

## **Appendix D. Biological Resources Letter Report**

---

*This page intentionally left blank.*



March 4, 2021

Angel Hernandez, AICP  
Associate Planner  
City of El Centro  
1275 W. Main Street  
El Centro, California 92243

**Subject: Biological Resources Letter Report for the El Centro General Plan Update**

Dear Mr. Hernandez:

This letter report documents biological resources in the City of El Centro (City), County of Imperial (County), California, for the El Centro General Plan Update Program Environmental Impact Report (Attachment 1, Figures, Figure 1, Regional Location, and Figure 2, Planning Area).

## Project Description and Location

The planning area is in the southeastern portion of the County. The City encompasses approximately 11 square miles (approximately 7,784 acres) and is the largest city in the Imperial Valley. It is 11 miles north of the United States–Mexico border, is adjacent to the City of Imperial along its northern boundary, and is approximately 120 miles east of the City of San Diego. Interstate 8 provides a regional east–west connection, which leads to north–south connectivity by way of State Route 86 in the City and State Route 111 east of the City.

Two geographic areas are in the “planning area” covered by the El Centro General Plan. The City’s corporate limits and Sphere of Influence (SOI) are depicted on Figure 2. The City’s SOI is a plan for the probable physical boundaries and service area that a local governmental agency is expected to serve. The City includes 11 square miles plus an additional 12.5 square miles in its SOI. The City and its SOI together are referred to herein as the “planning area.”

The El Centro General Plan was last updated in 2004. Currently, the City is updating the Land Use Element and Mobility Element of the El Centro General Plan and establishing a new Environmental Justice Element. The updates are funded by a grant from the Sustainable Communities Program administered by the California Department of Transportation. The intent of the updates is to improve sustainability, promote public health, and anticipate future advancements in transportation technology. For a detailed project description, refer to Chapter 2, Project Description, in the El Centro General Plan Update Program Environmental Impact Report.

## Environmental Setting

Following is a description of the existing conditions in the planning area.

### Land Use

The planning area is the City, a rural city in the County, and includes the City’s SOI. The majority of the planning area is urban/developed land surrounded by agricultural land. The urban/developed land consists of residential, commercial, and industrial land uses.

### Topography and Soils

The planning area is relatively level topographically and ranges in elevation from 28 to 46 feet below mean sea level (Figure 3, USGS Topographic Map). The U.S. Department of Agriculture Natural Resources Conservation

Service soil series identifies the soils in the planning area as dominated by Imperial-Glenbar silty clay loams, Holtville silty clay, and Imperial silty clay (USDA 2021) (Figure 4, Soils). Other soils in the planning area include Glenbar clay loam, Indio loam, Meloland very fine sandy loam, Meloland and Holtville loams, Vint loamy very fine sand, and Vint and Indio very fine sandy loams (Figure 4).

## Hydrology

The planning area is in the Salton Sea Transboundary Watershed (Hydrologic Unit Code 18100200). The Salton Sea Transboundary Watershed encompasses one-third of the Southern California region (approximately 8,360 square miles), and contains five out of six of the region's impaired surface waterbodies (California Water Boards 2018). The watershed contains the following five main surface waterbodies: Salton Sea, New River, Alamo River, Imperial Valley Agricultural Drains, and Coachella Valley Stormwater Channel.

## Climate

Meteorological data for the planning area are gathered at the El Centro Naval Air Facility in the southeastern portion of the planning area (NOAA 2021). In the planning area, the normal daily maximum temperature is 96 degrees Fahrenheit (°F) in August, and the normal daily minimum temperature is 55°F in December. The average annual temperature is approximately 76°F, with days frequently exceeding 100°F and very few dropping below freezing (NOAA 2021). Due to the temperate climate, the growing season is typically year-round.

The average precipitation in the planning area is approximately 2.4 inches annually, primarily occurring from September through April. Based on data from the El Centro Naval Air Facility, the vicinity of the planning area receives the greatest amount of rain, an average of approximately 0.8 inch, in December (NOAA 2021).

## Regulatory Setting

This section summarizes federal, state, regional, and local regulations, plans, policies, and programs that provide protection and management of sensitive biological resources that are applicable to the project. The federal government administers nonmarine plant and wildlife-related issues through the U.S. Fish and Wildlife Service (USFWS), while waters of the United States issues are administered by the U.S. Army Corps of Engineers (USACE). California law related to wetland, water-related, and wildlife issues is administered by the California Department of Fish and Wildlife (CDFW). Under the California Environmental Quality Act (CEQA), impacts associated with a proposed project or program are assessed with regard to significance criteria determined by the CEQA lead agency (i.e., the City) pursuant to the CEQA Guidelines. Biological resources-related laws and regulations that apply to the project include the federal Endangered Species Act (FESA), Migratory Bird Treaty Act (MBTA), Clean Water Act (CWA), CEQA, California Endangered Species Act (CESA), and California Fish and Game (CFG) Code.

## Federal

### Endangered Species Act (U.S. Code, Title 16, Sections 1531 through 1543)

FESA and its subsequent amendments provide guidance for the conservation of endangered and threatened species and the ecosystems on which they depend. In addition, FESA defines species as "threatened" or "endangered" and provides regulatory protection for listed species. FESA also provides a program for the conservation and recovery of threatened and endangered species and the conservation of designated critical habitat that the USFWS determines to be required for the survival and recovery of these listed species.

Section 7 of FESA requires federal agencies, in consultation with and with assistance from the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions the federal agencies authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service share responsibilities for administering FESA. Regulations governing interagency cooperation

under Section 7 are found in California Code of Regulations, Title 50, Part 402. The opinion issued at the conclusion of consultation will include a statement authorizing “take” (e.g., to harass, harm, pursue, hunt, wound, kill) that may occur incidentally to an otherwise legal activity.

Section 9 lists those actions that are prohibited under FESA. Although take of a listed species is prohibited, it is allowed when it is incidental to an otherwise legal activity. Section 9 prohibits take of listed species of fish, wildlife, and plants without special exemption. The definition of “harm” includes significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns related to breeding, feeding, or shelter. “Harass” is defined as actions that create the likelihood of injury to listed species by significantly disrupting normal behavioral patterns related to breeding, feeding, and shelter.

Section 10 provides a means whereby a nonfederal action with the potential to result in take of a listed species can be allowed under an incidental take permit. Application procedures are found in the Code of Federal Regulations (CFR), Title 50, Parts 13 and 17, for species under the jurisdiction of the USFWS and CFR Title 50, Parts 217, 220, and 222, for species under the jurisdiction of the National Marine Fisheries Service.

### Migratory Bird Treaty Act (U.S. Code, Title 16, Sections 703 through 711)

The MBTA is the domestic law that affirms and implements a commitment by the United States to four international conventions (with Canada, Mexico, Japan, and Russia) for the protection of a shared migratory bird resource. The MBTA makes it unlawful at any time, by any means, and in any manner to pursue, hunt, take, capture, or kill migratory birds. The law also applies to the removal of nests occupied by migratory birds during the breeding season. The MBTA makes it unlawful to take, pursue, molest, or disturb these species, their nests, or their eggs anywhere in the United States.

### Federal Clean Water Act (U.S. Code, Title 33, Sections 1251 through 1376)

The CWA provides guidance for the restoration and maintenance of the chemical, physical, and biological integrity of the nation’s waters. Section 401 requires a project proponent to obtain a federal license or permit that allows activities resulting in a discharge to waters of the United States to obtain state certification, thereby ensuring that the discharge will comply with provisions of the CWA. The State Water Resources Control Board administers the certification program in California. Section 402 establishes a permitting system for the discharge of any pollutant (except dredged or fill material) into waters of the United States. Section 404 establishes a permit program administered by the USACE that regulates the discharge of dredged or fill material into waters of the United States, including wetlands. The USACE implementing regulations are found in CFR Title 33, Parts 320 and 330. Guidelines for implementation are referred to as the “Section 404(b)(1) Guidelines,” which were developed by the U.S. Environmental Protection Agency in conjunction with the USACE (40 CFR 230). These guidelines allow the discharge of dredged or fill material into the aquatic system only if there is no practicable alternative that would have less adverse impacts.

### Wetlands and Other Waters of the United States

Aquatic resources, including riparian areas, wetlands, and certain aquatic vegetation communities, are considered sensitive biological resources and can fall under the jurisdiction of several regulatory agencies. In accordance with the Navigable Waters Protection Rule, effective June 22, 2020, the USACE exerts jurisdiction over waters of the United States, including the territorial seas and traditional navigable waters; perennial and intermittent tributaries that contribute surface water flow to such waters; certain lakes, ponds, and impoundments of jurisdictional waters; and wetlands adjacent to other jurisdictional waters (33 CFR Part 328; 40 CFR Parts 110, 112, 116, 117, 120, 122, 230, 300, 302, and 401). The extent of waters of the United States is generally defined as the portion that falls within the limits of the ordinary high water mark. Typically, the ordinary high water mark corresponds to the 5- to 7-year flood event. Indicators of three wetland parameters (i.e., hydric soils, hydrophytic vegetation,

and wetlands hydrology), as determined by field investigation, must be present for a site to be classified as a wetland by the USACE (USACE 1987).

## State

### California Endangered Species Act (California Fish and Game Code, Sections 2050 et seq.)

CESA establishes the policy of the state to conserve, protect, restore, and enhance threatened or endangered species and their habitats. CESA mandates that state agencies should not approve projects that would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. There are no state agency consultation procedures under CESA. For projects that would affect a listed species under both CESA and FESA, compliance with FESA would satisfy CESA if the CDFW determines that the federal incidental take authorization is consistent with CESA under CFG Code, Section 2080.1. For projects that would result in take of a species only listed under CESA, the project proponent must apply for a take permit under Section 2081(b).

### California Fish and Game Code, Section 1602

Under this section of the CFG Code, the project proponent is required to notify the CDFW before the start of any project that would divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Pursuant to the CFG Code, a “stream” is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel that has banks and supports fish or other aquatic life. Based on this definition, a watercourse with surface or subsurface flows that supports or has supported riparian vegetation is a stream and is subject to CDFW jurisdiction. Altered or artificial watercourses valuable to fish and wildlife are subject to CDFW jurisdiction. The CDFW also has jurisdiction over dry washes that carry water during storm events.

Preliminary notification and project review generally occur during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, the CDFW is required to propose reasonable project changes to protect the resource. These modifications are formalized in a streambed alteration agreement, which becomes part of the plans, specifications, and bid documents for the project.

### California Fish and Game Code, Sections 3511, 4700, 5050, and 5515

California fully protected species are described in Sections 3511, 4700, 5050, and 5515 of the CFG Code. These statutes prohibit take or possession of fully protected species. The CDFW is unable to authorize incidental take of fully protected species when activities are proposed in areas inhabited by those species.

Section 2080 of the CFG Code states that “no person shall import into this state [California], export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission [CFG Commission] determines to be an endangered species or threatened species, or attempt any of those acts, except as otherwise provided in this chapter, or the Native Plant Protection Act, or the California Desert Native Plants Act.” Pursuant to Section 2081 of the CFG Code, the CDFW may authorize individuals or public agencies to import, export, take, or possess state-listed endangered, threatened, or candidate species. These otherwise prohibited acts may be authorized through permits or Memoranda of Understanding if the take is incidental to an otherwise lawful activity, the impacts of the authorized take are minimized and fully mitigated, the permit is consistent with any regulations adopted pursuant to any recovery plan for the species, and the project proponent ensures adequate funding to implement the measures required by the CDFW. The CDFW makes this determination based on available scientific information and considers the ability of the species to survive and reproduce.

### California Fish and Game Code, Sections 2080 and 2081

Section 2080 of the CFG Code states that “no person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the Commission [CFG

Commission] determines to be an endangered species or threatened species, or attempt any of those acts, except as otherwise provided in this chapter, or the Native Plant Protection Act, or the California Desert Native Plants Act.” Pursuant to Section 2081 of the CFG Code, the CDFW may authorize individuals or public agencies to import, export, take, or possess state-listed endangered, threatened, or candidate species. These otherwise prohibited acts may be authorized through permits or Memoranda of Understanding if the take is incidental to an otherwise lawful activity, the impacts of the authorized take are minimized and fully mitigated, the permit is consistent with any regulations adopted pursuant to any recovery plan for the species, and the project operator ensures adequate funding to implement the measures required by the CDFW. The CDFW makes this determination based on available scientific information and considers the ability of the species to survive and reproduce.

### California Fish and Game Code, Sections 3503, 3503.5, 3513, and 3800

Section 3503 of the CFG Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3503.5 specifically states that it is unlawful to take, possess, or destroy any raptor (i.e., species in the orders Falconiformes and Strigiformes), including nests or eggs. Typical violations of the CFG Code include destruction of active nests resulting from removal of vegetation in which the nests are located. Violation of Section 3503.5 could also include failure of active raptor nests resulting from disturbance of nesting pairs by nearby project construction. This statute does not provide for the issuance of any type of incidental take permit.

Section 3513 of the CFG Code upholds the MBTA by prohibiting any take or possession of birds that are designated by the MBTA as migratory nongame birds except as allowed by federal rules and regulations promulgated pursuant to the MBTA.

Section 3800 of the CFG Code affords protection to nongame birds, which are birds occurring naturally in California that are not resident game birds, migratory game birds, or fully protected birds.

### California Environmental Quality Act Guidelines, Section 15380(b)

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines, Section 15380(b), provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the rare or endangered species definition in FESA and Sections 2050 through 2059.26 of the CFG Code dealing with rare or endangered plants and wildlife. This section was included in CEQA primarily to deal with situations in which a public agency is reviewing a project that may have a significant effect on, for example, a candidate species that has not been listed by either the USFWS or CDFW. Thus, CEQA provides an agency with the ability to protect a species from the potential impacts of a project until the respective government agencies have an opportunity to designate the species as protected, if warranted. CEQA also calls for the protection of other locally or regionally significant resources, including natural communities. Although natural communities do not currently have legal protection of any kind, CEQA calls for an assessment of whether any such resources would be affected and requires findings of significance if there would be substantial losses. Natural communities listed as sensitive by the California Natural Diversity Database (CNDDDB) are considered by the CDFW to be significant resources and fall under the CEQA Guidelines to address impacts. Local planning documents, such as General Plans, often identify these resources as well.

### Native Plant Protection Act (California Fish and Game Code, Sections 1900 through 1913)

California’s Native Plant Protection Act requires state agencies to use their authority to carry out programs to conserve endangered and rare native plants. Provisions of the Native Plant Protection Act prohibit the take of listed plants from the wild and require notification to the CDFW at least 10 days in advance of any change in land use. This allows the CDFW to salvage listed plant species that would otherwise be destroyed. The project proponent is required to conduct botanical inventories and consult with the CDFW during project planning to comply with the provisions of the act and sections of CEQA that apply to rare or endangered plants.

## Natural Communities Conservation Planning Act

The Natural Communities Conservation Planning (NCCP) program is a cooperative effort to protect habitats and species. It began under the state's NCCP Act of 1991 and is broader in its orientation and objectives than CESA or FESA. These laws are designed to identify and protect individual species that have already declined significantly in number. The NCCP Act of 1991 and the associated Southern California Coastal Sage Scrub NCCP Process Guidelines (CDFG 1993a), Southern California Coastal Sage Scrub NCCP Conservation Guidelines (CDFG 1993b), and NCCP General Process Guidelines (CDFG 1998) have been superseded by the NCCP Act of 2003, which was subsequently amended in 2003, 2011, 2012, and 2016 (CDFW 2016).

The primary objective of the NCCP program is to conserve natural communities at the ecosystem level while accommodating compatible land use. The program seeks to anticipate and prevent the controversies and gridlock caused by species' listings by focusing on the long-term stability of wildlife and plant communities and including key interests in the process.

This voluntary program allows the state to enter into planning agreements with landowners, local governments, and other stakeholders to prepare plans that identify the most important areas for a threatened or endangered species and the areas that may be less important. These NCCP Plans may become the basis for a state permit to take threatened and endangered species in exchange for conserving their habitat. The CDFW and USFWS worked to combine the NCCP program with the federal Habitat Conservation Plan process to provide take permits for state and federally listed species. Under the NCCP Act, local governments, such as the County, can take the lead in developing these NCCP Plans and become the recipients of state and federal take permits.

## California Wetland Definition

Unlike the federal government, California has adopted the Cowardin et al. (1992) definition of "wetlands." For this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes (at least 50 percent of the aerial vegetative cover); (2) the substrate is predominantly undrained hydric soil; and (3) the substrate is non-soil and saturated with water or covered by shallow water at some time during the growing season of each year.

Under normal circumstances, the federal definition of wetlands requires all three wetland identification parameters to be met, whereas the Cowardin et al. (1992) definition requires the presence of at least one of these parameters. For this reason, identification of wetlands by state agencies consists of the union of all areas that are periodically inundated or saturated or in which at least seasonal dominance by hydrophytes may be documented or in which hydric soils are present.

## Porter-Cologne Water Quality Control Act

The State Water Resources Control Board works in coordination with the nine Regional Water Quality Control Boards (RWQCBs) to preserve, protect, enhance, and restore water quality. Each RWQCB makes decisions related to water quality for its region and may approve, with or without conditions, or deny projects that could affect waters of the state. Their authority comes from the CWA and the state's Porter-Cologne Water Quality Control Act (Porter-Cologne Act). The Porter-Cologne Act broadly defines "waters of the state" as "any surface water or groundwater, including saline waters, within the boundaries of the state." Because the Porter-Cologne Act applies to any water, whereas the CWA applies only to certain waters, California's jurisdictional reach overlaps and may exceed the boundaries of waters of the United States. For example, Water Quality Order No. 2004-0004-DWQ states that "shallow" waters of the state include headwaters, wetlands, and riparian areas. Moreover, in practice, the RWQCBs claim jurisdiction over riparian areas. Where riparian habitat is not present, which may be the case in headwaters, jurisdiction is taken to the top of bank.

Under the Porter-Cologne Act, the State Water Resources Control Board and the nine RWQCBs also have the responsibility of granting CWA National Pollutant Discharge Elimination System permits and waste discharge requirements for point-source and nonpoint-source discharges to waters. These regulations limit impacts on aquatic and riparian habitats from a variety of urban sources.

## Local

### Imperial County General Plan

The planning area is within the Imperial County General Plan planning area and, therefore, is subject to the goals and policies outlined in the General Plan Elements. The Imperial County General Plan Conservation and Open Space Element provides goals and policies related to biological resources as described in the following subsection.

#### *Conservation and Open Space Element*

The Conservation and Open Space Element of the Imperial County General Plan (Imperial County 2016) provides detailed plans and measures for the preservation and management of biological and cultural resources, soils, minerals, energy, regional aesthetics, air quality, and open space. The following goals, objectives, and policies apply to biological resources.

#### Conservation of Environmental Resources for Future Generations

- **Goal 1:** Environmental resources shall be conserved for future generations by minimizing environmental impacts in all land use decisions and educating the public on their value.
  - **Objective 1.1:** Encourage uses and activities that are compatible with the fragile desert environment and foster conservation.
  - **Objective 1.2:** Coordinate the acquisition, designation, and management of important natural and cultural resource areas in Imperial County with other governmental agencies as appropriate.
  - **Objective 1.3:** Develop standards to protect significant natural and cultural resource areas for the purpose of enhancing both the planning and decision-making process.
  - **Objective 1.4:** Ensure the conservation and management of the County's natural and cultural resources.
  - **Objective 1.5:** Provide opportunities for enjoyment of a quality natural experience to present and future generations.
  - **Objective 1.6:** Promote the conservation of ecological sites and preservation of cultural resource sites through scientific investigation and public education.
  - **Policy 1:** Provide a framework for the conservation and enhancement of natural and created open space which provides wildlife habitat values.
  - **Policy 2:** Landscaping should be required in all developments to prevent erosion on graded sites and, if the area is contiguous with undisturbed wildlife habitat, the plan should include revegetation with native plant species.

#### Conservation of Biological Resources

- **Goal 2:** The County will integrate programmatic strategies for the conservation of critical habitats to manage their integrity, function, productivity, and long-term viability.
  - **Objective 2.1:** Designate critical habitats for federally and state-listed species.
  - **Objective 2.2:** Develop management programs, including preservation of habitat for flat-tailed horned lizard, desert pupfish, and burrowing owl.
  - **Objective 2.3:** Support investigation of long-term climate change effects on biological resources.
  - **Objective 2.4:** Use the CEQA and NEPA [National Environmental Policy Act] process to identify, conserve and restore sensitive vegetation and wildlife resources.
  - **Objective 2.5:** Give conservation of sensitive species and habitat a high priority in County park acquisition and development programs.
  - **Objective 2.6:** Attempt to identify, reduce, and eliminate all forms of pollution; including air, noise, soil, and water.

### Conservation of Water Resources

- **Goal 6:** The County will conserve, protect, and enhance water resources in the County.
  - **Objective 6.1:** Ensure the use and protection of all the rivers, waterways, and groundwater sources in the County for use by future generations.
  - **Objective 6.2:** Ensure proper drainage and provide accommodation for storm runoff from urban and other developed areas in manners compatible with requirements to provide necessary agricultural drainage.
  - **Objective 6.3:** Protect and improve water quality and quantity for all water bodies in Imperial County.
  - **Objective 6.4:** Eliminate potential surface and groundwater pollution through regulations as well as educational programs.
  - **Objective 6.5:** Reclaim polluted water bodies, such as the New and Alamo Rivers.
  - **Objective 6.6:** Ensure protection of water bodies that are important for recreational fishing.
  - **Objective 6.7:** Prohibit the inappropriate siting of solid or hazardous waste facilities next to water bodies or over sources of potable groundwater or recharge basins. In association with the cleanup of the New River, all existing landfills in or near the river should eventually be closed.
  - **Objective 6.8:** Discourage the use of hazardous materials in areas of the County where significant water pollution could pose hazards to humans or biological resources.
  - **Objective 6.9:** Identify and protect watersheds and key recharge areas for the protection of water quality and groundwater.
  - **Objective 6.10:** Encourage water conservation and efficient water use among municipal and industrial water users, as well as reclamation and reuse of wastewater.
  - **Objective 6.11:** Coordinate with the appropriate agencies for the availability of water to meet future domestic, industrial/commercial and agricultural needs.

### El Centro General Plan

#### *Conservation/Open Space Element*

The Conservation/Open Space Element of the El Centro General Plan (City of El Centro 2004) provides detailed goals and policies to protect and maintain natural resources, such as water, soils, wildlife, and minerals, and to prevent wasteful resource exploitation, degradation, and destruction. The following goals and policies apply to biological resources.

#### Water Conservation

- **Goal 2:** Maintain and improve the quality of water used by the City and surrounding agricultural areas.
  - **Policy 2.1:** Coordinate water quality and supply programs with responsible water agencies.

#### Open Space and Natural Resources

- **Goal 3:** Direct future urban growth and expansion of the City to promote the conservation of important natural habitats, ecosystems, and open space areas of unique natural quality and community significance.
  - **Policy 3.1:** Protect unique or high quality natural habitats through open space designation or parkland dedication.
  - **Policy 3.2:** Utilize the environmental review process to evaluate and mitigate impacts to natural resources and plant and animal habitats that may be affected by proposed development.

#### Habitat Conservation Plan/Natural Community Conservation Plan

No Habitat Conservation Plan or NCCP Plan has been adopted in or adjacent to the planning area.

## Methods

This biological resources analysis included a document and database review to document the existing biological conditions of the planning area. No biological surveys or field reconnaissance were conducted as a part of this project. The results of this review provide information on the potential constraints to project development due to the presence of sensitive biological resources.

### Environmental Document Review

The Imperial County General Plan (Imperial County 2016), City of El Centro General Plan Environmental Impact Report (City of El Centro 2003), and El Centro General Plan (City of El Centro 2004) were reviewed to gather biological resources data pertinent to the project.

### Database Review

Review of online databases including the CNDDDB, USFWS National Wetlands Inventory (NWI) Wetlands Mapper, USFWS Information for Planning and Consultation (IPaC), and California Native Plant Society (CNPS) Inventory of Rare and Endangered Plants of California was conducted for the project.

#### California Department of Fish and Wildlife California Native Diversity Database

The CNDDDB search was conducted for the planning area to identify previously mapped resources in the area (CDFW 2021). The results of the search are presented in the Results section of this letter report.

#### U.S. Fish and Wildlife Service Information for Planning and Consultation

The USFWS IPaC report was created by drawing a perimeter around the planning area. The results of the location search are provided in the Results section of this letter report (USFWS 2021a).

#### U.S. Fish and Wildlife Service National Wetland Inventory

USFWS NWI maps were reviewed to identify any wetlands and waters that were mapped in the planning area (USFWS 2021b). The USFWS NWI search was conducted by drawing a perimeter around the planning area on the web map that identified the location of any federal or state jurisdictional wetlands and waters surrounding the planning area. The results of the NWI search are provided in the Results section of this letter report.

#### California Native Plant Society Inventory of Rare and Endangered Plants of California

The CNPS Inventory of Rare and Endangered Plants of California (online version) assists in the determination of sensitive plant species potentially present in a given area (CNPS 2021). CNPS status codes are defined by the CNPS California Rare Plant Rank (CRPR) system described as follows: CRPR 1A plants are presumed extirpated in California and either rare or extinct elsewhere; CRPR 1B plants are rare, threatened, or endangered in California and elsewhere; CRPR 2A plants are presumed extirpated in California but common elsewhere; CRPR 2B plants are rare, threatened, or endangered in California but more common elsewhere; CRPR 3 plants lack the necessary information needed to assign them to one of the other ranks or to reject them; and CRPR 4 plants are of limited distribution or infrequent throughout a broader area in California, and their status requires more regular monitoring.

The CNPS CRPR at each level also includes a threat rank defined as follows: 0.1, seriously threatened in California (over 80 percent of occurrences threatened/high degree and immediacy of threat); 0.2, moderately threatened in California (20 to 80 percent of occurrences threatened/moderate degree and immediacy of threat); and 0.3, not very threatened in California (less than 20 percent of occurrences threatened/low degree and immediacy of threat or no current threats known).

## Results

The results presented in this section provide data from the database review conducted for the planning area.

### Vegetation Communities and Land Cover Types

The vegetation communities and land cover types identified in the planning area include open water, disturbed land, urban/developed land, and agricultural land (Figure 5, Vegetation Communities and Land Cover Types). Table 1, Vegetation Communities and Land Cover Types in the Planning Area, presents the acreages of the vegetation communities and land cover types in the planning area.

**Table 1. Vegetation Communities and Land Cover Types in the Planning Area**

Vegetation Community and Land Cover Type	Planning Area (acres)
<b>Aquatic</b>	
Open Water	82.1
<b>Subtotal</b>	<b>82.1</b>
<b>Disturbed, Urban/Developed, and Agricultural</b>	
Disturbed Land	774.3
Urban/Developed Land	7,987.6
Agricultural Land	7,022.5
<b>Subtotal</b>	<b>15,784.4</b>
<b>Total</b>	<b>15,866.5</b>

Source: Holland 1986.

#### Aquatic Vegetation Communities

##### *Open Water*

Open water habitat is composed of year-round bodies of water in the form of lakes, streams, ponds, or rivers. This includes portions of water bodies that are usually covered by water and contain less than 10 percent vegetative cover.

Approximately 82.1 acres of open water and canals occur in the northern and southern portions of the planning area (Figure 5). The open water areas in the planning area appear to be artificial freshwater ponds associated with the surrounding agricultural industry and residential development. The canals occur throughout the planning area, primarily at the edges, and appear to convey water to agricultural land surrounding the planning area. The open water habitats in the planning area have the potential to provide habitat for wildlife species, including amphibians, birds, and reptiles.

#### Disturbed and Urban/Developed Lands

##### *Disturbed Land*

Disturbed land consists of previously disturbed areas that either are devoid of vegetation (dirt roads/trails) or support scattered non-native species such as mustard (*Brassicaceae* sp.), ragweed (*Ambrosia* sp.), fennel (*Foeniculum vulgare*), Russian thistle (*Salsola australis*), and thistle (*Centaurea* sp.). Habitats that can be described as disturbed are composed of a mix of native and non-native species but can be solely non-native species in some cases.

Approximately 774.3 acres of disturbed land occur mostly around the edges of the planning area (Figure 5). These disturbed areas consist primarily of bare ground and undeveloped dirt lots. The disturbed land in the planning area has the potential to provide habitat for wildlife species, including birds, small mammals, and reptiles.

### *Urban/Developed Land*

Urban/developed land includes areas of existing residential, commercial, and industrial development (locations of existing manufactured structures), roadways, parking lots, pedestrian paths, horticultural open spaces, landscape buffers and courtyards, plazas, gardens, recreation fields, and areas dominated by non-native (introduced) vegetation.

Approximately 7,987.6 acres of urban/developed land occur over the majority of the planning area (Figure 5). Urban/developed land in the planning area includes residential, industrial, and commercial developments. The urban/developed areas in the planning area have the potential to provide habitat for wildlife species, including birds, small mammals, and reptiles.

### *Agricultural Land*

Agricultural land includes areas occupied by dairies and livestock feed yards or areas that have been tilled for use as croplands or groves and orchards.

Approximately 7,022.5 acres of agricultural land occur around the edges of the planning area (Figure 5). Agricultural land in the planning area primarily consists of row crops and surrounds the development in the center of the planning area. Agricultural land in the planning area has the potential to provide habitat for wildlife species, including birds, small mammals, and reptiles.

## **Aquatic Resources**

The USFWS NWI report conducted for the planning area identified approximately nine open water ponds and canals associated with the surrounding agricultural industry and residential development (Figure 6, Aquatic Resources). These open water areas occur in the northern and southern portions of the planning area. The canals occur throughout the planning area, primarily at the edges, and appear to convey water to agricultural land surrounding the planning area.

Aquatic resources delineations were not conducted for the project. However, wetlands and waters potentially subject to the regulatory jurisdiction of the USACE pursuant to Section 404 of the CWA (33 USC 1344), RWQCB pursuant to Section 401 of the CWA or the Porter-Cologne Act, and the CDFW pursuant to Sections 1600 et seq. of the CFG Code likely occur in the planning area. Wetland vegetation communities (i.e., open water and potential aquatic resources) occur in the planning area and may fall under the regulatory jurisdiction of the USACE, RWQCB, or CDFW (Figure 6).

Non-wetland waters including non-vegetated stream channels, erosional features, gullies, and concrete-lined channels have the potential to occur in the planning area (Figure 6). These features may fall under the regulatory jurisdiction of the USACE, RWQCB, or CDFW.

## **Sensitive Species**

Based on the database search results for the planning area, eight sensitive plant species have the potential to occur in the planning area (Table 2, Sensitive Plant Species Documented in Imperial County) (CDFW 2021; USFWS 2021a). In total, 21 sensitive wildlife species have the potential to occur in the planning area (Table 3, Sensitive Wildlife Species Documented in Imperial County). No critical habitat occurs in the planning area.

### *Sensitive Plants Species*

The region provides habitat for a variety of native and introduced plant species. Most of the native plant habitat in the planning area has been replaced by food crop cultivation.

Table 2 includes sensitive plant species that have been documented in the County.

**Table 2. Sensitive Plant Species Documented in Imperial County**

Species		Status
Common Name	Scientific Name	Federal/State/CRPR
<b>Vascular Plants</b>		
Algodones dunes sunflower	<i>Helianthus niveus</i> ssp. <i>tephrodes</i>	None/SE/None
Giant Spanish needle	<i>Palafoxia arida</i> var. <i>gigantea</i>	None/None/1B.3
Mecca aster	<i>Xylorhiza cognata</i>	None/None/1B.2
Mountain springs bush lupine	<i>Lupinus excubitus</i> var. <i>medius</i>	None/None/1B.3
Munz's cholla	<i>Cylindropuntia munzii</i>	None/None/1B.3
Orcutt's woody-aster	<i>Xylorhiza orcuttii</i>	None/None/1B.2
Peirson's milk-vetch	<i>Astragalus magdalenae</i> var. <i>peirsonii</i>	FT/SE/None
Sand food	<i>Pholisma sonorae</i>	None/None/1B.2

Sources: Calflora 2021; CDFW 2021; CNPS 2021.

Notes: FT = federally threatened; SE = state endangered; CRPR = California Native Plant Society Rare Plant Ranks: 1B = rare, threatened, or endangered in California and elsewhere; extension codes: .2 = moderately endangered; .3 = not very threatened in California

Based on the literature and database review, none of the sensitive plant species in Table 2 have a high potential to occur in the planning area. Therefore, no further discussion of these sensitive plant species is included in this letter report.

### Sensitive Wildlife Species

The region provides habitat for a variety of native and introduced wildlife species. Open areas in the region are inhabited by wildlife tolerant of arid conditions, including small rodents, coyotes, foxes, birds, and reptiles. Most native wildlife habitat in the planning area has been replaced by food crop cultivation.

Table 3 includes sensitive wildlife species that have been documented in the County.

**Table 3. Sensitive Wildlife Species Documented in Imperial County**

Species		Status
Common Name	Scientific Name	Federal/State
<b>Birds</b>		
Arizona Bell's vireo	<i>Vireo bellii arizonae</i>	None/SE
Burrowing owl	<i>Athene cunicularia</i>	None/SSC
California black rail	<i>Laterallus jamaicensis contorniculus</i>	None/ST
Elf owl	<i>Micrathene whitneyi</i>	None/SE
Gila woodpecker	<i>Melanerpes uropygialis</i>	None/SE
Gilded northern flicker	<i>Colaptes auratus chrysoides</i>	None/SE
Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	FE/SE
Van Rossem's gull-billed tern	<i>Sterna nilotica vanrossemi</i>	None/SSC
Western yellow-billed cuckoo	<i>Coccyzus americanus occidentalis</i>	None/ST
White-faced Ibis	<i>Plegadis chihi</i>	None/WL
Yuma Ridgway's rail	<i>Rallus obsoletus</i>	FE/ST

**Table 3. Sensitive Wildlife Species Documented in Imperial County**

Species		Status
Common Name	Scientific Name	Federal/State
<b>Fish</b>		
Colorado pikeminnow	<i>Ptychocheilus lucius</i>	FE/SE
Desert pupfish	<i>Cyprinodon macularius</i>	FE/SE
Razorback sucker	<i>Xyrauchen texanus</i>	FE/SE
<b>Mammals</b>		
Big free-tailed bat	<i>Nyctinomops macrotis</i>	None/SSC
California mastiff bat	<i>Eumops perotis californicus</i>	None/SSC
Pale big-eared bat	<i>Corynorhinus townsendii pallescens</i>	None/SSC
Peninsular desert bighorn sheep	<i>Ovis canadensis nelsoni</i>	FE/ST
Western yellow bat	<i>Lasiurus xanthinus</i>	None/SSC
Yuma hispid cotton rat	<i>Sigmodon hispidus eremicus</i>	None/SSC
<b>Reptiles</b>		
Barefoot banded gecko	<i>Coleonyx switaki</i>	None/ST
Desert tortoise	<i>Gopherus agassizii</i>	FT/ST
Flat-tailed horned lizard	<i>Phrynosoma mcallii</i>	None/SSC

Sources: CDFW 2021; iNaturalist 2021; eBird 2021.

Notes: FE = federally endangered; FT = federally threatened; SE = state endangered; SSC = species of special concern; ST = state threatened; WL = watch list species

For the purposes of this letter report, only those species that have a high potential to occur in the planning area are discussed in the following subsection. Based on the literature and database review, only one sensitive wildlife species, burrowing owl (*Athene cunicularia*), a state species of special concern, has a high potential to occur in the planning area and is described below.

### *Burrowing Owl*

Burrowing owl, a state species of special concern, is a small owl that occurs in open, treeless areas with low, sparse vegetation, usually on gently sloping terrain. Its range includes most portions of California, with the exception of coastal Southern California, northwestern forests, and mountaintops. This species can be found year-round in grasslands, deserts, agricultural areas, vacant lots, and disturbed edges of urban areas at elevations from sea level to 5,300 feet above mean sea level. Burrowing owl forages day or night on insects, small mammals, reptiles, and amphibians and typically occupies burrows with openings at least 4 inches wide created by ground squirrels, prairie dogs, badgers, tortoises, and skunks. However, the species has been observed in culverts, pipes, and nest boxes as well. Resident burrowing owls use burrows year-round for nesting and wintering. Burrowing owls in California do not excavate their own burrows and, therefore, are generally associated with high densities of burrowing wildlife, especially ground squirrels. Burrowing owl typically prefers slightly elevated burrows in more open vegetation with small perches nearby for hunting. Perches may include fence posts, taller shrubs, or roadside signs. Burrowing owl typically decorates burrow openings with trash, excrement, feathers, and grass. Because the species nests in the ground, eggs and nestlings are vulnerable to predation by ground predators including foxes, coyotes, and domestic dogs and cats. In addition, burrowing owl populations in California have declined due to vehicle collisions and habitat loss, including the extermination of ground squirrels and other burrowing mammals (CDFG and Western Field Ornithologists 2008).

Suitable nesting and foraging habitat occurs in the disturbed and agricultural lands that occur along the edges of the planning area. Burrowing owl was observed in disturbed land in the central and southern portions of the planning area in 2016 and 2018 (iNaturalist 2021; eBird 2021). In addition, several recent burrowing owl occurrences have been recorded within 3 miles of the planning area.

## Wildlife Corridors

Wildlife corridors include both local movement routes and regional corridors and linkages. Local movement routes often connect resources, such as water sources, foraging areas, and den/cover sites, on a localized level, often on a daily or nightly basis. Regional movement corridors or linkages connect larger patches of open space and are important to wildlife for seasonal movements and for the long-term genetic flow between subpopulations. For large mammals, regional corridors are often required to provide a network of large-scale foraging or hunting areas. Corridors can be continuous habitat features, or “stepping stones,” such as rest areas along a bird migration route. Corridors often follow linear topographic, water, or vegetation features. The overall biological value of a site is based on a variety of factors, including habitat types present, quality of habitat, diversity of biological resources present, potential to support sensitive biological resources, patch size, and connectivity to other high-quality habitat, among others.

As previously noted in the Local subsection of the Regulatory Setting section, no adopted Habitat Conservation Plan- or NCCP Plan-designated wildlife corridors or habitat linkages occur in or adjacent to the planning area. The Imperial County General Plan (Imperial County 2016), City of El Centro General Plan Environmental Impact Report (City of El Centro 2003), and El Centro General Plan (City of El Centro 2004) were reviewed to confirm the presence of designated habitat linkages and dispersal corridors in the planning area. These documents do not identify any areas in or surrounding the planning area as functioning as official or potential wildlife migration corridors or habitat linkages. Due to the agricultural and urban land uses present throughout most of the planning area, potential wildlife corridors and habitat connectors in the planning area can include cultivated lands, such as canals, ditches, roads, utility rights-of-way, and culverts under roadways.

The planning area is in the Pacific Flyway, the major migratory bird corridor of the western United States. Wildlife refuges in the County, such as the Salton Sea, which is north of the planning area, have been designated to provide rest stops along the annual migration routes for migratory bird species. The planning area is in the Pacific Flyway migratory corridor, and although the planning area is primarily developed with agricultural and urban/developed land uses, it has the potential to provide habitat for migratory birds traveling between nesting and wintering areas.

The planning area is not likely to be used as a movement corridor by wildlife other than migratory birds because it is primarily made up of urban/developed land, is surrounded by agricultural land, and is not connected to any other open space areas.

## Significance of Project Impacts

### Significance Criteria

Direct impacts to biological resources occur when they are altered or destroyed during or as a result of project implementation. Examples of such impacts include removing or grading vegetation, filling wetland habitat, or severing or physically restricting the width of wildlife corridors. Other direct impacts may include loss of foraging or nesting habitat and loss of individual species as a result of habitat clearing. Indirect impacts may include elevated levels of noise or lighting, change in surface water hydrology within a floodplain, and increased erosion or sedimentation. These types of indirect impacts can affect vegetation communities or their potential use by sensitive species. Permanent impacts may result in irreversible damage to biological resources. Temporary impacts are interim changes in the local environment due to construction and would not extend beyond project-associated construction, including revegetation of temporarily disturbed areas adjacent to native habitat.

Appendix G of the CEQA Guidelines (CEQA Guidelines, Section 15000 et seq.) defines “significant effect on the environment” as a “substantial, or potentially substantial adverse change in the environment.” Appendix G of the CEQA Guidelines further indicates that a significant effect on biological resources may occur if the project would:

1. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service.
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
3. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrologic interruption, or other means.
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

### Threshold 1: Sensitive Plant and Wildlife Species

#### *Guidelines for Determination of Significance*

A significant impact would result if the project would 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.

#### *Impact Analysis*

##### Sensitive Plant Species

Although the region provides habitat for a variety of sensitive plant species, most of the native plant habitat in the planning area has been replaced by agricultural land for food crop cultivation. The planning area consists primarily of urban/developed land and is surrounded by agricultural land; therefore, the sensitive plant species listed in Table 2 are not expected to occur in the planning area due to the lack of preferred or required habitats they need to exist. However, disturbed land occurs in the planning area that has the potential to support sensitive plant species that may not have been previously identified. Therefore, if sensitive plant species are present in the planning area but are not detected before project construction activities begin, significant direct and indirect impacts would result. Implementation of the project would result in potentially significant direct and indirect impacts to sensitive plant species.

##### Sensitive Wildlife Species

Although the region provides habitat for a variety of native and introduced species of wildlife, most of the native habitat in the planning area required to sustain large populations of wildlife has been replaced by agricultural land and food crop cultivation. All but one of the sensitive wildlife species listed in Table 3 have little to no potential to occur due to the highly developed and disturbed nature of the available space in the planning area. However, one species, the western burrowing owl, has adapted to frequently use highly cultivated and disturbed areas such as agricultural lands. Therefore, the disturbed portions of the planning area also have the potential to support sensitive wildlife species that may not have been previously identified. Therefore, if sensitive wildlife species are present in the planning area that are not detected before the start of project construction activities, significant direct and indirect impacts would result. Implementation of the project would result in potentially significant direct and indirect impacts to burrowing owl and other sensitive wildlife species.

## Nesting Birds

Implementation of the project has the potential to impact nesting birds. Activities such as vegetation clearing, grubbing, or trimming potentially harm active nesting birds or active nests. In addition to vegetation, impacts to nesting birds include noise and other disturbances due to the proximity of construction activities. Construction activities conducted during the bird and raptor breeding season (typically January 15 through August 31) could directly or indirectly impact nesting birds and raptors. Implementation of the project would result in potentially significant direct and indirect impacts to nesting birds and raptors.

### Threshold 2: Riparian Habitat or Other Sensitive Natural Community

#### *Guidelines for Determination of Significance*

A significant impact would result if the project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or USFWS.

#### *Impact Analysis*

The majority of the planning area is composed of agricultural and urban/developed lands. However, disturbed land occurs in the planning area that may have the potential to support small areas of sensitive vegetation communities, including non-native grassland, that may not have been previously identified. Therefore, if sensitive vegetation communities are present in the planning area but are not detected before project construction activities begin, significant direct and indirect impacts would result. Implementation of the project would result in potentially significant direct and indirect impacts to sensitive vegetation communities, including non-native grassland.

### Threshold 3: Jurisdictional Aquatic Resources

#### *Guidelines for Determination of Significance*

A significant impact would result if the project would have a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool, and coastal) through direct removal, filling, hydrologic interruption, or other means.

#### *Impact Analysis*

Approximately 82.1 acres of open water and canals occur in the planning area and are associated with the surrounding agricultural industry and residential development. These open water areas are located in both the northern and southern portions of the planning area. While it is unlikely that these aquatic resources areas would be impacted due to their function as essential water conveyance infrastructure for the agricultural industry in the City, aquatic resources delineations were not conducted for the project, and any potential impacts to these resources would require consultation with the USACE, RWQCB, and CDFW. Potential impacts to state or federal jurisdictional aquatic resources would be considered significant and require permits from the USACE, RWQCB, and CDFW. Aquatic resources delineations would be required for any impacts to potentially jurisdictional aquatic resources. Implementation of the project would result in potentially significant direct and indirect impacts to jurisdictional aquatic resources.

## Threshold 4: Wildlife Corridors and Habitat Linkages

### *Guidelines for Determination of Significance*

A significant impact would result if the project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

### *Impact Analysis*

The planning area falls within the Pacific Flyway migratory corridor, and although the planning area is primarily developed with agricultural and urban/developed lands, it has the potential to provide habitat for migratory birds traveling between nesting and wintering areas and for overwintering birds. Implementation of the project would result in potentially significant impacts to migratory birds.

The planning area is not likely to be used as a movement corridor by wildlife other than migratory birds because it lacks native vegetation communities, is primarily made up of urban/developed land uses, is surrounded by agricultural land, and is not connected to any other open space areas. Furthermore, no critical habitat is present in the planning area. Therefore, no impacts to corridors or nursery sites for wildlife other than migratory birds would occur from implementation of the project.

## Threshold 5: Local Policies or Ordinances

### *Guidelines for Determination of Significance*

A significant impact would result if the project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

### *Impact Analysis*

Projects in the City are required to comply with policies protecting biological resources identified in the Conservation/Open Space Element of the El Centro General Plan and the Conservation and Open Space Element of the Imperial County General Plan (City of El Centro 2004; Imperial County 2016). The Regulatory Setting section outlines the El Centro and Imperial County General Plan goals and policies related to biological resources.

As discussed under Threshold 3, the project would avoid or, if avoidance is not feasible, fully mitigate potential impacts to jurisdictional aquatic resources, thereby complying with the El Centro General Plan Goal 2, Policy 2.1, and Imperial County General Plan Goal 6, Objectives 6.1 through 6.11, related to conserving water resources.

As discussed under Thresholds 1 through 3, the project's potential impacts to sensitive plant and animal species, sensitive vegetation communities, and jurisdictional aquatic resources would be potentially significant before incorporation of mitigation. Therefore, with implementation of mitigation measures fully mitigating impacts to sensitive plant and animal species, sensitive vegetation communities, and jurisdictional aquatic resources discussed in the Proposed Mitigation section, the project would not conflict with the El Centro General Plan Goal 3, Policies 3.1 and 3.2, and Imperial County General Plan Goal 1, Objectives 1.1 through 1.6, Policies 1 and 2, or Goal 2, Objectives 2.1 through 2.6, regarding the protection of plant and animal species and sensitive vegetation communities in the planning area and the County.

No impacts related to conflicts with applicable policies or ordinances protecting biological resources would occur from implementation of the project.

## Threshold 6: Regional Conservation Planning

### *Guidelines for Determination of Significance*

A significant impact would result if the project would conflict with the provisions of an adopted Habitat Conservation Plan, NCCP Plan, or other approved local, regional, or state Habitat Conservation Plan.

### *Impact Analysis*

No Habitat Conservation Plan or NCCP Plan has been adopted in or adjacent to the planning area. Therefore, no impacts to local conservation plans would occur from the implementation of the project.

## Proposed Mitigation

The following biological resources mitigation measures would be implemented during construction of projects in the planning area.

### General Measures

- BIO-1: Qualified Biologist.** Before the start of construction, the project proponent shall submit written documentation to the City of El Centro for approval, stating that a qualified biologist has been retained to implement the project mitigation measures in areas designated as biologically sensitive during implementation of Mitigation Measure BIO-4. The qualified biologist shall be responsible for implementing project mitigation measures, coordinating and communicating requirements to the project proponents and the City of El Centro, and facilitating consultation with the wildlife and resource agencies as required.
- BIO-2: Contractor Training Program.** If sensitive biological resources are known to occur in or adjacent to the planning area, a project-specific contractor training program shall be developed and implemented to educate contractors about the sensitive biological resources on and adjacent to the planning area and the measures being implemented to avoid or minimize impacts to these resources. A qualified biologist shall develop and implement the contractor training program.
- BIO-3: Flagging, Fencing, and Demarcation.** The project proponent, in consultation with the qualified biologist, shall designate the limits of the construction area, where accessible, in the City of El Centro rights-of-way using fencing, signage, or stakes in the field and shall review the placement of fencing, signage, or stakes with the contractors in accordance with the construction plans. Aquatic resources within 50 feet of the construction area, where accessible and feasible, shall also be demarcated in the field and avoided by construction personnel and activity.

### Sensitive Plant Species

#### *Survey Requirements*

- BIO-4: Biological Resources Survey/Habitat Assessment.** For projects proposed in the City of El Centro General Plan planning area on undeveloped land, a site-specific biological resources survey shall be conducted during the project design phase. The biological resources survey shall be conducted by a qualified biologist and shall include but not be limited to the following:
- An analysis of available literature and biological databases, such as the California Natural Diversity Database, to determine sensitive biological resources that have been reported historically from the proposed project vicinity.
  - A review of current land use and land ownership within the project vicinity.

- An assessment and mapping of vegetation communities present within the project vicinity. If vegetation community mapping has not been conducted on the site in the previous 3 years, updated vegetation mapping shall be conducted by a qualified biologist as part of the project planning and environmental review process. Vegetation communities shall be mapped according to the Manual of California Vegetation at the alliance level, and a crosswalk table with Holland vegetation communities shall be provided.
- A general assessment of the potential for aquatic resources, including wetlands and riparian habitats, to occur on site.
- An evaluation of potential local and regional wildlife movement corridors.
- If the planning area supports vegetation communities that may provide habitat for plant or wildlife species, a focused habitat assessment conducted by a qualified biologist to determine the potential for sensitive plant or wildlife species to occur in or adjacent to the planning area.
- If the planning area supports sensitive vegetation communities, the project proponent shall implement the following weed control methods to minimize the establishment and spread of non-native and invasive weed species in the planning area during construction activities:
  - Seeds and plant materials used for revegetation shall be certified weed free.
  - Straw materials, such as those used for erosion control, shall be certified weed free.
  - If sensitive non-native grassland vegetation is identified during the biological resources survey, temporarily disturbed non-native grassland areas shall be revegetated with local native plant species as soon as construction is complete to reduce erosion and to inhibit the establishment of non-native and invasive weeds.

The results of the biological survey shall be presented in a biological survey letter report.

Implementation of Mitigation Measure BIO-5 would require sensitive plant species surveys in areas in the planning area identified to have suitable habitat during implementation of Mitigation Measure BIO-4.

**BIO-5: Sensitive Plant Species Surveys.** If one or more sensitive plant species has the potential to occur, focused species surveys shall be conducted before construction to determine the presence and absence of these species to adequately evaluate potential direct or indirect impacts to these species.

Sensitive plant species surveys shall be conducted by a qualified biologist retained by the City of El Centro during the appropriate season to detect species as part of the project design phase. Surveys shall be floristic in nature and include lists of the plants identified in the survey area. Surveys shall be conducted on foot, employing a level of effort sufficient to provide comprehensive coverage. The locations and prevalence (estimated total numbers and percent cover, as applicable) of sensitive plants shall be recorded. The sensitive plant species surveys shall be valid for 3 years.

If site-specific surveys are not required because a survey was conducted within the last 3 years, impact assessment and minimization and mitigation requirements shall be based on the most recent available survey. These requirements shall also include an analysis of the potential for sensitive plant species to occur on site based on existing site conditions and shall be consistent with the most recent U.S. Fish and Wildlife Service and California Department of Fish and Wildlife survey protocols.

If sensitive plant species are observed, they shall be avoided if possible. If species cannot be avoided, impacts shall be mitigated through conservation of habitat that supports the impacted species in accordance with Mitigation Measures BIO-1 through BIO-3.

## Sensitive Wildlife Species

### *Burrowing Owl*

Implementation of Mitigation Measure BIO-6 would require burrowing owl clearance surveys on project construction sites with disturbed land to reduce potential impacts to burrowing owl.

**BIO-6: Burrowing Owl Surveys.** A burrowing owl clearance survey shall be conducted before any ground-disturbing activities in accordance with the California Department of Fish and Wildlife 2012 Staff Report on Burrowing Owl Mitigation. Two preconstruction clearance surveys shall be conducted 14–30 days and 24 hours before ground-disturbing activities to document the continued absence of burrowing owl from the planning area. The burrowing owl surveys shall be valid for 1 year.

### *Nesting Birds*

Implementation of Mitigation Measure BIO-7 would require preconstruction nesting bird surveys to reduce potential impacts to nesting birds protected by the CFG Code and MBTA.

**BIO-7: Preconstruction Nesting Bird Surveys.** To the extent feasible, grubbing, trimming, or clearing of vegetation from the planning area shall not occur during the general bird nesting season (January 15 through September 15). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird nesting season, a qualified biologist shall perform a preconstruction nesting bird survey in the areas in the planning area with vegetation supporting nesting birds. Nesting bird surveys shall occur within 10 days before the start of vegetation clearing or grubbing to determine if active bird nests are present. If no active bird nests are identified in the planning area or within a 300-foot buffer of the planning area, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected in the planning area during the 10-day preconstruction survey, construction activities shall stay outside a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity. Once the young have fledged and a qualified biologist has determined the nest is inactive, normal construction activities can occur.

### *Construction Lighting*

Construction is expected to occur primarily during daylight hours. However, if night work is needed near sensitive biological resources, implementation of Mitigation Measure BIO-8 shall be implemented in the project construction areas to reduce potential nighttime lighting impacts to sensitive wildlife species to a less than significant level.

**BIO-8: Night Lighting.** If temporary night lighting is necessary during construction adjacent to sensitive vegetation communities, construction contractors shall ensure lights are directed away from sensitive vegetation communities and shielded to minimize temporary lighting of the surrounding habitat and should be of the lowest illumination necessary for human safety.

## Habitat Mitigation Requirements

### *Permanent Impacts*

If sensitive non-native grassland vegetation is identified during implementation of Mitigation Measure BIO-4, Mitigation Measure BIO-9, a mitigation ratio of 1:1, would be applied to reduce potentially significant impacts to sensitive non-native grassland vegetation to a less than significant level.

**BIO-9: Permanent Impacts to Non-Native Grassland.** Permanent impacts to sensitive non-native grassland shall be mitigated through the preservation of habitat, habitat creation, or enhancement, or a combination thereof, in the City of El Centro or off site through habitat acquisition and preservation or purchase of credits from an approved conservation bank. Mitigation for impacts to non-native grassland shall be in-kind using native grasses. Permanent impacts to sensitive non-native grassland shall be mitigated at a ratio of 1:1.

For on-site mitigation, a detailed Mitigation Plan shall be prepared before the start of construction (not applicable to mitigation met through the purchase of credits from an approved wetland mitigation bank). The Mitigation Plan shall include at a minimum the proposed location of the mitigation areas, site preparation, a plant palette, installation procedures, success criteria, fencing and signage, monitoring requirements, and other details of the habitat restoration effort and shall be prepared by a qualified biologist.

### *Temporary Impacts*

If sensitive non-native grassland vegetation is identified during implementation of Mitigation Measure BIO-4, Mitigation Measure BIO-10 shall be implemented for temporary impacts to sensitive non-native grassland. Temporary impacts to sensitive non-native grassland vegetation would be restored in place or elsewhere in the planning area at a mitigation ratio of 1:1 as described in Mitigation Measure BIO-10.

**BIO-10: Temporary Impacts to Non-Native Grassland.** Temporary impacts to non-native grassland shall be restored in place or elsewhere in the planning area at a 1:1 replacement ratio using native grass species.

A Revegetation Plan shall be prepared. The Revegetation Plan shall include site preparation specifications, a plant palette, installation procedures, development of reasonable success criteria, appropriate monitoring and reporting protocols, implementation timelines, and contingency measures in the event of restoration failure. The City of El Centro shall provide guidance for and oversight of the Revegetation Plan and implementation.

In the event that non-native grassland vegetation cannot be restored in place or elsewhere in the planning area after construction, these impacts shall be considered permanent, and Mitigation Measure BIO-9 shall be implemented.

### *Jurisdictional Aquatic Resources*

In the event that state- or federally protected jurisdictional aquatic resources are identified during implementation of Mitigation Measure BIO-4, Mitigation Measures BIO-11 and BIO-12 shall be implemented.

**BIO-11: Aquatic Resources Delineation.** If sensitive aquatic resources are identified on construction sites, a qualified biologist shall conduct an aquatic resources delineation following the methods outlined in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the U.S. Army Corps of Engineers Wetland Delineation Manual: Arid West Region to map the extent of wetlands and non-wetland waters, determine jurisdiction, and assess potential impacts. The results of the delineation shall be presented in an Aquatic Resources Delineation Report and shall be incorporated into the California Environmental Quality Act documents required for approval and permitting of the proposed project.

**BIO-12: Aquatic Resources Permitting.** If the project would impact sensitive aquatic resources, permits and authorizations shall be obtained from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Regional Water Quality Control Board. The regulatory agency authorizations would include impact avoidance and minimization measures and mitigation measures for unavoidable impacts. Specific avoidance and minimization measures and mitigation measures for impacts to

jurisdictional resources shall be determined through discussions with the regulatory agencies during the proposed project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement.

## Significance After Mitigation

Project implementation would result in potentially significant impacts to sensitive plant and wildlife species, nesting birds, sensitive vegetation communities, and jurisdictional aquatic resources.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to sensitive plant species from implementation of the project would be reduced to a less than significant level through the presence of a qualified biologist during construction in designated biologically sensitive areas; implementation of a contractor training program; and flagging, fencing, and demarcation of designated biologically sensitive areas. Implementation of Mitigation Measures BIO-4 and BIO-5 would reduce impacts to sensitive plant species through the conducting of biological resources surveys on undeveloped land in the planning area and sensitive plant species surveys in suitable habitats identified during Mitigation Measure BIO-4. Mitigation Measures BIO-9 and BIO-10 would reduce impacts to sensitive plant species that use non-native grassland habitat through off-site habitat acquisition for permanent impacts to non-native grassland and on-site restoration for temporary impacts to non-native grassland. With implementation of Mitigation Measures BIO-1 through BIO-4 and BIO-9 and BIO-10, direct and indirect impacts to sensitive plant species from implementation of the project would be reduced to a less than significant level.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to sensitive animal species from implementation of the project would be reduced to a less than significant level through the presence of a qualified biologist during construction in designated biologically sensitive areas; implementation of a contractor training program; and flagging, fencing, and demarcation of designated biologically sensitive areas. Implementation of Mitigation Measures BIO-4 and BIO-6 would reduce impacts to sensitive animal species by conducting biological resources surveys on undeveloped land in the planning area and burrowing owl surveys on project construction sites with disturbed land. Implementation of Mitigation Measures BIO-7 and BIO-8 would reduce impacts to sensitive animal species through preconstruction nesting bird surveys and limiting night lighting during construction. Mitigation Measures BIO-9 and BIO-10 would reduce impacts to sensitive animal species that use non-native grassland habitat through off-site habitat acquisition for permanent impacts to non-native grassland and on-site restoration for temporary impacts to non-native grassland. With implementation of Mitigation Measures BIO-1 through BIO-4 and BIO-6 through BIO-10, direct and indirect impacts to sensitive animal species from implementation of the project would be reduced to a less than significant level.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to sensitive vegetation communities from implementation of the project would be reduced to a less than significant level through the presence of a qualified biologist during construction in designated biologically sensitive areas; implementation of a contractor training program; and flagging, fencing, and demarcation of designated biologically sensitive areas. Implementation of Mitigation Measure BIO-4 would reduce impacts to sensitive vegetation communities by conducting biological resources surveys on undeveloped land in the planning area. Mitigation Measures BIO-9 and BIO-10 would reduce impacts to sensitive non-native grassland through off-site habitat acquisition for permanent impacts to non-native grassland and on-site restoration for temporary impacts to non-native grassland. With implementation of Mitigation Measures BIO-1 through BIO-4 and BIO-9 and BIO-10, direct and indirect impacts to sensitive vegetation communities from implementation of the project would be reduced to a less than significant level.

With implementation of Mitigation Measures BIO-1 through BIO-3, impacts to state or federally protected aquatic resources from implementation of the project would be reduced to a less than significant level through the presence of a qualified biologist during construction in designated biologically sensitive areas; implementation of a contractor training program; and flagging, fencing, and demarcation of designated biologically sensitive areas. Implementation of Mitigation Measure BIO-4 would reduce impacts to state or federally protected aquatic

resources by conducting biological resources surveys on undeveloped land in the planning area. Mitigation Measures BIO-11 and BIO-12 would be implemented to reduce impacts to state or federally protected aquatic resources by conducting aquatic resources delineation and aquatic resources permitting. With implementation of Mitigation Measures BIO-1 through BIO-4, BIO-11, and BIO-12, impacts to state or federally protected aquatic resources through direct removal, filling, hydrological interruption, or other means from implementation of the project would be reduced to a less than significant level.

With implementation of Mitigation Measures BIO-1 through BIO-12, impacts to sensitive biological resources from implementation of the project would be less than significant.

## References

- Calflora. 2021. Calflora Database. Accessed March 2021. <https://www.calflora.org/>.
- California Water Boards. 2018. "Salton Sea Transboundary Watershed." Last updated January 24. Accessed March 2021. [https://www.waterboards.ca.gov/coloradoriver/water\\_issues/programs/wmi/priority\\_watershed.html#:~:text=The%20Salton%20Sea%20Transboundary%20Watershed,the%20Region's%20impaired%20surface%20waterbodies.](https://www.waterboards.ca.gov/coloradoriver/water_issues/programs/wmi/priority_watershed.html#:~:text=The%20Salton%20Sea%20Transboundary%20Watershed,the%20Region's%20impaired%20surface%20waterbodies.)
- CDFG (California Department of Fish and Game) and Western Field Ornithologists. 2008. "Chapter II: Species Accounts: Burrowing Owl (*Athene cunicularia*)." In California Bird Species of Special Concern: A Ranked Assessment of Species, Subspecies, and Distinct Populations of Birds of Immediate Conservation Concern in California. Studies of Western Birds 1, Burrowing Owl Species Account. Prepared by Jennifer A. Gervais, Daniel K. Rosenberg, and Lyann A. Comrack, authors, and David Shuford and Thomas Gardali, eds. Accessed March 2021. <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=10405&inline>.
- CDFG (California Department of Fish and Game). 1993a. Southern California Coastal Sage Scrub NCCP Process Guidelines. Amended November.
- CDFG. 1993b. Southern California Coastal Sage Scrub NCCP Conservation Guidelines. August.
- CDFG. 1998. Natural Communities Conservation Planning General Process Guidelines.
- CDFW (California Department of Fish and Wildlife). 2016. Natural Communities Conservation Planning General Process Guidelines. Amended January 1.
- CDFW. 2021. California Natural Diversity Database (CNDDDB), RareFind 5, commercial version dated May 1, 2020. Accessed March 2021. <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>.
- City of El Centro. 2003. City of El Centro General Plan Environmental Impact Report. September.
- City of El Centro. 2004. El Centro Final General Plan. February.
- CNPS (California Native Plant Society). 2021. Inventory of Rare and Endangered Plants. Online edition, v8-03 0.39. Accessed March 2021. <http://www.rareplants.cnps.org>.
- Cowardin, L.M., V. Carter, F.C. Golet, E.T. LaRoe. 1992. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior – Fish and Wildlife Service. December 1979. Reprinted 1992.
- eBird. 2021. "eBird Explore." Accessed March 2021. <https://ebird.org/explore>.
- Holland, Robert F. 1986. Preliminary Descriptions of the Terrestrial Natural Communities of California. California Department of Fish and Game. October.

Imperial County. 2016. Imperial County General Plan. March 8.

iNaturalist. 2021. "Burrowing Owl Observations, El Centro, CA." Accessed March 2021. [https://www.inaturalist.org/observations?nelat=32.8178510265443&nelng=-115.5181059255527&place\\_id=any&swlat=32.75444198877835&swlng=-115.5949490756072&taxon\\_id=19975](https://www.inaturalist.org/observations?nelat=32.8178510265443&nelng=-115.5181059255527&place_id=any&swlat=32.75444198877835&swlng=-115.5949490756072&taxon_id=19975).

NOAA (National Oceanic and Atmospheric Administration). 2021. "El Centro, Naval Air Facility (KNJK)." NOAA National Weather Service. Accessed March 2021. <https://forecast.weather.gov/MapClick.php?site=psr&textField1=32.8200&textField2=-115.6807&zone=1>.

USACE (U.S. Army Corps of Engineers). 1987. Corps of Engineers Wetlands Delineation Manual. Final. Wetlands Research Program Technical Report Y-87-1. Online edition. Prepared by Environmental Laboratory, U.S. Army Corps of Engineers, Waterways Experiment Station. Wetlands Research Program. January. Accessed March 2021. <https://www.lrh.usace.army.mil/Portals/38/docs/USACE%2087%20Wetland%20Delineation%20Manual.pdf>.

USDA (U.S. Department of Agriculture). 2021. Web Soil Survey. Natural Resources Conservation Service, Soil Survey Staff. Last modified July 31, 2019. Accessed March 2021. <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>.

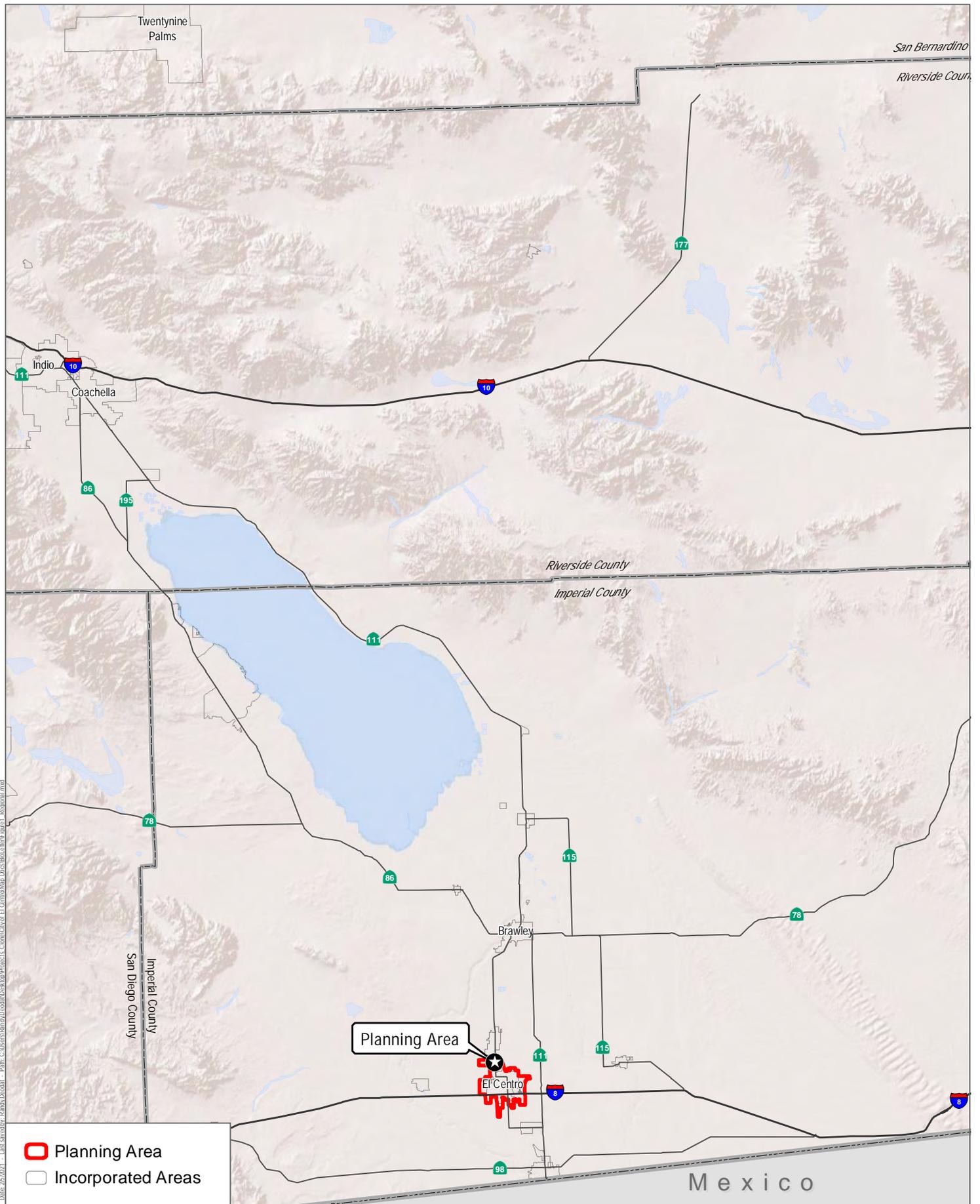
USFWS (U.S. Fish and Wildlife Service). 2021a. Information for Planning and Consultation Database. Accessed March 2021. <https://ecos.fws.gov/ipac/location/VYC7O2UW3VEMNCWJPGVZBTDW64/resources>.

USFWS. 2021b. National Wetland Inventory Wetlands Mapper. Last updated October 1. Accessed March 2021. <https://www.fws.gov/wetlands/Data/Mapper.html>.

## **Attachment 1. Figures**

---

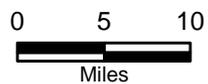
*This page intentionally left blank.*



Source: ESRI 2020.

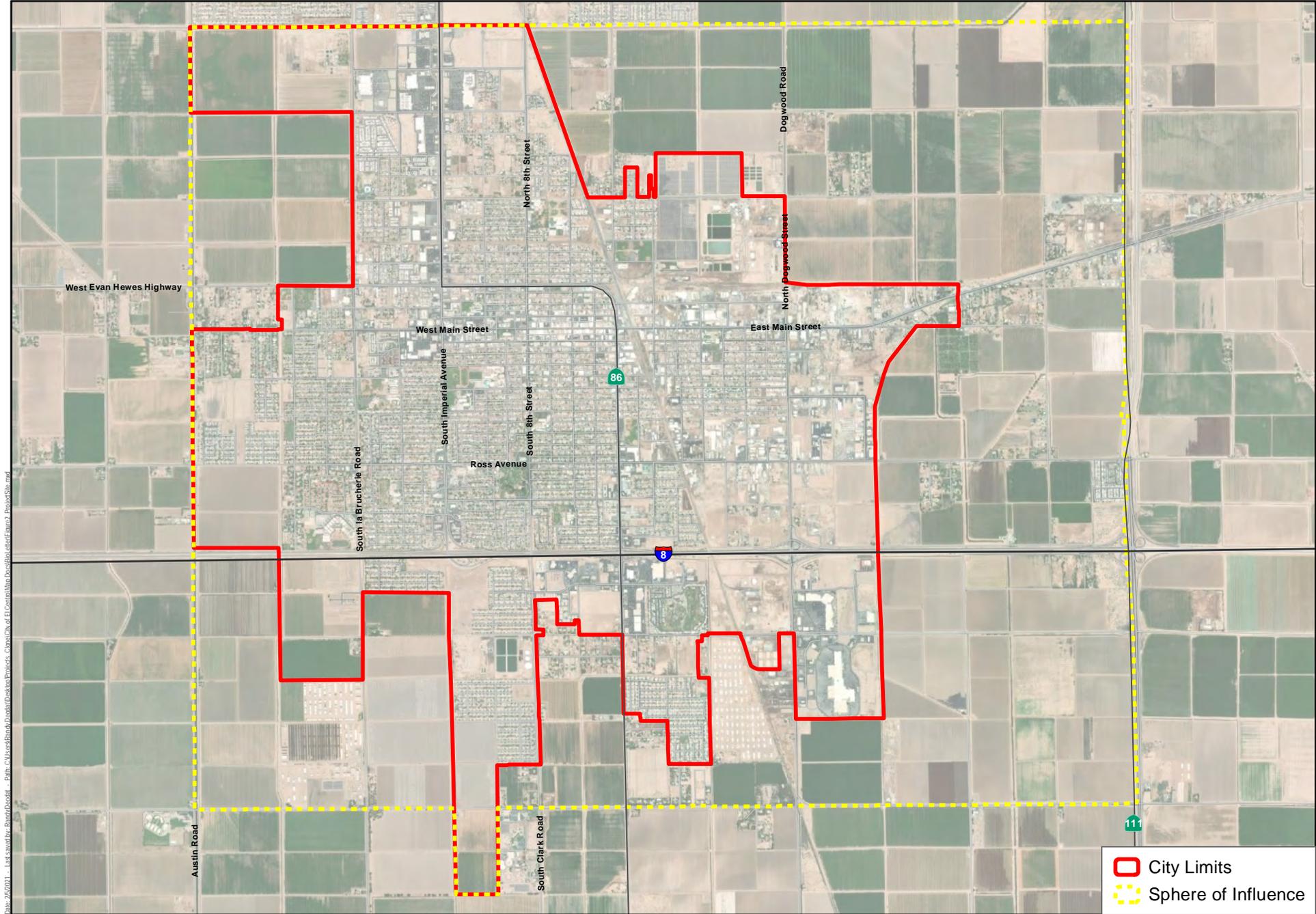


Harris & Associates



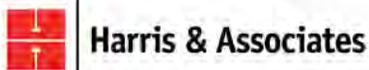
# Figure 1

Regional Location  
El Centro General Plan Update

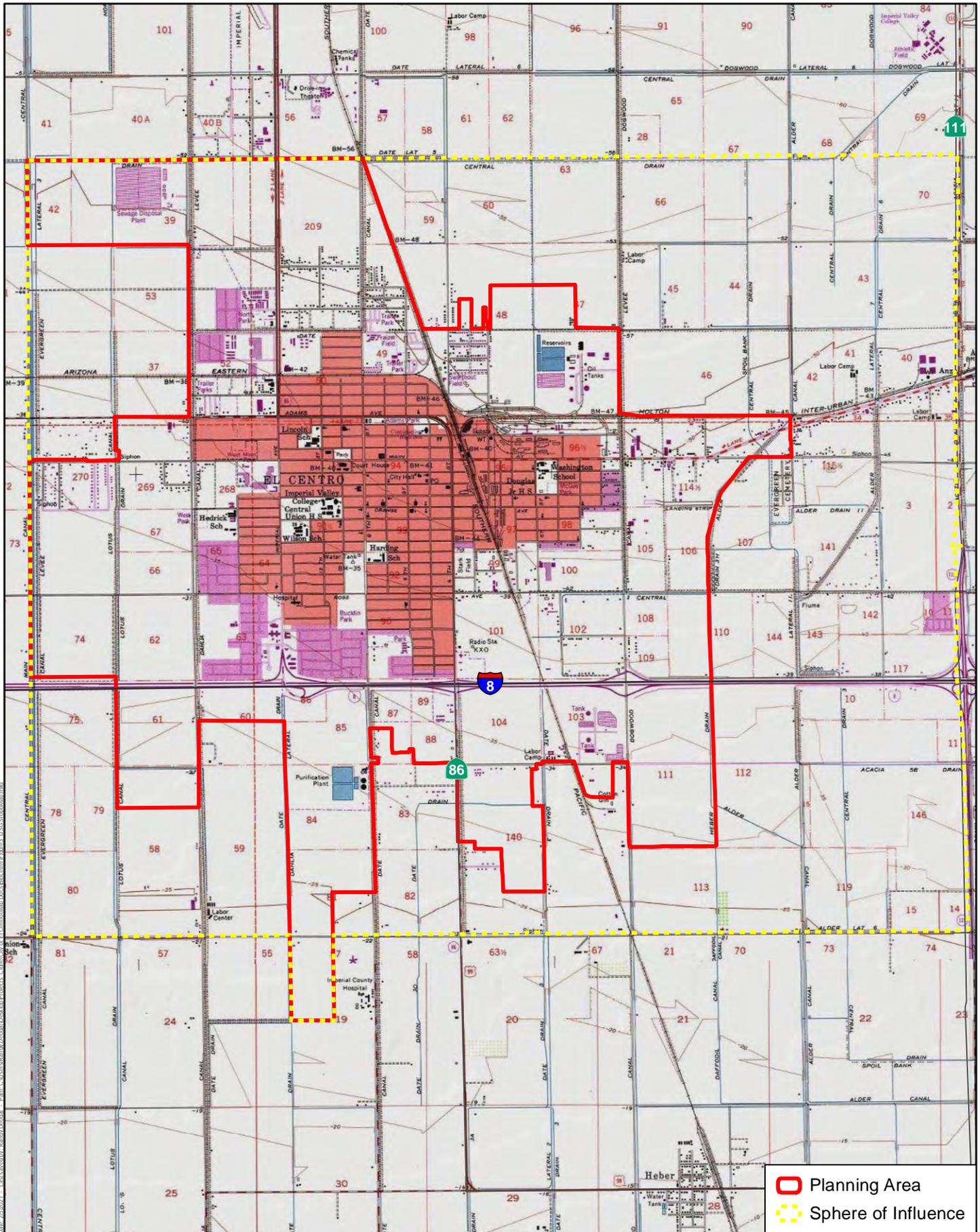


Date: 2/20/2021... Last saved by: BarryVasdek... Path: C:\Users\BarryVasdek\Desktop\Projects - Cities\City of El Centro\Map Docs\Ball et al\Fig2\_PlanetSib.mxd

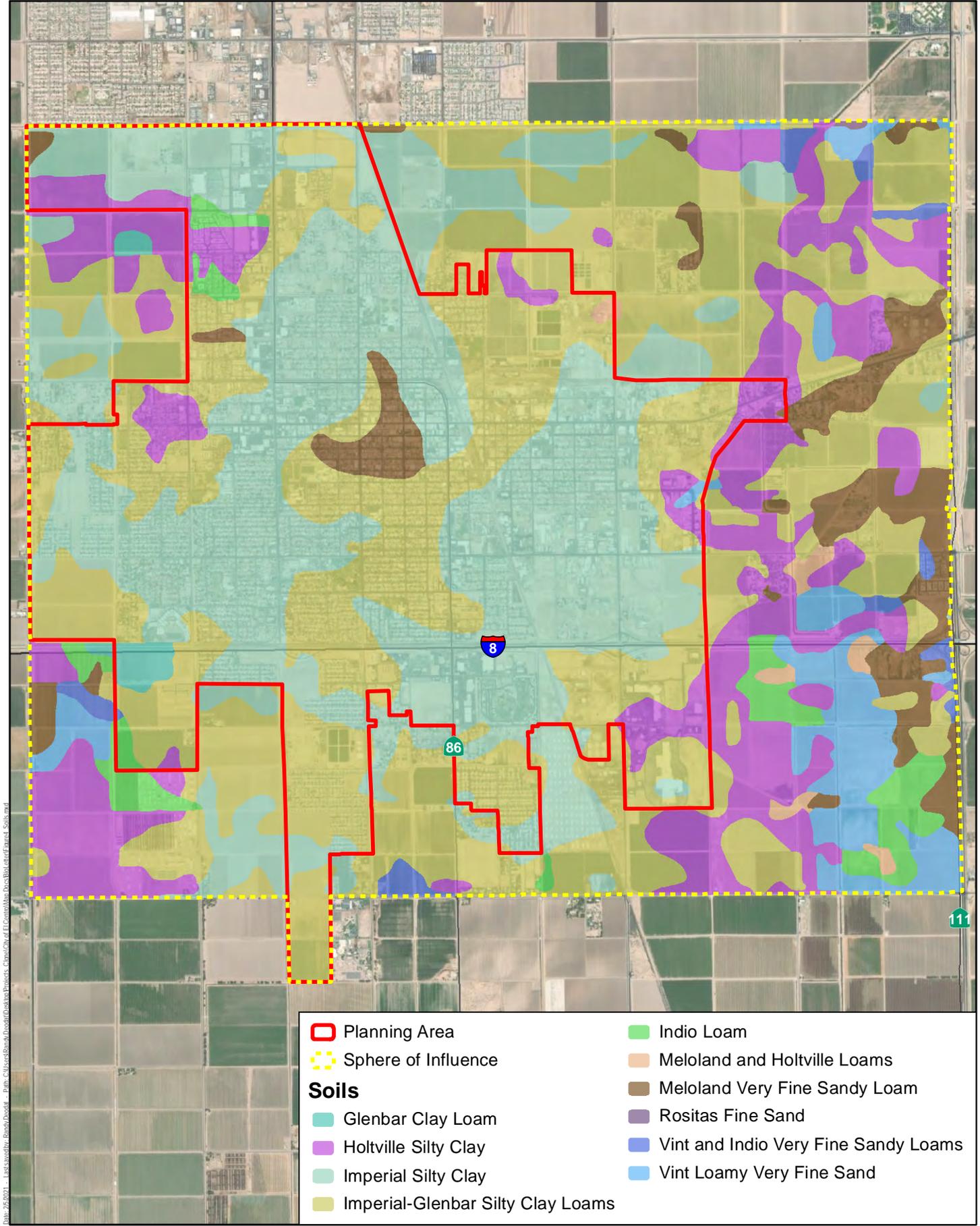
Source: Maxar Imagery 2019.



**Figure 2**  
 Planning Area  
 El Centro General Plan Update

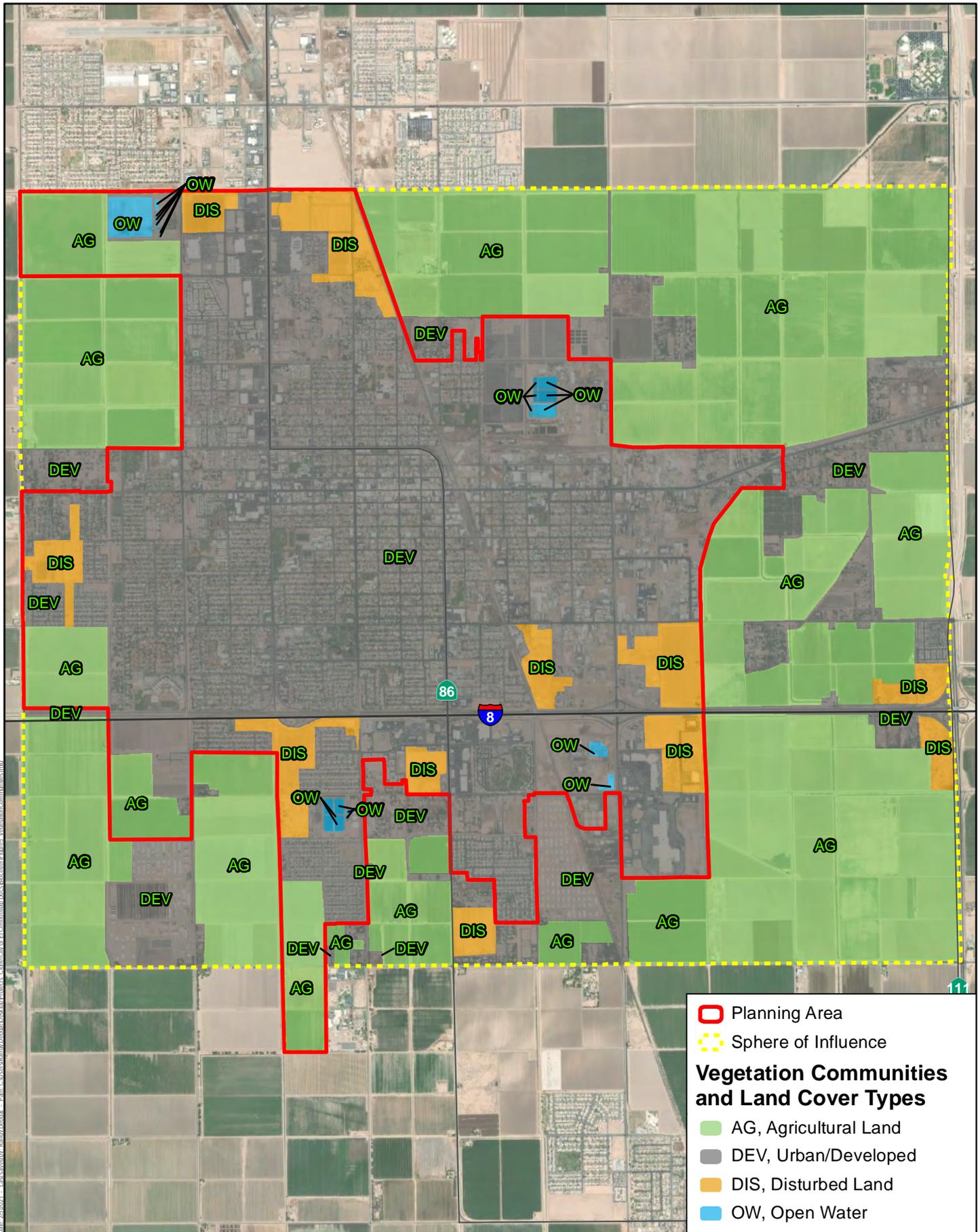


Source: USGS 7.5 Minute Herber and El Centro Quadrangles 1959, 1979.

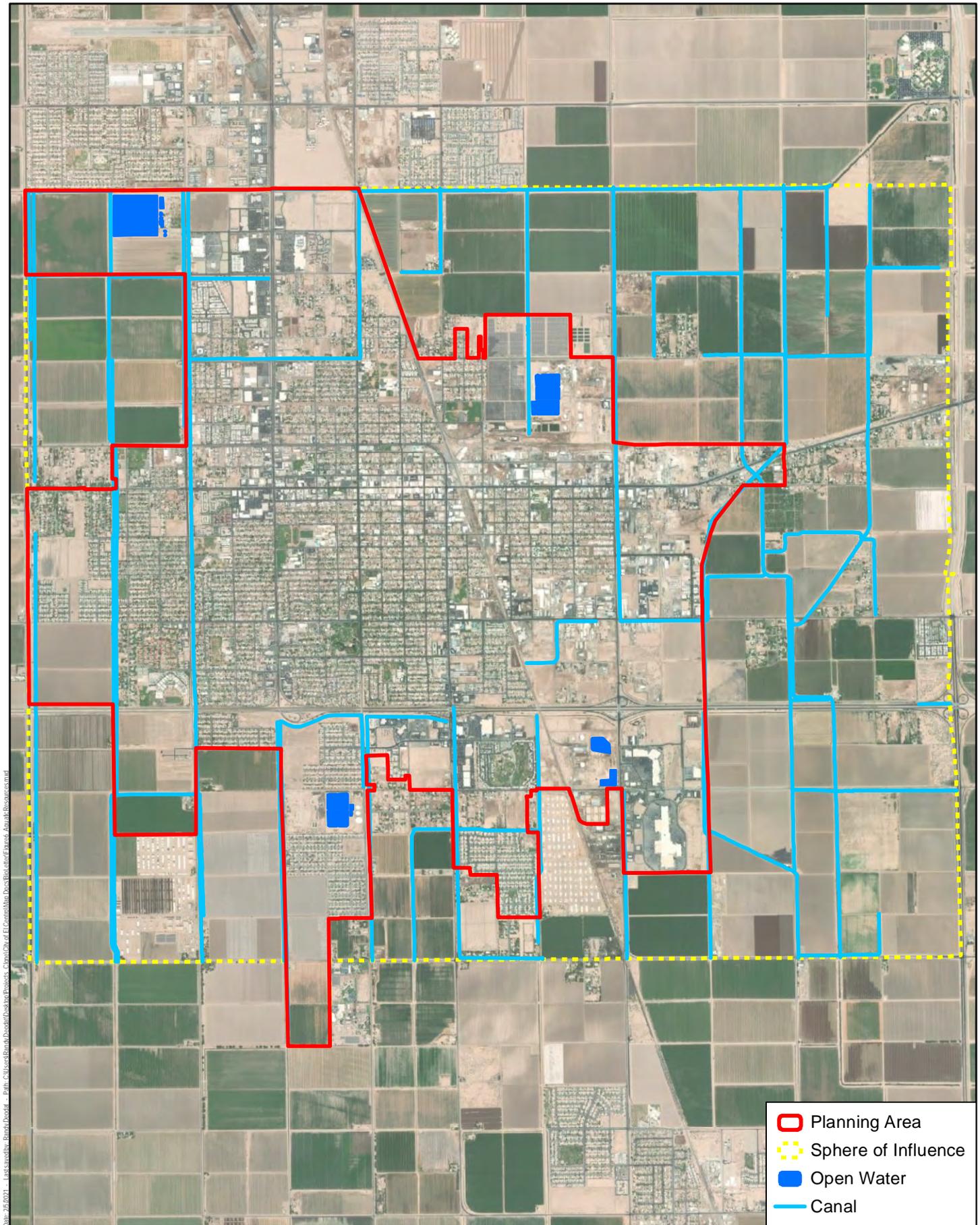


Date: 2/2/2021, Last saved by: Barry D'Amico - Path: C:\Users\Barry\Desktop\Projects - Cities\City of El Centro\Map Docs\Ballfield\Export\_Soils.mxd

Source: USDA 2008; Maxar Imagery 2019.



Source: USDA 2008; Maxar Imagery 2019.



Date: 2/2/2021 - Last saved by: Barry D'Amico - Path: C:\Users\Barry\Documents\El Centro\Map Docs\Ball et al\El Centro\_Aquatic Resources.mxd

- ▭ Planning Area
- - - Sphere of Influence
- Open Water
- Canal

Source: NHD 2020; Maxar Imagery 2019.