning on page 4.4-54 of Chapter 4.4, Biological Resources, of the Draft EIR is hereby revised as follows:

Industrial Park and Nonparticipating Parcels

4.4-6 Prior to the issuance of any grading permit and commencement of ground-disturbing activities, the project applicant shall comply with applicable portions of Measure 4.4-5(b) regarding consultation with CDFW, demonstration that no incidental take permit was required, or payment of fees (with or without land dedication as applicable) under the Natomas Basin HCP and shall ensure that the following Natomas Basin HCP Take Avoidance, Minimization, and Mitigation Measure has been implemented:

Natomas Basin HCP Section V.A.5.h:

1. Prior to the initiation of grading or earth disturbing activities, the applicant/developer shall hire a CDFG approved qualified biologist to perform a pre-construction survey of the site to determine if any burrowing owls are using the site for foraging or nesting. The pre-construction survey shall be submitted to the City prior to the developer's commencement of construction activities and a mitigation program shall be developed and agreed to by the City and developer prior to initiation of any physical disturbance on the site.
2. Occupied burrows shall not be disturbed during nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verifies through non-invasive measures that either: 1) the birds have not begun egg-laying and incubation; or 2) that

- juveniles from the occupied burrows are foraging independently and are capable of independent survival.
3. If nest sites are found, the USFWS and CDFG shall be contacted regarding suitable mitigation measures, which may include a 300 foot buffer from the nest site during the breeding season (February 1 - August 31), or a relocation effort for the burrowing owls if the birds have not begun egg-laying and incubation or the juveniles from the occupied burrows are foraging independently and are capable of independent survival. If on-site avoidance is required, the location of the buffer zone will be determined by a qualified biologist. The developer shall mark the limit of the buffer zone with yellow caution tape, stakes, or temporary fencing. The buffer will be maintained throughout the construction period.
  4. If relocation of the owls is approved for the site by USFWS and CDFG, the developer shall hire a qualified biologist to prepare a plan for relocating the owls to a suitable site. The relocation plan must include: (a) the location of the nest and owls proposed for relocation; (b) the location of the proposed relocation site; (c) the number of owls involved and the time of year when the relocation is proposed to take place; (d) the name and credentials of the biologist who will be retained to supervise the relocation; (e) the proposed method of capture and transport for the owls to the new site; (f) a description of the site preparations at the relocation site (e.g., enhancement of existing burrows, creation of artificial burrows, one-time or long-term vegetation control, etc.); and (g) a description of efforts and funding support proposed to monitor the relocation.

Relocation options may include passive relocation to another area of the site not subject to disturbance through one way doors on burrow openings, or construction of artificial burrows in accordance with the CDFG's October 17, 1995, Staff Report on Burrowing Owls Mitigation (see Appendix D).

5. Where on-site avoidance is not possible, disturbance and/or destruction of burrows shall be offset through development of suitable habitat on TNBC upland reserves or in other suitable preserved uplands. Such habitat shall include creation of new burrows with adequate foraging area (a minimum of 6.5 acres) or 300 feet radii around the newly created burrows. Additional habitat design and mitigation measures are described in CDFW's March 7, 2012, Staff Report on Burrowing Owl Mitigation.

The above modification is for clarification purposes only and does not change the analysis or conclusions of the Final EIR.