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Subject: **Biological Resources Report for the Terrible Herbst Travel Center Project**

Dr. Harvey:

This report presents the results of a biological resources technical study completed by HELIX Environmental Planning, Inc. (HELIX) for the Terrible Herbst Travel Center Project (project) located within an approximately 20-acre property (project site or site) in the unincorporated Community of Nipton, San Bernardino County, California (Figure 1, *Regional Location*). Terrible Herbst Corporation (project applicant) is proposing a General Plan Amendment to allow highway commercial development of the entire property, with first phase development of a convenience store and fueling station at the Yates Well Road exit for Interstate 15 (I-15) in unincorporated San Bernardino County, California.

This report is intended to summarize the existing biological resources within the site and provide an analysis of the potential impacts in accordance with the California Environmental Quality Act (CEQA) and other applicable federal, state, and local policy.

INTRODUCTION

Project Location

The approximately 20-acre site occurs as a rectangular-shaped property located in the northeastern portion of San Bernardino County, with Yates Well Road on the south and the northbound onramp to I-15 on the west (Figure 1, *Regional Location*; Figure 2, *Aerial Map*). The site includes one Assessor's Parcel Number (APN 573-101-07) located in Section 1, Township 16 North, Range 14 East, San Bernardino Meridian, U.S. Geological Survey (USGS) Ivanpah Lake Quadrangle (Figure 3, *USGS Map*).

Project Description

The project applicant is proposing to develop approximately 5 acres of the 20-acre property into a new convenience store and fueling station. The development includes an approximate 7,500 square-foot convenience store with two detached fuel canopies incorporating 11 fueling islands. Two parking lots

will be constructed providing a total of 51-spaces. Additionally, the project development includes a leach field, a water tank, a pump house, retail signage, facility utilities, and site landscaping are included in the project design (Figure 4, *Site Plan*). The applicant will develop the entire business park, and lease or sell individual units for the various operations.

METHODS

Pre-Survey Investigation

Prior to conducting field surveys, a thorough review of relevant maps, databases, and literature pertaining to biological resources known to occur within the project vicinity was performed. Recent and historical aerial imagery (Google 2019), topographic maps (U.S. Geological Survey 1975), soils maps (U.S. Department of Agriculture [USDA] 2019), and other maps of the project site and vicinity were acquired and reviewed to obtain updated information on the natural environmental setting.

In addition, a query of sensitive species and habitats databases within 5 miles of the project site was conducted, including the U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (2019a), USFWS species records (USFWS 2019b), California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB; CDFW 2019), and California Native Plant Society (CNPS) Electronic Inventory (CNPS 2019). The USFWS' National Wetlands Inventory (NWI) was also reviewed (USFWS 2019c). Recorded locations of species, habitat types, wetlands, and other resources were mapped and overlaid onto aerial imagery using Geographic Information Systems (GIS). Environmental documentation and survey findings from nearby projects were also referenced (BLM 2011).

General Biological Survey

HELIX Biologist Karl Osmundson completed a general biological survey on September 12, 2019 of the entire property and immediate vicinity. The survey included a general inventory of existing conditions and focused primarily on mapping existing vegetation communities and land cover types, preliminarily identifying potential jurisdictional waters and wetlands, assessing habitat suitability for sensitive plant and animal species, and identifying other potential sensitive biological resources on site. Meandering pedestrian transects were performed throughout the property in order to obtain 100 percent visual coverage. Off-site areas were visually inspected by visual scans. Physical parameters assessed included vegetation and soil conditions, and presence of indicator plant and animal species, slope, aspect, and hydrology.

Vegetation and land covers were mapped on 1"=200' scale aerial imagery. Plant and animal species observed or otherwise detected during the biological survey were noted. Plant identifications were made in the field. Locations of sensitive plant and animal species were recorded during the survey if detected. Animal species were identified by direct observation, vocalizations, or the observance of scat, tracks, and other signs. Representative photographs of the site were taken.

Desert Tortoise Habitat Assessment Survey

HELIX Biologist Karl Osmundson completed a habitat assessment survey for desert tortoise (*Gopherus agassizii*) concurrent with the general biological survey. During the survey effort, the biologist walked slow and methodical meandering transects, searching the site for burrows and closely checking each burrow for suitability and sign of desert tortoise. The habitat assessment included 100 percent coverage of the property and immediate vicinity to verify the presence of suitable desert tortoise habitat, including burrows. Area within the vicinity zone was visually inspected from the property line. The locations of suitable desert tortoise habitat, including potentially suitable burrows, if encountered, were mapped in the field. Desert tortoise sign or desert tortoise individuals were also mapped during the survey if detected.

Preliminary Jurisdictional Delineation

Mr. Osmundson performed a preliminary jurisdictional delineation of the project site concurrent with the general biological survey. The preliminary delineation assessed the presence or absence of an ordinary high-water mark (OHWM) and other hydrology indicators of aquatic resources on the site, riparian and wetland vegetation, surface soils, topography, and other data, but did not include excavation of soil pits and establishment of wetland sampling points.

Prior to beginning fieldwork, aerial photographs (1”= 100’ scale), topographic maps (1”=100’ scale), and NWI maps were reviewed to assist in determining the location of potential jurisdictional areas in the project site. The field delineations were conducted to identify and map potential water and wetland resources that could be subject to U.S. Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act (CWA; 33 USC 1344), Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to CWA Section 401 or State Porter-Cologne Water Quality Control Act, and CDFW jurisdiction pursuant to Sections 1600 *et seq.* of the California Fish and Game Code (CFG Code). Areas generally characterized by depressions, drainage features, and riparian and wetland vegetation were evaluated.

Survey Limitations

The project site survey was conducted in late Summer / early Fall. As such, lists of species identified are not necessarily comprehensive accounts of all species that could occur or move through the site, as species that are nocturnal, secretive, or seasonally restricted may not have been observed.

Nomenclature

Nomenclature used in this report follows The Jepson Manual for plants (Hickman 1993), Crother et al. (2012) for reptiles, American Ornithologists’ Union (2016) for birds, and Bradley et al. (2014) for mammals.

RESULTS

Existing Conditions

General Land Use and Disturbance

The property is characterized by disturbed and developed land occupied by a residential dwelling, Southern California Edison (SCE) distribution line, telecommunications facility, disturbed desert scrub, and an arrangement of scattered trash and debris piles. Several off-highway vehicle (OHV) roads traverse the site that are regularly used.

The surrounding area includes Yates Well Road to the immediate south, I-15 to the immediate west, disturbed desert scrub. Further to the north is I-15 and Primm Valley Golf Club. Further to the east is Ivanpah Dry Lake, and further to the west is the Ivanpah solar facility. The Mojave National Preserve occurs approximately 5 miles south of the site. The nearest critical habitat unit designated by the U.S. Fish and Wildlife Service (USFWS) is for desert tortoise, approximate 3 miles to the east of the site; the site is separated from this critical habitat by Ivanpah Dry Lake.

Evidence of heavy disturbance was observed throughout the site, including OVH use, scattered trash and debris, domestic dog use, and vegetation clearing. The site is further enclosed by perimeter fencing and subject to ongoing noise and night lighting from I-15.

Topography and Soils

The property is relatively flat (less than 10 percent slopes) and gently slopes downward to the northeast towards Ivanpah Lake. Elevations on site range from approximately 2,630 feet (801 meters) above mean sea level (AMSL) in the southwestern portion of the site down to 2,614 feet (797 meters) AMSL in the northeastern portion of the site. One soil mapping unit, as mapped by USDA (2019), occurs within the property: Arizo loamy sand, 2-8 percent slopes.

Vegetation Communities/Habitat Types

Vegetation communities or habitat types are classified in this report according to Holland (1986), with general interpretations and modification provided by HELIX. The Manual of California Vegetation (CMV; Sawyer Keeler-Wolf 2009) was referenced for classification; however, the vegetation observed on the project site does not fit into any alliance. Three vegetation communities and land cover types were mapped within the site during the general biological survey: Mojave creosote bush scrub, disturbed habitat, and developed land. A brief description of each is provided below.

Mojave Creosote Bush Scrub

This vegetation community is dominated by widely spaced, medium to large shrubs, growing on sandy, well-drained soils. The ground between shrubs is usually bare, with ephemeral annuals in spring following winter rains. Creosote (*Larrea tridentata*) shrubs dominate the community with occasional individuals of white bur-sage (*Ambrosia dumosa*) and burrobrush (*Ambrosia salsola*). Within the

property, the habitat is highly disturbed and dominant species observed include creosote, white bur-sage, and Mediterranean grass (*Schismus barbatus*).

Disturbed Habitat

Disturbed habitat or disturbed land includes land cleared of vegetation, land containing a preponderance of non-native plant and disturbance-tolerant species, or land showing signs of past or present usage that removes any capability of providing viable habitat. This classification includes ruderal (weedy) areas dominated by species typical of highly disturbed sites. This includes areas that have been physically disturbed (by previous anthropogenic activity) and are no longer recognizable as a native or naturalized vegetation association but continue to retain a soil substrate. Disturbed land occurs throughout the OHV roads, cleared areas, and dumping zones throughout the site.

Developed Land

Developed land applies to areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported. Developed land is characterized by permanent or semi-permanent structures, pavement or hardscape, and landscaped areas that often require irrigation. Areas where no natural land is evident due to a large amount of debris or other materials being placed upon it may also be considered developed. Developed land within the project site and consists of areas associated with the existing residence, telecommunications facility, and paved roads.

General Fauna

The project site is generally disturbed and does not provide extensive high-quality habitat for animal species. Overall animal activity during the general survey was very low. Animal species observed or otherwise detected on site included bird species such as common raven (*Corvus corax*) and mammal species such as black-tailed jackrabbit (*Lepus californicus*), coyote (*Canis latrans*), and domestic dog (*Canis lupus* ssp. *familiaris*). A complete list of plant and animal species observed or otherwise detected was obtained during the survey.

Sensitive Biological Resources

Sensitive Natural Communities

Sensitive natural communities include land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the CEQA Guidelines.

The project site does not support any sensitive natural communities. Mojave creosote scrub is the only natural community type on the project site, but it is heavily disturbed and not assigned a State or Global sensitivity ranking that would designate it as a sensitive natural community.

Special-Status Plant and Animal Species

Special-Status Plant Species

Special-status plant species are those listed as federally threatened or endangered by the USFWS; State listed as threatened or endangered or considered sensitive by the CDFW; and/or, are CNPS California Rare Plant Rank (CRPR) List 1A, 1B, or 2 species, as recognized in the CNPS's Inventory of Rare and Endangered Vascular Plants of California and consistent with the CEQA Guidelines.

A database query of special-status plant species records within 5 miles of the project site generated records for eight species: small-flowered androstephium (*Androstephium breviflorum*), Rusby's desert-mallow (*Sphaeralcea rusbyi* var. *eremicola*), three-awned grama (*Bouteloua trifida*), desert pincushion (*Coryphantha chlorantha*), Parish's club-cholla (*Grusonia parishii*), nine-awned pappus grass (*Enneapogon desvauxii*), Mojave milkweed (*Asclepias nyctaginifolia*), Johnson's bee-hive cactus (*Sclerocactus johnsonii*).

No special-status plant species were observed during the survey and none have a moderate or high potential to occur. Disturbance factors and overall poor-quality habitat strongly reduce the potential for special-status plants to occur. The OHV and dumping disturbances have modified the landscape, soil, and vegetation composition of the site.

Special-Status Animal Species

Special-status animal species are those listed as threatened or endangered, proposed for listing, or candidates for listing by the USFWS and considered sensitive animals by the CDFW. A database query of special-status animal species records within 5 miles of the project site generated records for three species: desert tortoise, American badger (*Taxidea taxus*), and Crissal thrasher (*Toxostoma crissale*).

No special-status animals were observed during the survey and none have a moderate or high potential to occur. The potential for special-status animal species to occur within the project site is low due to existing perimeter fencing, adjacent developments, and the disturbed state of the site and surrounding lands. The site does not support an abundance of trees, shrubs, and other cover and resources that would attract and sustain special-status animal species that occur in the region. The existing uses and regular human activity at the site and in the local area would likely preclude most special-status animals from moving onto the site. Existing uses and disturbances, proximity to developments, and lack of suitable habitat strongly reduce the potential for special-status animals to occur.

Desert Tortoise

The federally and California State threatened desert tortoise was further evaluated for its potential to occur due to known locations to the west, on the west side of the I-15 freeway and near the Ivanpah Solar Facility, in addition to the east, on the east side of Ivanpah Dry Lake and within the Mojave National Preserve. A directed habitat assessment for the species was conducted concurrent with the September 2019 general biological survey.

No desert tortoise or sign, including potential burrows, were observed on or in the immediate vicinity of the site during the habitat assessment. Although it cannot be ruled out entirely, there are several limiting factors that strongly reduce the potential for the desert tortoise to occur.

First, the site is occupied by a residential dwelling and was previously used extensively by humans and domestic dogs. Sign of pedestrian, OHV, and dog use, including rummaging of trash and digging, was observed throughout the entirety of the site. These uses significantly degrade the habitat conditions for the species and make it unlikely that tortoise individuals would sustain on the site.

Second, as depicted on Figure 6 *Vegetation Communities/Impacts*, the site is enclosed by perimeter fencing of various types, including "chicken" wire, square mesh, multiple-strand barbed-wire, and chain-linked fence. The perimeter fence is acting as a barrier to wildlife in some sections, including species such as desert tortoise. The fencing further decreases the likelihood for tortoise to use the site.

Additionally, the site is geographically isolated from known occurrences in the vicinity. Tortoises are known from the west side of I-15, near the Ivanpah Solar Facility; however, the I-15 freeway developments and associated tortoise fencing along the west edge of the freeway act as a barrier, preventing tortoise from traveling over to the site from the west. The species is also known from the east side of Ivanpah Dry Lake, within the Mojave National Preserve. Critical habitat is further designated in this area. However, the site is separated from these areas by 2 miles of barren landscape within Ivanpah Dry Lake. Although it cannot be entirely ruled out, tortoise is not likely to traverse the dry lake conditions to seek permanent or temporary refuge at the project site.

Last, evidence of active common raven use was observed at the site during the habitat assessment, including an individual foraging over the site and an apparent raven nest located at the top of the tower for the telecommunications facility. The presence of ravens also reduces the likelihood that the desert tortoise would be sustained on the site.

Nesting Birds and Raptors

The project site contains suitable nesting habitat (e.g., trees, shrubs, structures) for several common (non-sensitive) bird species protected under the Migratory Bird Treaty Act (MBTA) and CFG Code.

Jurisdictional Waters and Wetlands

In the context of this assessment, jurisdictional waters and wetlands include waters of the U.S., including wetlands, regulated by the USACE pursuant to CWA Section 404; waters of the State regulated by the RWQCB pursuant to Section 401 of the CWA and State Porter-Cologne Water Quality Control Act; streambed and riparian habitat regulated by the CDFW pursuant to Sections 1600 et seq. of CFG Code; and/or coastal wetland and riparian habitat afforded protection under the Carlsbad LCP.

The project site is characterized by flat disturbed land. No potential jurisdictional resources occur on the site.

Wildlife Corridors and Linkages

Important corridors and linkages have been identified on a local and regional scale throughout the Mohave desert. The planning objectives of most corridors and linkages include facilitating movement and connectivity of habitat for large mammals, riparian bird species, and terrestrial reptiles.

The project site encompasses disturbed and developed land situated immediately adjacent to the I-15 freeway and within the I-15 transportation corridor. As discussed above for desert tortoise, I-15 serves as a major barrier to wildlife movement from the west. In addition, movement from the east is less likely given that approximately 2 miles of barren landscape associated with Ivanpah Dry Lake separates the site from better quality habitat further to the east. There are no regional barriers to movement from the south, although the habitat block funnels to a terminus at Yates Well Road and the project site. At the project site, fencing and existing uses preclude wildlife from moving to and from the site. There are further no resources of value within or adjacent to the project site whereby wildlife would specifically select the site for an important travel route or corridor. Common small mammals, small reptiles, and birds could potentially use portions of the site for dispersal and foraging; however, the project site does not support habitat that is essential for their movement to and from nursery sites in the local and regional area.

APPLICABLE REGULATIONS

Based on the findings of this report, activities affecting the biological resources determined to exist or have the potential to exist within the project site could be subject to the federal, state, and local regulations discussed below.

Federal

Federal Endangered Species Act

Administered by the USFWS, the federal Endangered Species Act (ESA) provides the legal framework for the listing and protection of species that are identified as being endangered or threatened with extinction. Actions that jeopardize such species and their habitats are considered a “take” under the federal ESA.

Sections 7 and 10(a) of the federal ESA regulate actions that could harm or harass endangered or threatened species. Section 10(a) allows issuance of permits for “incidental” take of endangered or threatened species. The term “incidental” applies if the taking of the listed species is secondary to, and not the purpose of, an otherwise lawful activity. A conservation plan demonstrating how the take will be minimized and what steps taken would ensure the listed species’ survival must be submitted for the issuance of Section 10(a) permits. Section 7 describes a process of federal interagency consultation for use when federal actions may adversely affect listed species. A biological assessment is required for any major activity if it may affect listed species.

Migratory Bird Treaty Act

All migratory bird species that are native to the United States or its territories are protected under the federal MBTA as amended under the Migratory Bird Treaty Reform Act of 2004 (FR Doc. 05-5127). The MBTA is generally protective of migratory birds but does not actually stipulate the type of protection required. In common practice, USFWS places restrictions on disturbances allowed near active raptor nests.

State

California Endangered Species Act (CESA)

The CESA declares that deserving plant or animal species will be given protection by the state because they are of ecological, educational, historical, recreational, aesthetic, economic, and scientific value to the people of the state. The CESA establishes that it is state policy to conserve, protect, restore, and enhance endangered species and their habitats. Under state law, plant and animal species may be formally designated as rare, threatened, or endangered through official listing by the California Fish and Game Commission. Listed species are given greater attention during the land use planning process by local governments, public agencies, and landowners than are species that have not been listed.

The CESA authorizes that "[p]rivate entities may take plant or wildlife species listed as endangered or threatened under FESA and CESA, pursuant to a federal Incidental Take Permit (ITP) issued in accordance with Section 10 of the FESA, if the CDFW certifies that the ITS or ITP is consistent with CESA (Fish and Game Code Section 2080.1(a))." Section 2081(b) and (c) of the CESA allows CDFW to issue an ITP for a state-listed threatened and endangered species only if specific criteria are met. These criteria can be found in Title 14 CCR, Sections 783.4(a) and (b). No Section 2081(b) permit may authorize the take of "fully protected" species and "specified birds." If a project is planned in an area where a fully protected species or specified bird occurs, an applicant must design the project to avoid all take; the CDFW cannot provide take authorization under CESA. On private property, endangered plants may also be protected by the Native Plant Protection Act (NPPA) of 1977. Threatened plants are protected by CESA, and rare plants are protected by the NPPA; however, CESA authorizes that "Private entities may take plant species listed as endangered or threatened under the FESA and CESA through a federal ITP issued pursuant to Section 10 of the FESA, if the CDFG [California Department of Fish and Game; currently known as California Department of Fish and Wildlife] certifies that the ITS or ITP is consistent with CESA." In addition, CEQA requires disclosure of any potential impacts on listed species and alternatives or mitigation that would reduce those impacts.

California Fish and Game Code Sections 3503, 3503.5, and 3800

These sections of the California Fish and Game Code prohibit the take or possession of birds, their nests, or eggs. Disturbance that causes nest abandonment and/or loss of reproductive effort (killing or abandonment of eggs or young) is considered a take. Such a take would also violate federal law protecting migratory birds. ITPs are required from the CDFW for projects that may result in the incidental take of species listed by the state as endangered, threatened, or candidate species. The

wildlife agencies require that impacts to protected species be minimized to the extent possible and mitigated to a level of insignificance.

SIGNIFICANCE OF PROJECT IMPACTS AND PROPOSED MITIGATION

This section provides a project-level biological resources impact analysis for the proposed project in support of environmental review. The issues addressed in this section are derived from Appendix G of the CEQA Guidelines. Mitigation, monitoring, and reporting requirements to eliminate or reduce project impacts to a less than significant level are also provided in this section.

ISSUE 1: Special-Status Species

Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?

ISSUE 1 Impact Analysis

Less than Significant with Mitigation. None of the special-status plant species known to occur in the region have potential to occur on the project site, primarily due to the degraded state of the existing habitat. The site is characterized by disturbed Mojave creosote bush scrub and disturbed land. These communities are very common and widespread throughout the region, and when degraded and situated in proximity of more-urbanized desert areas, are unlikely to support special-status plants. The site is relatively small, with the majority containing evidence of regular surface disturbance from pedestrian use, OHV use and illegal dumping. Where this disturbance is not evident on the site, the conditions are degraded with scattered trash and very common desert plant species. Therefore, special-status plant species are not likely to occur and the project would have no impact on such species.

The survey concluded that the desert tortoise (*Gopherus agassizii*) is currently not likely to occur on the project site, primarily due to the geographic isolation of the site, perimeter fencing, and degradation of the on-site habitat. Additional factors confirmed during the habitat assessment include presence of humans, domestic dog, and common raven on the site. The habitat assessment details are provided above. No desert tortoise or tortoise sign were observed during the survey, including any burrows capable of supporting the species. Therefore, the desert tortoise is not likely to occur based on current conditions. However, because the potential for the species to move onto the site in the future cannot be entirely ruled out, pre-construction take avoidance surveys shall be completed by the project proponent pursuant to mitigation measure BIO-1 to ensure that no inadvertent and unauthorized take of the species occurs.

BIO-1 A pre-construction take avoidance survey for desert tortoise will be conducted no less than 14 days prior to initiating ground disturbance activities following current USFWS protocol. A final survey shall be conducted within 24 hours prior to ground disturbance.

If no desert tortoise is found during the take avoidance surveys, then no additional action shall be required.

In the unexpected event that tortoise is found, then the following consultation, avoidance and minimization measures shall be implemented prior to any ground disturbance activities at the site:

- The project proponent shall notify and formally consult with the USFWS and CDFW pursuant to the requirements of the federal and State endangered species acts.
- Preparation and implementation of a Desert Tortoise Exclusion and Mitigation Plan approved by USFWS and CDFW.
- Compensation of permanent loss of desert tortoise and occupied habitat shall occur at a minimum 1:1 ratio through one or a combination of the following:
    - On-site preservation of occupied habitat; or
    - Passive relocation and preservation of off-site habitat.

Portions of the project site support trees and shrubs with the potential to support common (non-sensitive) nesting birds protected under the MBTA and CFG Code. Compliance with the MBTA and CFG Code is a regulatory requirement. Mitigation measure BIO-2 shall be completed by the project proponent to ensure that no impacts occur to nesting birds.

PDF-BIO-2 If the removal of trees and shrubs must occur during the general bird breeding season (February 1 to August 31), a qualified biologist shall conduct a nesting bird survey within 7 days of removal activities to determine the presence or absence of nesting birds. If no active nests belonging to nesting birds are found during the pre-construction surveys, then no additional action shall be required. If an active nests is found, then the nest and an appropriate buffer shall be avoided. The initial size of the avoidance buffer shall be 300 feet for passerines and 500 feet for raptors, and shall be reduced at the discretion of the qualified biologist depending on the species and level of disturbance. Activities shall be allowed to proceed within the avoidance buffer once the young have fledged and the nest is confirmed no longer active, as determined by the qualified biologist.

ISSUE 1 Mitigation Measures

Mitigation measures BIO-1 and BIO-2 would ensure no impacts occur to desert tortoise and nesting birds occur pursuant to regulatory requirements.

ISSUE 2: Sensitive Natural Communities

Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the CDFW or USFWS?

ISSUE 2 Impact Analysis

No Impact. Project development would be restricted to common upland habitat types that are not riparian habitat types or sensitive natural communities and do not require mitigation. Therefore, no impacts to riparian habitat or sensitive natural communities would occur.

ISSUE 2 Mitigation Measures

Mitigation is not required.

ISSUE 3: Wetlands

Would the project have a substantial adverse effect on federally-protected wetlands as defined by Section 404 of the federal CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?

ISSUE 3 Impact Analysis

No Impact. No federally-protected wetlands as defined by CWA Section 404 occur on the site; none will be impacted by the project. No potential jurisdictional resources occur on the site. Therefore, the project would result in no impacts on federally-protected wetlands or other potential jurisdictional resources.

ISSUE 3 Mitigation Measures

Mitigation is not required.

ISSUE 4: Wildlife Movement and Nursery Sites

Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory corridors, or impede the use of native wildlife nursery sites?

ISSUE 4 Impact Analysis

Less than Significant. The project site encompasses disturbed and developed land outside of any areas targeted for conservation, including areas that could potentially serve as a corridor or linkage. The site is highly disturbed and adjacent to several developments, including the I-15 freeway. The site is further encompassed by perimeter fencing. Its function to facilitate wildlife movement in the local and regional area is limited due to existing impediments and lack of live-in and dispersal habitat. Common small mammals, small reptiles, and birds could potentially use portions of the site for dispersal and foraging; however, they would not use the site as a wildlife corridor, specific travel route, or when traveling to and from nursery sites due to existing impediments and lack of suitable habitat and resources. Although the project would introduce new developments to the site, wildlife would still be expected to move through the local and regional area unimpeded. Therefore, the potential impacts of the project on wildlife movement and nursery sites would be less than significant.

ISSUE 4 Mitigation Measures

Mitigation is not required.

ISSUE 5: Local Policies and Ordinances

Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

ISSUE 5 Impact Analysis

No Impact. There are no local policies or ordinances that are applicable to the project based on the findings of the biological resources technical study. Therefore, the project would have no conflict and no impact.

ISSUE 5 Mitigation Measures

Mitigation is not required.

ISSUE 6: Adopted Conservation Plans

Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?

ISSUE 6 Impact Analysis

No Impact. The project does not occur within the boundaries of any adopted conservation plans. No impact would occur.

ISSUE 6 Mitigation Measures

Mitigation is not required.

CLOSING

We appreciate the opportunity to provide you with this letter report. Please do not hesitate to contact me at (619) 462-1515 if you have any questions or require further assistance.

Sincerely,

Karl Osmundson
Principal Biologist/Biology Group Manager

Enclosed: Figures 1 – 6

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