

Appendix B

Biological Resources Technical Report

Biological Resources Technical Report
Highway 86 Water Transmission Main
Phases 3 and 4 Project

Imperial and Riverside Counties, California



Prepared for:

Coachella Valley Water District
75-515 Hovley Lane East
Palm Desert, CA 92211

Prepared by:

Dokken Engineering
110 Blue Ravine Road, Suite 200
Folsom, California 95630

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List of Abbreviations

°F	Fahrenheit
BIA	Bureau of Indian Affairs
BMPs	Best Management Practices
BRTR	Biological Resources Technical Report
BSA	Biological Study Area
Cal-IPC	California Invasive Plant Council
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFG	California Fish and Game
CFR	Code of Federal Regulations
CGP	Construction General Permit
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CVCC	Coachella Valley Conservation Commission
CVWD	Coachella Valley Water District
CWA	Clean Water Act
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmentally Sensitive Area
FESA	Federal Endangered Species Act
IPaC	Information for Planning and Consultation
ITP	Incidental Take Permit
MBTA	Migratory Bird Treaty Act
MSHCP	Coachella Valley Multiple Species Habitat Conservation Plan
NCCP	Natural Community Conservation Plan
NEPA	National Environmental Policy Act
NPDES	National Pollution Discharge Elimination System
NWS	National Weather Service
OHWM	Ordinary High-Water Mark
Project	Highway 86 Water Transmission Main Phases 3 and 4 Project
ROW	Right of Way
RWQCB	Regional Water Quality Control Board
SSC	Species of Special Concern
SWRCB	State Water Resources Control Board
TMDL	Total Maximum Daily Load
U.S.	United States
U.S.C.	United States Code
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WDR	Wastewater Discharge Requirement
WOTUS	Waters of the United States

Executive Summary

The Coachella Valley Water District (CVWD) proposes to complete the Highway 86 Water Transmission Main Phases 3 and 4 (Project) by installing approximately 15.4 miles of 24-inch diameter ductile iron pipe water transmission main from Oasis, California, to Salton City, California.

This Biological Resources Technical Report (BRTR) is a review and evaluation of the potential impacts to threatened, endangered, proposed listed, or sensitive species and protected habitat resources that may result from the proposed Project. General biological surveys were conducted within a Biological Study Area (BSA) which encompasses the project centerline plus an approximate 25-foot buffer along either side of the proposed pipeline. The BSA totals approximately 185.98 acres.

Literature and database research, habitat assessments, and field surveys were conducted to determine the potential for special status species to occur within the Project area. Special status species include any plant or animal species listed by a state or federal agency or by one or more special interest groups, such as the California Native Plant Society (CNPS). Based on literature review, biological surveys, and habitat assessments, six special status wildlife species have the potential to occur within the Project area, including burrowing owl (*Athene cunicularia*), LeConte's thrasher (*Toxostoma lecontei*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), western yellow bat (*Lasiurus xanthinus*), Colorado Desert fringe-toed lizard (*Uma nonata*), and flat-tailed horned lizard (*Phrynosoma mcallii*). These species are further discussed in Chapter 4. No state or federally listed species are anticipated to occur within the Project area; as such, consultation with the United States (U.S.) Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) regarding listed species is not required.

An analysis was conducted to assess any biological resources within the Project area that may be impacted by the Project. The proposed pipeline alignment crosses a total of 38 desert washes that provide ephemeral aquatic habitat within the Project area and are considered Waters of the State. No permanent impacts to sensitive habitat communities will result from this Project; however, the Project is anticipated to temporarily impact approximately 3.32 acres of desert wash habitat. The following permits, related to waters, will be obtained for the Project: a Waste Discharge Requirement (WDR) from the Regional Water Quality Control Board (RWQCB), a National Pollutant Discharge Elimination System (NPDES) Construction General Permit from RWQCB, and a §1602 Streambed Alteration Agreement from the CDFW. Specific impacts to each channel throughout the alignment are detailed in Chapter 4.

The proposed Project is subject to compliance with the California Environmental Quality Act (CEQA); CVWD represents the Project proponent and is the CEQA lead agency. In addition, the project alignment crosses allotted Native American land and the Bureau of Indian Affairs (BIA) will need to grant discretionary approval for the project to move forward on these parcels. BIA will be a National Environmental Policy Act (NEPA) lead agency for this project.

Chapter 1. Introduction

The CVWD proposes to install a 24-inch water transmission main from Oasis, California to Salton City, California as part of the Highway 86 Water Transmission Main Phases 3 and 4 Project in Riverside County and Imperial County, California. The Project spans approximately 15 miles and occurs roughly adjacent to Highway 86 (Figure 1. Project Vicinity; Figure 2. Project Location). The Project area occurs within the Oasis (3311641), Seventeen Palms (3311631), and Truckhaven (3311538) quadrangles of the U.S. Geological Survey (USGS) 7.5-minute topographic maps as it moves southward adjacent to Highway 86.

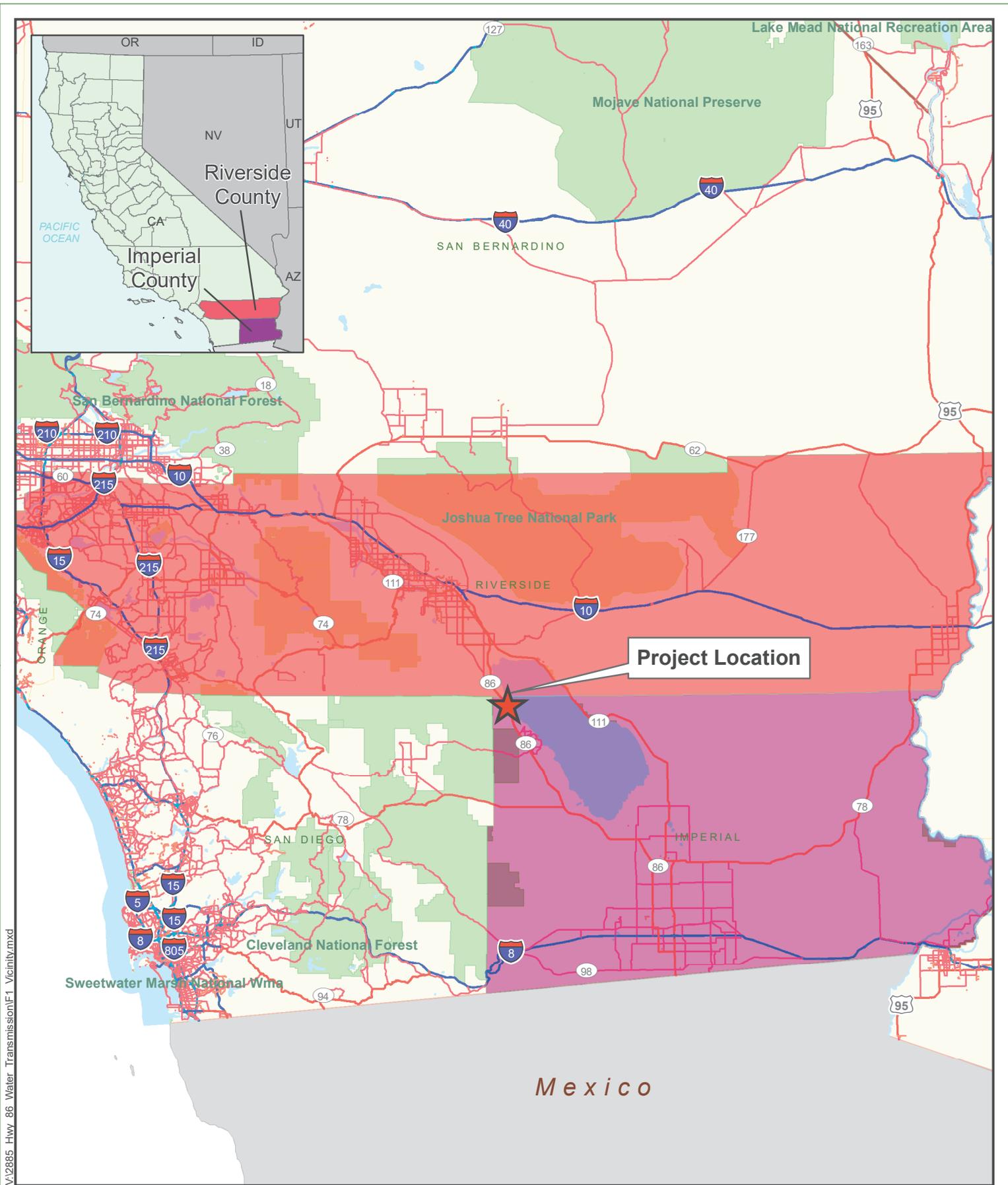
1.1 Project Description

The proposed water transmission main will replace the existing 16-inch and 18-inch domestic water distribution line along Highway 86 for the communities of Salton Sea Beach, Desert Shores, Salton City, and unincorporated areas in Riverside and Imperial Counties on the west side of the Salton Sea. The existing 16-inch and 18-inch diameter line no longer meets the needs of the community and segments of the pipeline are beginning to deteriorate and are in need of replacement.

The proposed 24-inch ductile iron pipeline will be approximately 15.4 miles long and will connect to the existing water distribution network west of Highway 86 at the intersection of Lincoln Street and 84th Avenue (Figure 2. Project Location). The pipeline will follow 84th Avenue east for approximately one mile before turning southward, where it will run roughly parallel to southbound Highway 86. Near Postmile 61, approximately one mile south of the Red Earth Casino, the proposed pipeline will turn east for approximately 0.75 miles, then continue south along Lesser Drive. The pipeline will then intersect and run parallel to southbound Highway 86 for approximately 3 more miles. Upon reaching Golden Avenue, the pipeline will cut west and terminate at Reservoir 1092, a CVWD facility.

Pipeline construction may consist of both open trench and subsurface boring. The pipeline will be installed with a minimum of four feet of earthen cover. Vertical deflections and restrained joints will be installed where the proposed pipeline crosses other utilities including irrigation mains, agricultural drain lines, storm drain culverts, and buried telephone lines. In-line valves will be installed at half-mile intervals and crosses to accommodate future connections that may be implemented along the alignment. The pipeline will be placed in polyethylene wrap to protect the pipeline from the mildly corrosive soils.

The proposed Project is subject to compliance with CEQA; CVWD is both the Project proponent and CEQA lead agency. In addition, the Project alignment crosses allotted Native American land and the BIA will need to grant discretionary approval for the project to move forward on these parcels. BIA will be a NEPA lead agency for this project.



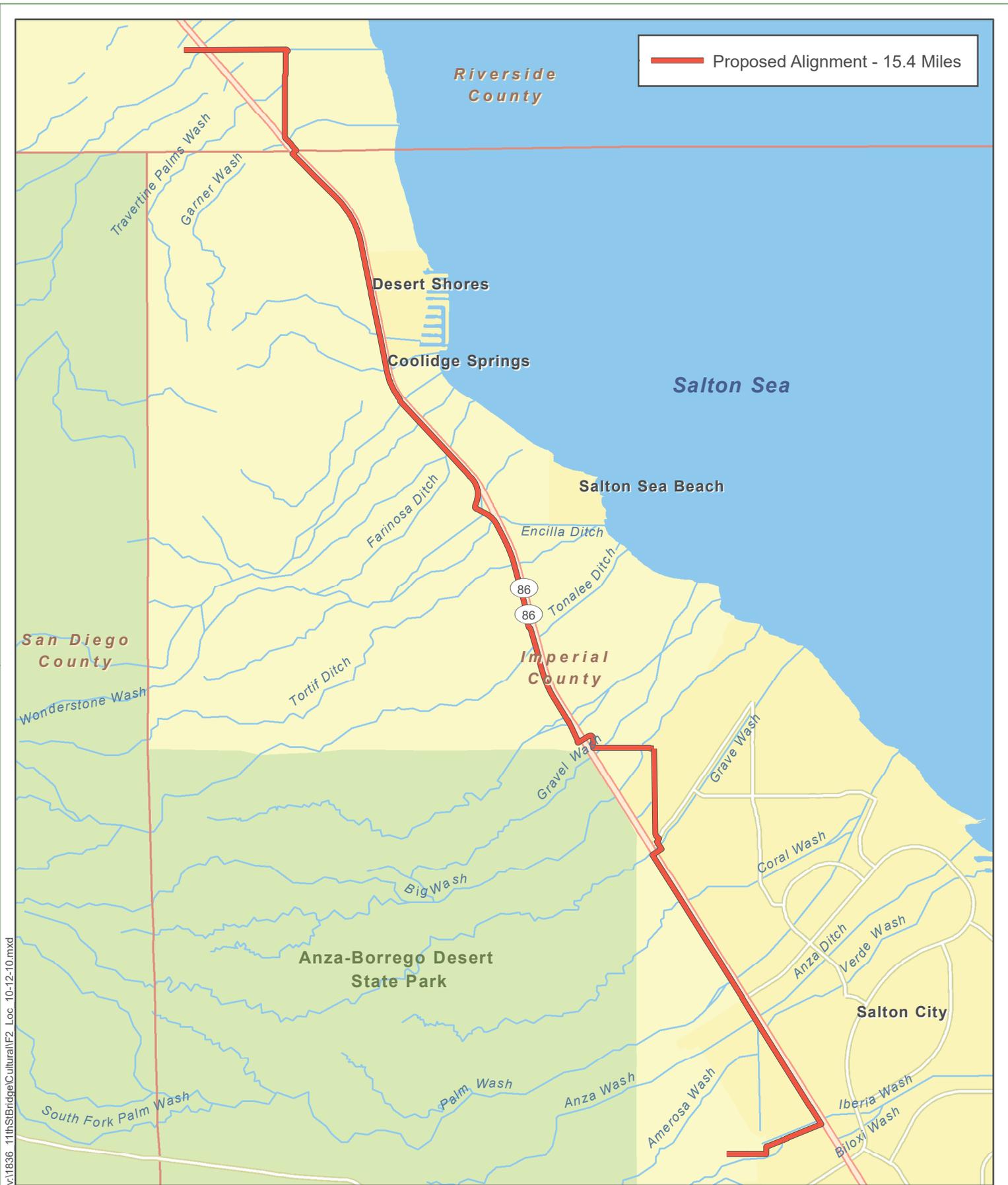
V:\2885 Hwy 86 Water Transmission\F1 Vicinity.mxd

Source: ESRI 2008; Dokken Engineering 2/2/2023; Created By: vchevreuil



0 10 20 30
Miles

FIGURE 1
Project Vicinity
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phase 3 and 4
 Riverside and Imperial Counties, California



— Proposed Alignment - 15.4 Miles

v:\1836_11thSt\Bridges\Cultural\F2_Loc_10-12-10.mxd

Source: ESRI World Street Maps Online; Dokken Engineering 3/6/2024; Created By: vchevreuil



FIGURE 2
Project Location
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phase 3 and 4
 Riverside and Imperial Counties, California

Chapter 2. Study Methods

2.1 Regulatory Requirements

This section describes the general federal, state, and local plans, policies, and laws that are relevant to biological resources within the Project area. Applicable approvals that could be required before construction of the Project is provided in Chapter 5.

2.1.1 Federal Regulations

National Environmental Policy Act

NEPA provides an interdisciplinary framework for environmental review by federal agencies and contains specific requirements to ensure that federal agency decisions take environmental factors into account. NEPA is applicable when a federal agency proposes an action, grants a permit, grants discretionary approval, or agrees to fund or otherwise authorize any other entity to undertake an action that could possibly affect environmental resources. The project alignment crosses allotted Native American land and the BIA will need to grant discretionary approval for the project to move forward on these parcels. BIA will be a NEPA lead agency for this project.

Clean Water Act

The CWA was enacted as an amendment to the Federal Water Pollutant Control Act of 1972, which outlined the basic structure for regulating discharges of pollutants to Waters of the U.S. The CWA serves as the primary federal law protecting the quality of the nation's surface waters, including lakes, rivers, and coastal wetlands. The CWA empowers the U.S. Environmental Protection Agency (EPA) to set national water quality standards and effluent limitations and includes programs addressing both point-source and non-point-source pollution for all Waters of the United States.

Section 401

On May 25, 2023 the U.S. Supreme Court issued its ruling on the Sackett v. EPA case redefining Waters of the United States (WOTUS). The ruling limits the scope of WOTUS to only those "wetlands with a continuous surface connection to bodies that are WOTUS in their own right." In addition, the Court's decision also holds that "only those relatively permanent, standing or continuously flowing bodies of water forming geographic features that are described in ordinary parlance as streams, oceans, river, and lakes" are considered WOTUS. The RWQCB has jurisdiction under Section 401 of the CWA and regulates any activity which may result in a discharge to WOTUS.

The Project Area contains numerous ephemeral channels that drain directly into the Salton Sea. Prior to the Sackett ruling, these channels would have been considered WOTUS; however, under the new rules, ephemeral channels are not considered relatively permanent, standing, or continuously flowing and these channels are no longer considered WOTUS. As such, CWA protections and regulations no longer apply to any waters within the Project Area.

Section 402

Construction General Permit (CGP) (Order No. 2009-0009-DWQ, as amended by 2010-0014-DWQ and 2012-0006-DWQ), became effective on February 14, 2011 and July 17, 2012, respectively. The permit regulates stormwater discharges from construction sites which result in a land disturbance of equal to or greater than one acre, and/or are smaller sites that are part of a

larger common plan of development. For all projects subject to the CGP, applicants are required to develop and implement an effective Stormwater Pollution Prevention Plan (SWPPP) as a condition of their NPDES permit.

By law, all stormwater discharges associated with construction activity, including, but not limited to, clearing, grading, grubbing or excavation, or any other activity that results in a land disturbance of equal to or greater than one acre must comply with the provisions of the CGP. Construction activity that results in soil disturbances of less than one acre is subject to this CGP if there is potential for significant water quality impairment resulting from the activity as determined by the RWQCB. Operators of regulated construction sites are required to develop a SWPPP; to implement sediment, erosion, and pollution prevention control measures; and to obtain coverage under the CGP.

Executive Order 13112: Prevention and Control of Invasive Species

Executive Order (EO) 13112 (signed February 3, 1999) directs all federal agencies to prevent and control introductions of invasive species in a cost-effective and environmentally sound manner. The EO requires consideration of invasive species in the NEPA analyses, including their identification and distribution, their potential impacts, and measures to prevent or eradicate them.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S. Code 703-712), as amended, was enacted to preserve the populations of all protected migratory bird species based on the four cooperative international treaties the U.S. entered with Canada in 1916, Mexico in 1936, Japan in 1972, and Russia in 1976.

Within the MBTA, take is defined as “the action of or attempt to pursue, hunt, shoot, capture, collect, or kill” (50 Code of Federal Regulations [CFR] 10.12) and includes intentional take (i.e., take that is the purpose of the activity in question) and unintentional take (i.e., take that results from, but is not the purpose of, the activity in question). The MBTA prohibits any take of protected migratory bird species without prior authorization by the USFWS.

2.1.2 State Regulations

California Environmental Quality Act

The CEQA is a state law created to inform governmental decision-makers and the public about the potential, significant environmental effects of proposed activities and to work to reduce these negative environmental impacts. CVWD is the CEQA lead agency for this Project.

Section 1600: Streambed Alteration Agreement

Under CFG Code 1602, public agencies are required to notify CDFW before undertaking any project that will divert, obstruct, or change the natural flow, bed, channel, or bank of any river, stream, or lake. Preliminary notification and project review generally occurs during the environmental process. When an existing fish or wildlife resource may be substantially adversely affected, CDFW is required to propose reasonable project changes to protect the resources. These modifications are formalized in a Streambed Alteration Agreement that becomes part of the plans, specifications, and bid documents for the project.

Section 3513: Migratory Birds

CFG Code §3513 prohibits the take or possession of any migratory non-game bird as designated in the MBTA or any part of such migratory non-game bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Section 3503 and 3503.5: Bird and Raptors

CFG Code §3503 prohibits the destruction of bird nests and §3503.5 prohibits the killing of raptor species and destruction of raptor nests.

Porter-Cologne Water Quality Control Act

California's Porter-Cologne Act, enacted in 1969, provides the legal basis for water quality regulation within California. The act requires a "Report of Waste Discharge" for any discharge of waste (liquid, solid, or gaseous) to land or surface waters that may impair beneficial uses for surface and/or groundwater of the state. It predates the CWA and regulates discharges to waters of the state. Discharges under the Porter-Cologne Act are permitted via WDRs.

The RWQCBs are responsible for establishing the water quality standards (objectives and beneficial uses) required by the CWA and regulating discharges to ensure compliance with the water quality standards. Details regarding water quality standards in a project area are contained in the applicable RWQCB Basin Plan. In California, Regional Boards designate beneficial uses for all water body segments in their jurisdictions, and then set criteria necessary to protect these uses. Consequently, the water quality standards developed for particular water segments are based on the designated use and vary depending on such use. In addition, the SWRCB identifies waters failing to meet standards for specific pollutants, which are then state-listed in accordance with CWA Section 303(d). If a state determines that waters are impaired, and the standards cannot be met through point source or non-source point controls (NPDES permits or WDRs), the CWA requires the establishment of Total Maximum Daily Loads (TMDLs) which specify allowable pollutant loads from all sources (point, non-point, and natural) for a given watershed.

2.1.3 Local Regulations

Coachella Valley Multiple Species Habitat Conservation Plan

The northern extent of the proposed Project falls within the Plan Area of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). The CVMSHCP encompasses the entire Coachella Valley and was designed to provide a streamlined pathway for the issuance of environmental permits and take authorization of threatened and endangered species covered under the CVMSHCP. The purpose of the CVMSHCP is to maximize environmental protection and mitigate impacts to state and federally listed species while also achieving development objectives for the region. The CVWD is a Local Permittee to the CVMSHCP.

Although approximately 14.4 acres (7.7%) of the Project are located within the CVMSHCP area, the Project area does not occur within any of the Plan's designated Conservation Areas (CVCC 2007). In addition, the Highway 86 Water Transmission Main Phase 2 environmental document evaluated the segment of the pipeline within Riverside County and found it to be a Covered Activity and consistent with the CVMSHCP. The Project continues to qualify as a Covered Activity as outlined under Section 7.1 of the CVMSHCP. Take of federally and/or state listed species is not anticipated to result from this Project; as such, coordination for take authorization under the

Plan's Section 10(a) Permit and Natural Community Conservation Plan (NCCP) Permit is not anticipated. No other MSHCPs are applicable to this Project.

2.2 Resource Identification Efforts

2.2.1 Literature Search

Prior to field work, literature research was conducted through the USFWS Information for Planning and Consultation (IPaC) (Appendix A. USFWS Species List), the CDFW California Natural Diversity Database (CNDDDB) (Appendix B. CNDDDB Species List), and the CNPS Electronic Inventory of Rare and Endangered Plants (Appendix C. CNPS Species List), to identify habitats and special-status species having the potential to occur within the Project area. Section 3.2 of this report provides a comprehensive list of the species generated from the online database searches and presents specific characteristics, habitat requirements, and potential for occurrence for each species.

2.2.2 Field Surveys

Prior to field surveys, a Biological Study Area (BSA) was defined as the proposed center line plus a 50-foot buffer. Field study methods consisted of walking meandering transects through the BSA, observing and mapping the boundary of vegetation communities, compiling notes on observed flora and fauna, photographing the site, and assessing the potential for existing habitat to support sensitive plants and wildlife species. All plant and wildlife observations were recorded and are discussed in Chapter 3.

In addition, Dokken biologists conducted delineations of the Waters of the U.S. and State following the technical methods outlined in *A Field Guide to the Identification of the Ordinary High-Water Mark (OHWM) in the Arid West Region of the Western United States* (Lichvar 2008). A follow up delineation was completed in 2024 to map resources that were inaccessible during the 2022 surveys. Biological field studies and jurisdictional delineations were conducted between April 25 and April 27, 2022 by Dokken biologists Hanna Sheldon and Vincent Chevreuil. Supplemental jurisdictional delineations were conducted on February 9, 2024 by Dokken biologists Vincent Chevreuil and Jeff Harris. Following field delineations, ephemeral washes were found to not be waters of the U.S. or subject to federal regulation under the Sackett v. EPA ruling by the Supreme Court. Delineated desert washes are still considered waters of the State and subject to state regulation.

2.3 Limitations That May Influence Results

Biological surveys were conducted in April, which is within the typical blooming season for most local plant species and within the usual nesting bird season; as such, no temporal limitations are anticipated to substantially influence the findings of this document. All surveys were conducted during appropriate weather and temperature conditions.

Sensitive wildlife species with the potential to occur in the BSA may be difficult to detect, transient, or migratory species. The population size and locations of sensitive species may fluctuate through time. Because of this, the data collected for this biological resource technical report represents a “snapshot” in time and may not precisely reflect future conditions, however this approach is accepted as the industry standard for the purposes of evaluating project impacts under CEQA.

Chapter 3. Results: Environmental Setting

3.1 Study Area Description

Prior to field surveys, the BSA was defined as the Project centerline with an approximate 50-foot buffer. The BSA runs roughly parallel to Highway 86 for approximately 15 miles and measures approximately 100 feet across. The total acreage of the BSA for proposed alignment is approximately 185.98 acres (Figure 3. Vegetation Communities).

3.1.1 Physical Conditions

Regionally, the Project is located within the Coachella Valley, directly west of the Salton Sea and roughly adjacent to southbound Highway 86. The Project begins in Riverside County directly south of Oasis, California, and terminates approximately 12.5 miles south near Salton City, California. The Project occurs within the Sonoran Desert Floristic Province (Jepson 2023).

The Coachella Valley experiences a desert climate that consists of hot, dry summers and cool, winters with little precipitation and occasional monsoons. The average annual high temperature is approximately 89 degrees Fahrenheit (°F), and the average annual low temperature is approximately 60°F. The region averages 4.83 inches of precipitation annually (U.S. Climate Data 2024). The elevation of the Project ranges between approximately 40 feet above mean sea level to 220 below mean sea level.

3.1.2 Vegetation Communities and Land Cover

Vegetation communities within the BSA include disturbed desert scrub, orchard, and urban/barren land cover types. In addition, the proposed pipeline alignment crosses a total of 38 desert washes (Figure 3. Vegetation Communities; Appendix D. Representative Photographs). Plant and wildlife species observed within the BSA during the April 2022 biological survey efforts were used to define habitat types based on composition, abundance, and cover (Table 1. Species Observed).

Disturbed Desert Scrub

The BSA is primarily disturbed desert scrub habitat. Construction of rural communities and supporting infrastructure, regional agricultural, and invasion by non-native plants have modified this habitat community so that it reflects different species composition and density than what you would expect to find in less disturbed examples of desert scrub. In addition, the southern portion of the BSA is adjacent to the Ocotillo Wells State Vehicular Recreation Area and this portion of desert scrub exhibited lots of damage from off-highway vehicles and illegal dumping. Vegetative cover is approximately 5 to 15%. Common species include native plants such as creosote bush (*Larrea tridentata*), cheesebrush (*Ambrosia salsola*), and cattle saltbush (*Atriplex polycarpa*), as well as the non-native and invasive saltcedar (*Tamarix ramosissima*). Disturbed desert scrub habitat comprises approximately 88.73 acres (48%) of the BSA.

Orchard

Orchard habitat primarily occurs north of 86th Avenue, in the northern extent of the BSA. Orchard habitat within the BSA consists of exclusively date palms (*Phoenix dactylifera*). This habitat type comprises approximately 6.13 acres (3%) of the BSA.

Desert Wash Habitat

This habitat community is formed and maintained by the runoff from the Santa Rosa Mountains west of the Project. Vegetation within desert wash habitat is sparse but includes scattered desert



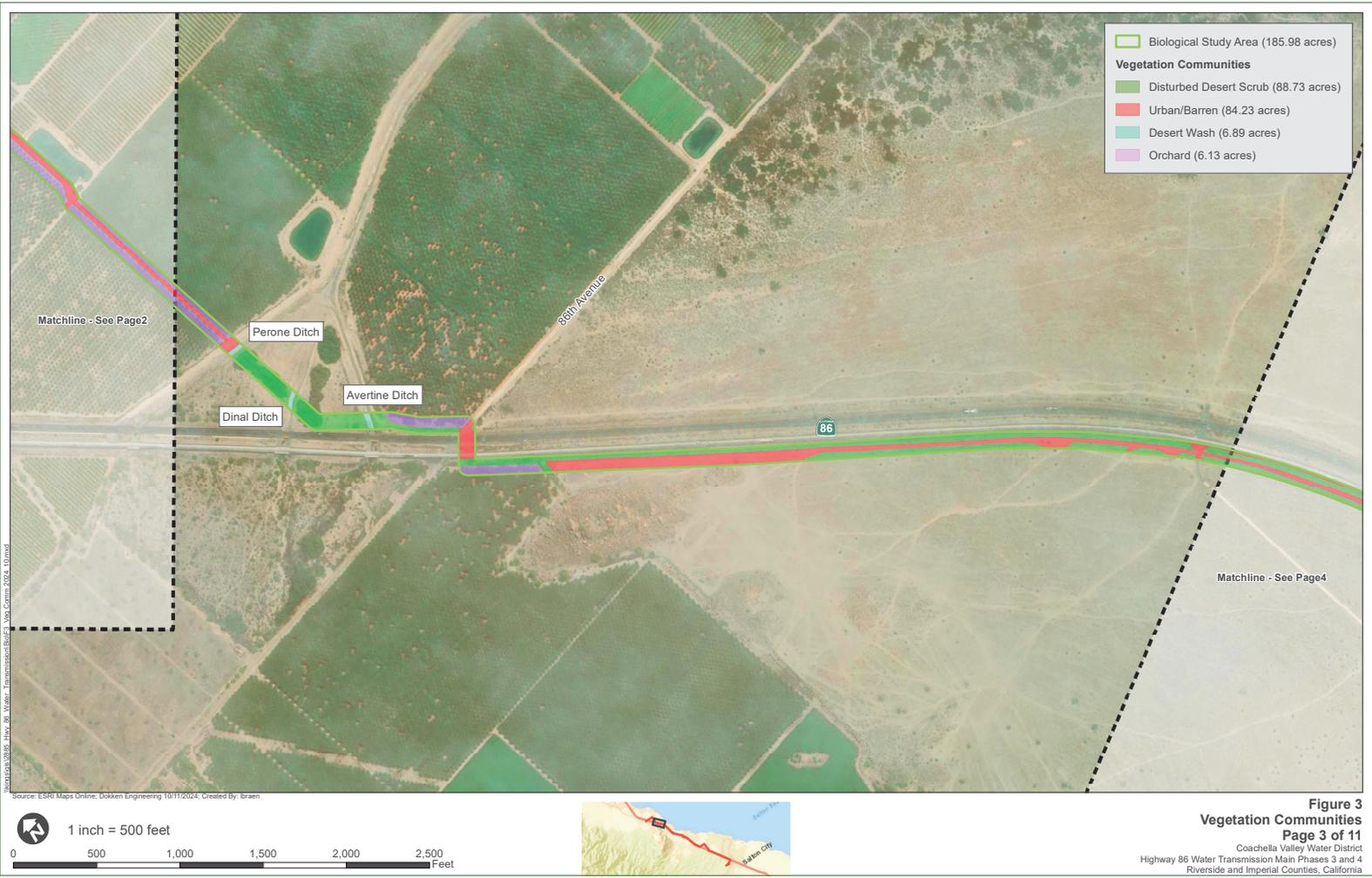
- Proposed Alignment
- County Boundaries
- Water Resources

Figure 3
Vegetation Communities
Page 1 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 3
Vegetation Communities
 Page 2 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

Source: ESRI Maps Online, Dokken Engineering 10/11/2024, Created by: braen



- Biological Study Area (185.98 acres)
- Vegetation Communities**
- Disturbed Desert Scrub (88.73 acres)
- Urban/Barren (84.23 acres)
- Desert Wash (6.89 acres)
- Orchard (6.13 acres)

Figure 3
Vegetation Communities
 Page 3 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

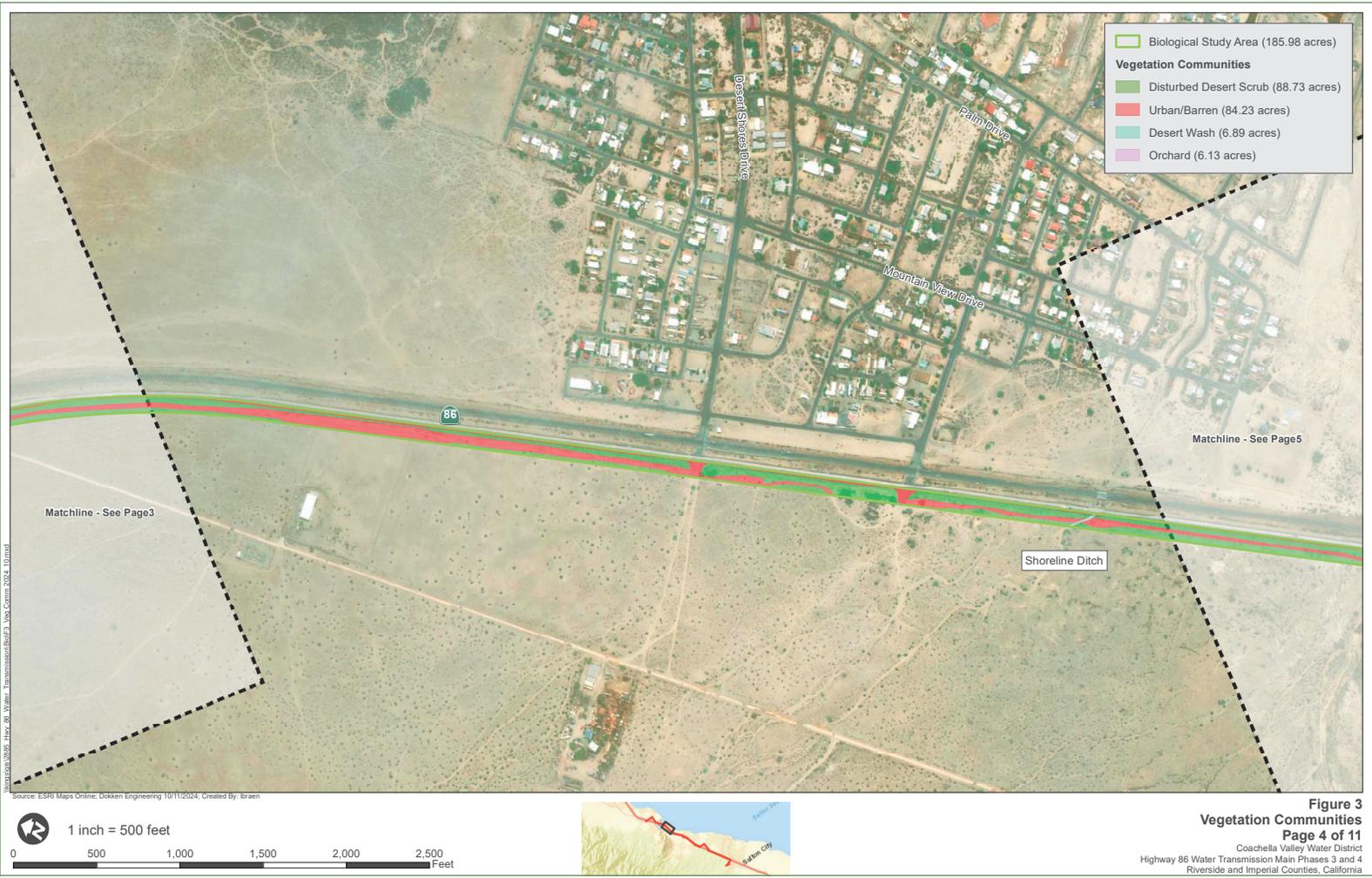


Figure 3
Vegetation Communities
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

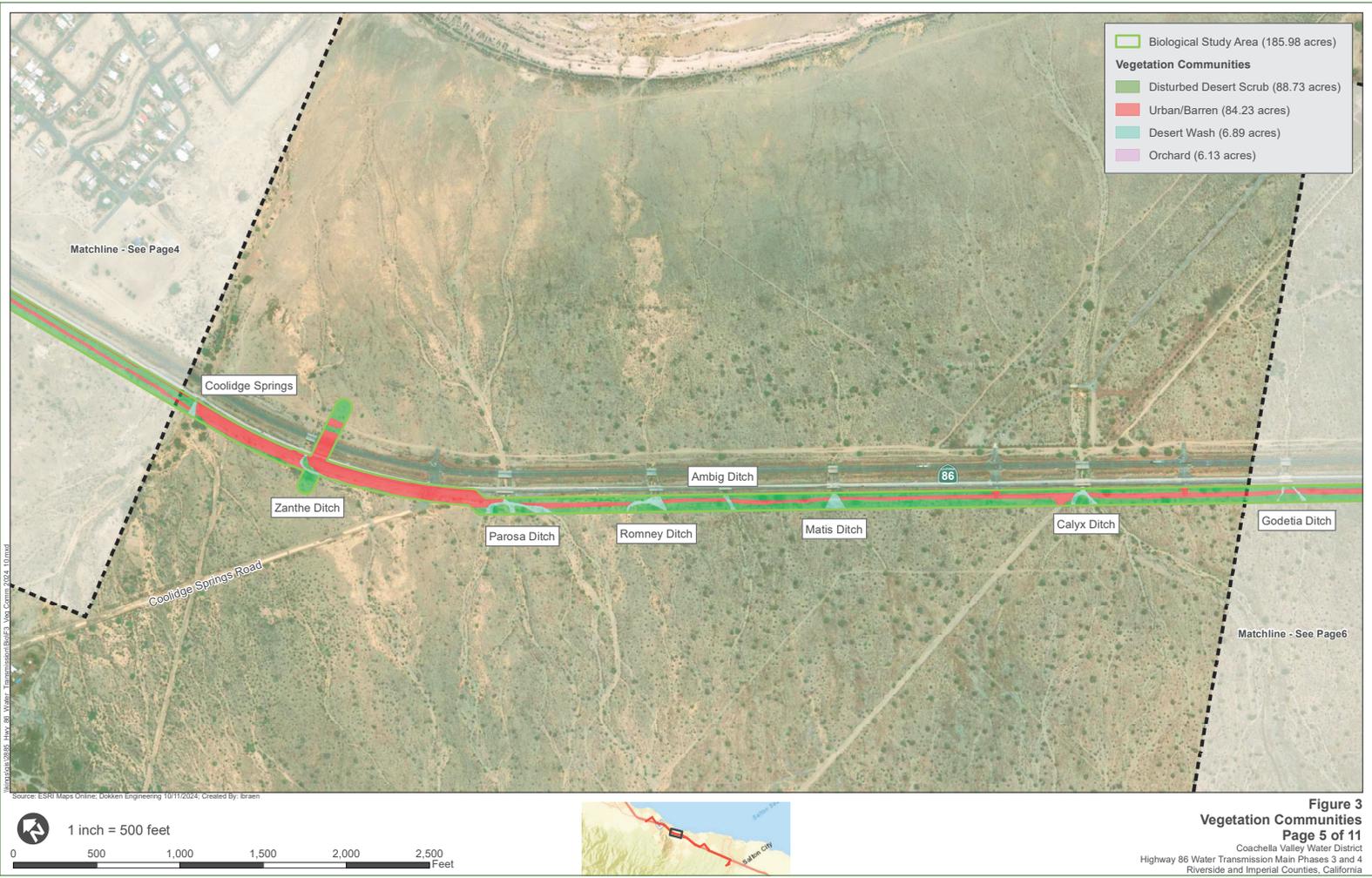


Figure 3
Vegetation Communities
 Page 5 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

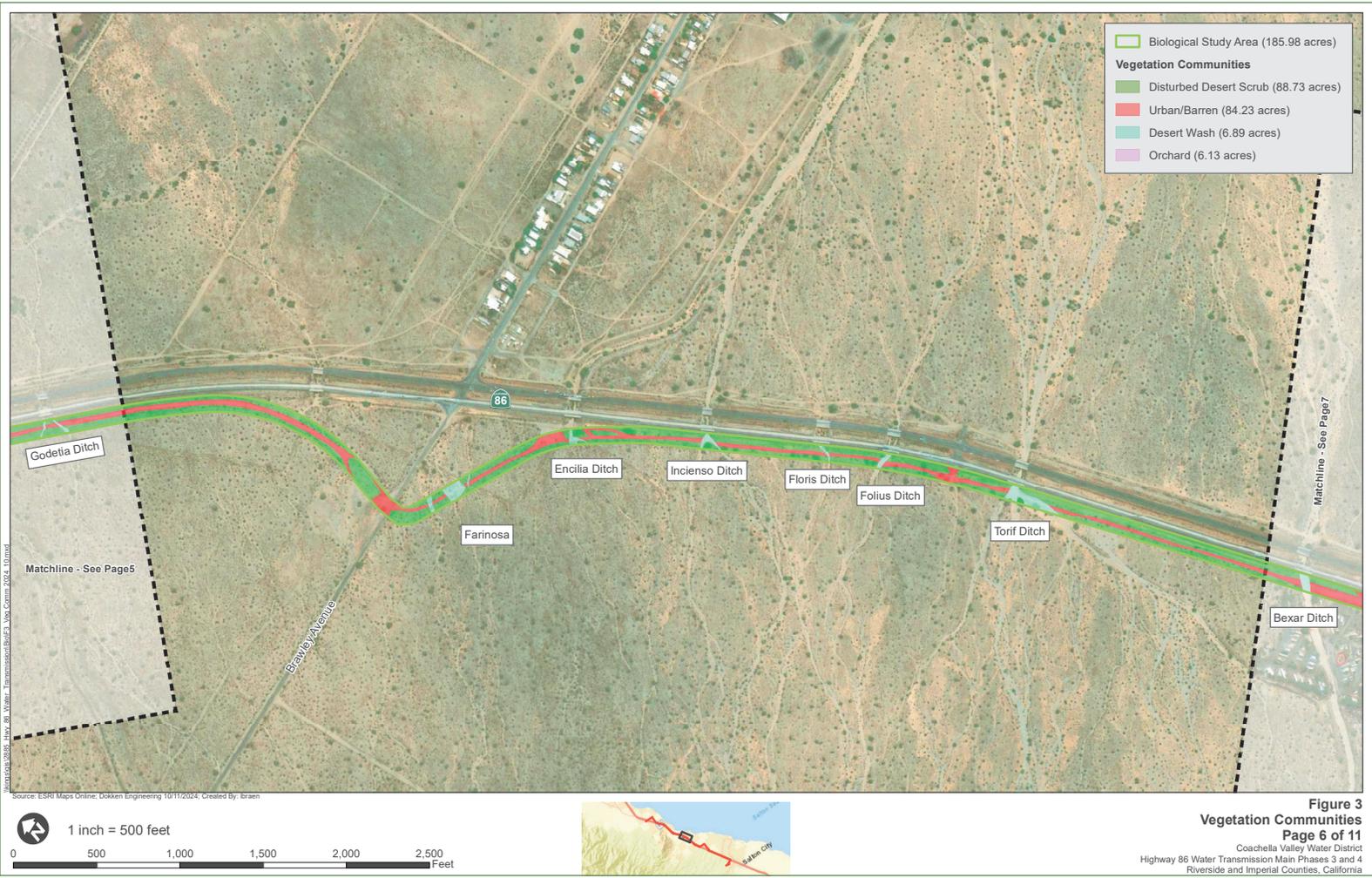


Figure 3
Vegetation Communities
Page 6 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Biological Study Area (185.98 acres)
Vegetation Communities
 Disturbed Desert Scrub (88.73 acres)
 Urban/Barren (84.23 acres)
 Desert Wash (6.89 acres)
 Orchard (6.13 acres)

Figure 3
Vegetation Communities
 Page 7 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

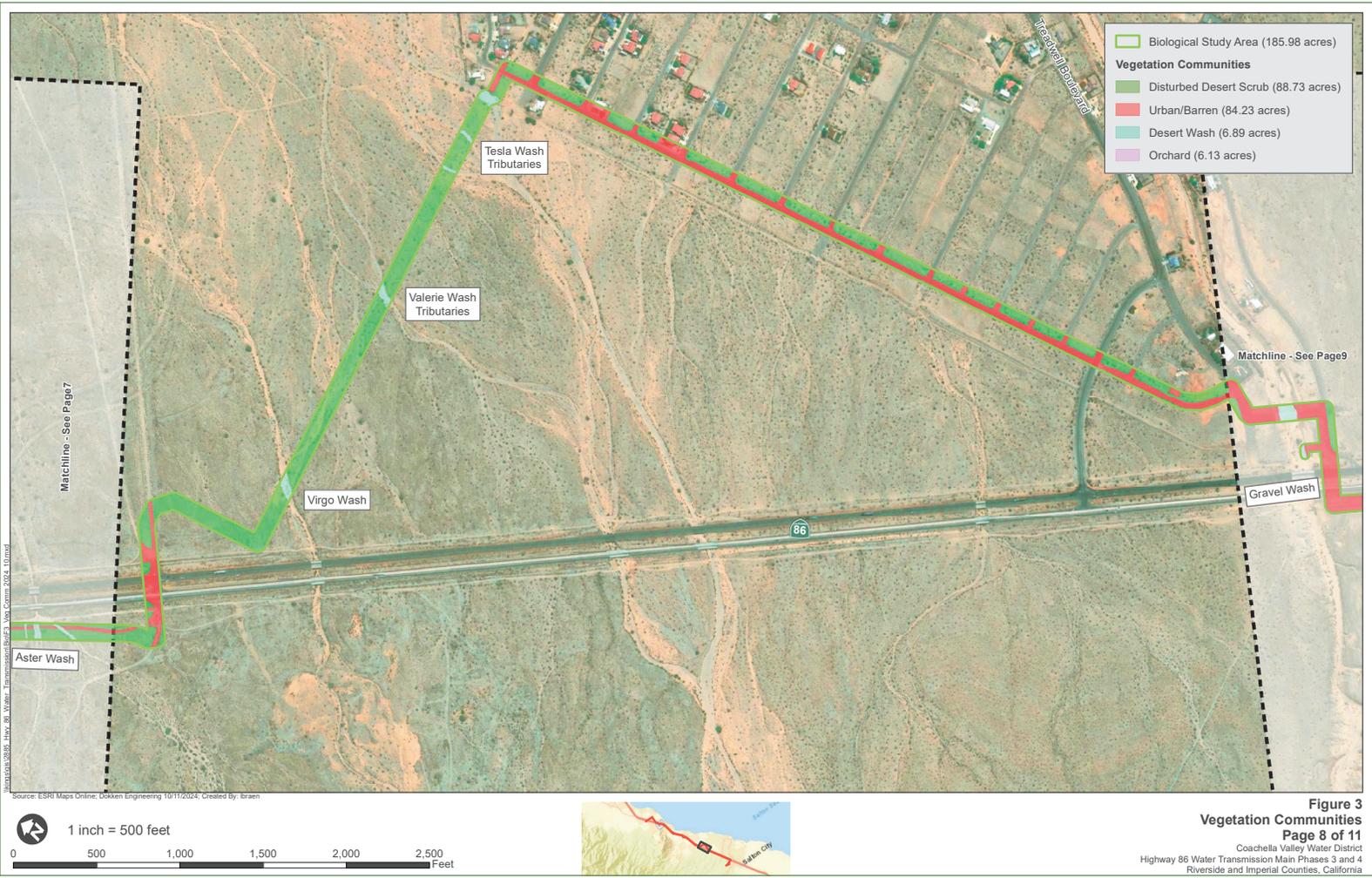


Figure 3
Vegetation Communities
 Page 8 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

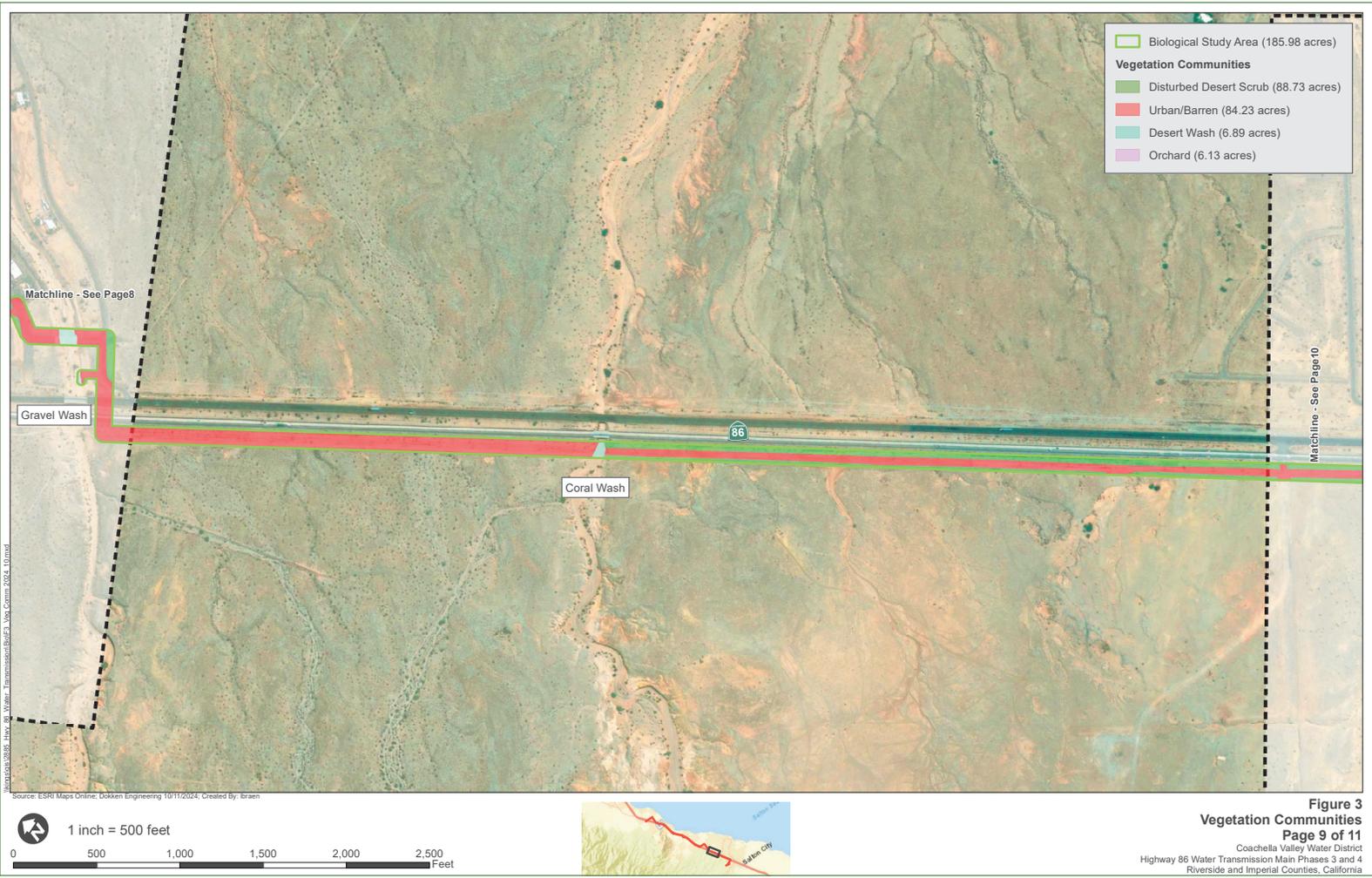
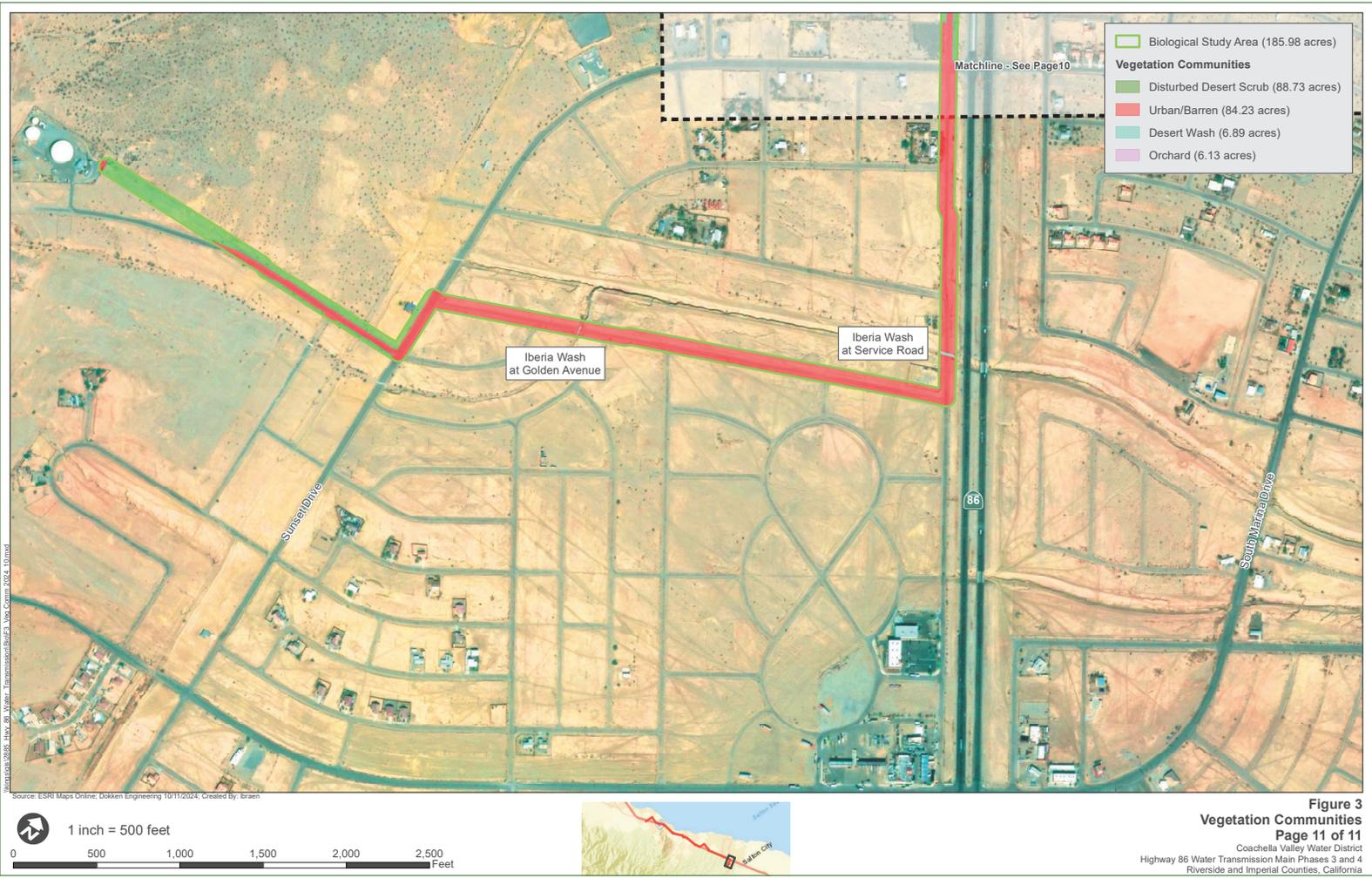


Figure 3
Vegetation Communities
 Page 9 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



- Biological Study Area (185.98 acres)
- Vegetation Communities**
- Disturbed Desert Scrub (88.73 acres)
- Urban/Barren (84.23 acres)
- Desert Wash (6.89 acres)
- Orchard (6.13 acres)

Source: ESRI Maps Online, Dokken Engineering 10/11/2024, Created by: braah

Figure 3
Vegetation Communities
 Page 11 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

shrubs/trees that serve as habitat and food sources for local wildlife populations. Typical vegetation within this habitat includes blue paloverde (*Parkinsonia florida*), smoketree (*Psoralea argemone*), cattle saltbush, saltcedar, and creosote bush. The proposed alignment crosses 38 desert washes, many of which are highly disturbed by off-road vehicular recreation. The BSA contains approximately 6.89 acres (4%) of desert wash habitat.

Urban/Barren

Roadways and other barren areas are interspersed throughout the BSA and primarily include Highway 86 and associated frontage roads. In addition, the BSA includes roadways associated with urban centers adjacent to Highway 86. Roadways within the BSA are either paved or barren and are devoid of any vegetation. Urban facilities exist along the entire BSA, but primarily occur within the communities of Desert Shores and Salton City. The BSA contains approximately 84.23 acres (45%) of urban/barren land.

3.1.3 Species Observed

Wildlife observed within the BSA includes common bird species such as the American goldfinch (*Spinus tristis*), American crow (*Corvus brachyrhynchos*), mourning dove (*Zenaidura macroura*), and house sparrow (*Passer domesticus*), among others. In addition, western side-blotched lizards (*Uta stansburiana elegans*) were observed throughout the BSA. Disturbed desert scrub and desert wash habitat provides ample foraging habitat for local bird and reptile species. In addition, the date palm orchards in the northern extent of the Project provide adequate cover and foraging habitat for a variety of birds. Small mammal burrows were sparsely observed throughout the proposed alignment; however, no mammalian species were observed.

Table 1. Species Observed

Common Name	Scientific Name	Native (N)/ Non-Native (X) ¹
Plant Species		
Blue paloverde	<i>Parkinsonia florida</i>	N
Brittlebush	<i>Encelia farinosa</i>	N
Brownplume wirelettuce	<i>Stephanomeria pauciflora</i>	N
Castor bean	<i>Ricinus communis</i>	X [Limited] ¹
Cattle saltbush	<i>Atriplex polycarpa</i>	N
Cheesebrush	<i>Ambrosia salsola</i>	N
Creosote bush	<i>Larrea tridentata</i>	N
Date palm	<i>Phoenix dactylifera</i>	X
Desert thornapple	<i>Datura discolor</i>	N
Desert tobacco	<i>Nicotiana obtusifolia</i>	N
Indigo bush	<i>Psoralea argemone</i>	N
Honey mesquite	<i>Prosopis glandulosa</i>	N
Mexican fan palm	<i>Washingtonia robusta</i>	X [Moderate] ¹
Narrow-leaved johnstonella	<i>Johnstonella angustifolia</i>	N
Nettle leaf goosefoot	<i>Chenopodium murale</i>	X
Oleander	<i>Nerium oleander</i>	X
Saltcedar	<i>Tamarix ramosissima</i>	X [High] ¹
Smoketree	<i>Psoralea argemone</i>	N
Sweetbush	<i>Bebbia juncea</i>	N
Thick leaved ground cherry	<i>Physalis crassifolia</i>	N

Common Name	Scientific Name	Native (N)/ Non-Native (X) ¹
Thurber's sandpaper plant	<i>Petalonyx thurberi</i>	N
Tumbleweed	<i>Salsola tragus</i>	X [Limited] ¹
Western sea purslane	<i>Sessuvium verrucosum</i>	N
White bursage	<i>Ambrosia dumosa</i>	N
Wildlife Species		
American crow	<i>Corvus brachyrhynchos</i>	N
American goldfinch	<i>Spinus tristis</i>	N
Black-chinned hummingbird	<i>Archilochus alexandri</i>	N
Brown-headed cowbird	<i>Molothrus ater</i>	N
Cliff swallow	<i>Petrochelidon pyrrhonota</i>	N
Common yellowthroat	<i>Geothlypis trichas</i>	N
House sparrow	<i>Passer domesticus</i>	N
Mourning dove	<i>Zenaida macroura</i>	N
Red-tailed hawk	<i>Buteo jamaicensis</i>	N
Western side-blotched lizard	<i>Uta stansburiana elegans</i>	N
Verdin	<i>Auriparus flaviceps</i>	N

¹California Invasive Plant Council (Cal-IPC) Rating

3.1.4 Habitat Connectivity

The CDFW Biogeographic Information & Observation System (CDFW 2024a) was reviewed to determine if the BSA is located within an Essential Connectivity Area. The highest ranking that occurs within the BSA is Terrestrial Connectivity Rank 3 – Connections with implementation flexibility. This ranking indicates that the area has been identified for its connectivity importance but has not been specifically designated as a channelized area, species corridor, or habitat linkage. The proposed Project will install an underground pipeline and would not permanently fragment any existing natural habitats; therefore, the Project would not impact existing habitat connectivity networks.

3.2 Special Status Species Potential

Plant and animal species have special status if they have been listed as such by federal or state agencies or by one or more special interest groups, such as CNPS. Literature searches were conducted using USFWS IPaC, CDFW CNDDDB, and CNPS databases to identify regionally sensitive species with potential to occur within the BSA. The CNDDDB, NMFS, and CNPS databases were queried using all USGS 7.5-minute quadrangles that intersect the project area. The USFWS IPaC list was queried by uploading the project area into IPaC. Table 2 on the following pages provides the list of regional special status species returned by the database searches, describes the habitat requirements for each species, and states if the species was determined to have potential to occur within the BSA based on available habitat and the distribution of documented occurrences of the species. There were 12 plant species and 34 wildlife species returned by the database searches. Of these, six species were determined to have the potential to occur within the BSA: burrowing owl (*Athene cunicularia*), LeConte's thrasher (*Toxostoma lecontei*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), western yellow bat (*Lasiurus xanthinus*), Colorado Desert fringe-toed lizard (*Uma nonata*), and flat-tailed horned lizard (*Phrynosoma mcallii*). Potential project effects to these species are discussed in Chapter 4.

Table 2. Special Status Species with Potential to Occur in the Project Vicinity

Common Name	Species Name	Status	General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
Amphibian Species					
Couch's spadefoot	<i>Scaphiopus couchii</i>	Fed: -- State: -- CDFW: SSC	Inhabits arid and semi-arid habitats of the southwest, occurring along desert washes, in desert riparian, palm oasis, desert succulent shrub, and desert scrub habitats; may occur in cultivated cropland areas. Also associated with mesquite, creosote bush, and thorn forests. Requires friable soils for burrow excavation, often below plants or surface debris for heat protection. The species spends 8-10 months of the year burrowing in the ground, emerging for summer rains. Breeding sites often in proximity to refuges and require temporary pools that last a minimum of 7 days. Adequate insect prey, especially termites must be available (0-1,120 feet).	HP	Presumed Absent: The BSA is largely comprised of disturbed desert scrub and desert wash habitat and includes mesquite and creosote bush. However, the BSA falls outside the geographic range of the species which is concentrated along the Colorado River Basin.
Bird Species					
Black skimmer	<i>Rynchops niger</i>	Fed: -- State: -- CDFW: SSC	The species occurs as a summer migrant along the Salton Sea from April through October. The San Diego Bay colony is resident year-round. The species utilizes unvegetated sandy beaches, gravel bars and low islets for nesting and roosting. Requires shallow, calm water for foraging. Eggs are laid in hollows or sand scrapes above high water. Nesting at the south end of Salton Sea begins in June and has continued into October.	A	Presumed Absent: The BSA does not include any shoreline of the Salton Sea and is approximately 0.6 miles from the shore at the closest point. As such, the species is presumed absent from the BSA due to a lack of suitable habitat.
Black-tailed gnatcatcher	<i>Polioptila melanura</i>	Fed: -- State: -- CDFW: WL	The black-tailed gnatcatcher is a fairly common resident in desert wash habitat from Palm Springs to Joshua	A	Presumed Absent: The BSA does not include wooded desert wash habitat. The mesquite and paloverde that occur within

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				Tree National Park and along the Colorado River at elevations below 300 m (1,000 ft). A rare resident in the eastern Mojave Desert north to the Amargosa River. Primarily nests in wooded desert wash habitat but is infrequently known to occur within desert scrub habitat - specifically in winter. More common in areas with dense mesquite, paloverde, and acacia. Absent from areas where saltcedar and other exotic vegetation occurs.		the BSA are sparse individual trees and not dense cover. Furthermore, saltcedar was found throughout the BSA. Due to lack of suitable habitat, the species is presumed absent.
Burrowing owl	<i>Athene cucularia</i>	Fed: -- State: -- CDFW: SSC		The species inhabits arid, open areas with sparse vegetation cover such as deserts, abandoned agricultural areas, grasslands, and disturbed open habitats. Can be associated with open shrub stages of pinyon-juniper and ponderosa pine habitats. Nests in old small mammal burrows but may dig own burrow in soft soil. Nests are lined with excrement, pellets, debris, grass, and feathers. The species may use pipes, culverts, and nest boxes, and even buildings where burrows are scarce. Breeding occurs March through August (below 5,300 feet).	HP	High Potential: The BSA includes arid, open areas that are sparsely vegetated. In addition, the BSA includes gently sloping terrain with soft soils, and sparsely spaced mammal burrows were found throughout the BSA. There is a recent (2021) eBird occurrence located directly adjacent to Highway 86 and North Marina Drive, approximately 230 feet west of the BSA and numerous other recent occurrences south of the BSA near the Sonny Bono Salton Sea National Wildlife Refuge. No burrowing owl or signs of burrowing owl were observed during the survey. However, due to the presence of potentially suitable habitat and recent local occurrences, burrowing owls have a high potential to occur within the BSA.
California brown pelican	<i>Pelecanus occidentalis californicus</i>	Fed: DL State: DL CDFW: FP		A permanent resident of the coastal marine environment on the Pacific Coast, with the range extending from British Columbia, Canada, south to Nayarit, Mexico. Typically found on rocky, sandy, or vegetated offshore	A	Presumed Absent: The BSA does not include any shoreline or aquatic habitat of the Salton Sea associated with this species. As such, the species is presumed absent from the BSA.

Common Name	Species Name	Status	General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
			islands, beaches, open sea (for feeding), harbors, marinas, estuaries, and breakwaters. Nesting colonies are established on islands without mammalian predators and permanent human habitation. The bulk of the California brown pelican population (estimated to be about 90%) nests in Mexico. The only breeding colonies of California brown pelicans in the western United States are within the Channel Islands National Park on West Anacapa and Santa Barbara islands. The nesting season historically began in March and extended through late summer or early fall, but in recent years has often surpassed 11 months. Normal clutch size is three eggs.		
Crissal thrasher	<i>Toxostoma crissale</i>	Fed: -- State: -- CDFW: SSC	The species inhabits a variety of desert riparian and scrub habitats, specifically with dense, low scrubby vegetation. At lower elevations, typically inhabits riparian scrub or woodland. At high elevations, typically inhabits the upper reaches of desert scrub, below pinyon-juniper foothills. Often utilizes mesquite, screwbean mesquite, ironwood, catclaw acacia, and arrowweed for nesting and cover. Can also use agricultural edges for foraging when adjacent to native vegetation. Nests in the densest portions of shrubs, from February to June (sea level to over 6,000 feet).	A	Presumed Absent: The BSA is sparsely vegetated and does not include dense riparian scrub or woodland habitat. All regional occurrences of the species are in dense riparian habitat along the Whitewater River or in the heavily irrigated farmland around Brawley. The nearest occurrence is approximately 10 miles from the BSA. The species is presumed absent from the BSA due to lack of suitable habitat.
Gull-billed tern	<i>Gelocheidon nilotica</i>	Fed: -- State: --	Uncommon California summer resident known only to nest at the Salton Sea. Forages over fresh and	A	Presumed Absent: The BSA does not include any shoreline or aquatic habitat of

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
		CDFW:	SSC	saline emergent wetlands, lakes, mudflats, croplands, grasslands, and, rarely, brushlands. Nests are shallow depressions in soft sand, soil, or dry mud, usually lined with grasses, seaweed, or other vegetation. Species arrives in March, nests in May, and departs by September.		the Salton Sea. As such, the species is presumed absent from the BSA.
LeConte's thrasher	<i>Toxostoma lecontei</i>	Fed: State: CDFW:	-- -- SSC	An uncommon desert resident inhabiting open desert wash, desert scrub, alkali desert scrub, desert succulent shrub and Joshua tree habitats with scattered desert shrubs and cacti. Often nests in dense, spiny shrub or densely branched cactus in desert wash habitat, usually 2-8 feet above ground. Breeds January through June. The species is especially wary of human disturbance.	A	Low to Moderate Potential: There is a recent (2019) eBird occurrence of this species approximately 7 miles west of the BSA. The BSA includes disturbed desert scrub habitat with scattered shrubs as well as open space. Due to the presence of suitable habitat and a recent nearby occurrence, LeConte's thrasher has a low to moderate potential to occur within the BSA.
Least Bell's vireo	<i>Vireo bellii pusillus</i>	Fed: State: CDFW:	E E --	Summer resident of southern California inhabiting low elevation riparian habitats in the vicinity of water and dry river bottoms. Prefers willows, baccharis, mesquite and other low, dense vegetation as nesting site. Forages in dense brush and occasionally treetops. The species is known to occur in all four southern California national forests, with the largest population in the Los Padres National Forest (below 2,000 feet).	A	Presumed Absent: The BSA does not contain desert riparian vegetation or dense brush stands. In addition, no permanent sources of water are present within the BSA. The species is presumed absent from the BSA.
Mountain plover	<i>Charadrius montanus</i>	Fed: State: CDFW:	-- -- SSC	California winter resident from September to March. Found on short grassland and plowed fields on the Central Valley from Sutter and Yuba counties southward. Does not nest in California.	A	Presumed Absent: The BSA does not contain any grasslands or plowed fields associated with the species. The species is presumed absent from the BSA due to a lack of potentially suitable habitat.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
Prairie falcon	<i>Falco mexicanus</i>	Fed: -- State: -- CDFW: WL		Uncommon California permanent resident. Species associated primarily with perennial grasslands, savannahs, rangeland, agricultural fields and desert scrub. Inhabits dry, open terrain, either level or hilly. Requires sheltered cliff ledges. Breeding sites are located on cliffs, canyons, escarpments, and rock outcrops. The species is known to forage far afield. Nests on old raven or eagle stick nests. Breeds mid-February through mid-September.	A	Presumed Absent: The BSA does not have canyons, ledges, or rocky outcroppings which are required habitat for this species. As such, the species is presumed absent from the BSA.
Southwestern willow flycatcher	<i>Empidonax traillii extimus</i>	Fed: E State: E CDFW: --		Breeds in riparian habitats characterized by dense vegetation in proximity to open water or saturated soil. Species is associated with dense willow-covered islands and riparian habitats at elevations up to 8,000 feet. Often in proximity to rivers, swamps, lakes, reservoirs, and other wetlands. Historically, the species nested in native vegetation, but will also use thickets of non-native tamarisk and Russian olive. Breeds in April through August.	A	Presumed Absent: The BSA does not include dense riparian vegetation or perennial water features. The species is presumed absent due to lack of suitable habitat.
Western snowy plover	<i>Charadrius nivosus</i>	Fed: T State: -- CDFW: SSC		Inhabits sandy or gravelly beaches along the coast, on estuarine salt ponds, and the shores of large alkali lakes. Species requires sandy, gravelly or friable soil substrate for nesting. Nests are often in proximity to driftwood, rocks, or defoliated bushes. Breeding occurs above the high tide line on coastal beaches, sand spits, dune-backed beaches, sparsely vegetated dunes, and salt pans. Breeds April to August.	A	Presumed Absent: The BSA does not include any shoreline or aquatic habitat of the Salton Sea. The species is presumed absent from the BSA due to the lack of potentially suitable habitat.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
White-faced ibis	<i>Plegadis chihi</i>	Fed: -- State: -- CDFW: WL		Inhabits rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Prefers open grasslands, meadows or marshes for foraging close to isolated, dense-topped trees for nesting and perching. Feeds in fresh emergent wetlands, shallow lacustrine waters, muddy ground of wet meadows, and irrigated or flooded pastures and croplands. Nests are built amidst tall marsh plants and sometimes mounds of vegetation. Breeds February through October.	A	Presumed Absent: The BSA does not include deciduous woodland habitat and is not near any marshes or perennial rivers. In addition, the BSA does not include wetlands that would provide foraging habitat for this species. The species is presumed absent from the BSA due to a lack of habitat.
Yellow-breasted chat	<i>Icteria virens</i>	Fed: -- State: -- CDFW: SSC		An uncommon summer resident of coastal California and in foothills of the Sierra Nevada, arriving in April and departing by late September. Requires riparian thickets of willow and other brushy tangles near watercourses for nesting and foraging. Nests in dense shrubs along streams and rivers. Breeds from May-August.	A	Presumed Absent: The BSA does not include any riparian thickets near perennial water sources. The species is presumed absent due to lack of suitable habitat.
Yuma Ridgeway's rail	<i>Rallus obsoletus yumanensis</i>	Fed: E State: T CDFW: FP		Inhabits fresh and brackish water emergent wetlands along the Colorado River from Needles southward, and around the Salton Sea from April to September. Prefers emergent wetland dominated by pickleweed and cordgrass. Within the brackish emergent wetlands of the Colorado River and Salton Sea, the species prefers mature stands of cattail and bulrush for nesting and foraging. Requires shallow water and mudflats for foraging, with adjacent higher vegetation for cover during high water. Breeds from March-July.	A	Presumed Absent: The BSA does not include any shoreline of the Salton Sea and lacks stands of cattail/bulrush for nesting and mudflats for foraging. The species is presumed absent due to lack of suitable habitat.

Common Name	Species Name	Status	General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
Fish Species					
Desert pupfish	<i>Cyprinodon macularius</i>	Fed: E State: E CDFW: --	Species is only found in small, isolated populations in the Salton Sea watershed and inhabits desert ponds, springs, marshes and streams of Southern California. The species can survive in fresh water to water with salinities up to 68 PPT and withstand temperatures from 48° to 113° F and dissolved Oxygen levels as low as 0.1 PPM. Prefers calm waters but may be found in polluted and fluctuating conditions. Spawning occurs from April-October when water temperatures begin to exceed 68° F.	A	Presumed Absent: The desert washes that occur within the BSA are ephemeral and are unable to support this species. There are no pools or ponds present within the BSA.
Razorback sucker	<i>Xyrauchen texanus</i>	Fed: E State: E CDFW: FP	In California, species occurs in large, warm-water, slow moving sections of the Colorado River drainage and a few scattered lakes and basins. The species is not found in smaller tributaries and headwater streams. Species is adapted to swimming in swift currents but requires quiet waters. Spawns in shallow water with sand, gravel, mud, or rocks from December to February.	A	Presumed Absent: The desert washes that occur within the BSA are ephemeral and are unable to support this species. There are no pools or ponds present within the BSA.
Mammal Species					
American badger	<i>Taxidea taxus</i>	Fed: -- State: -- CDFW: SSC	Prefers treeless, dry, open stages of most shrub and herbaceous habitats with friable soils and a supply of rodent prey. Species also inhabits forest glades, meadows, marshes, brushy areas, hot deserts, and mountain meadows. Species maintains burrows within home ranges estimated between 338-1,700 acres, dependent on seasonal activity. Burrows are	A	Presumed Absent: The BSA includes dry, open, desert scrub habitat; however, there have been no occurrences of this species within the Coachella Valley since 1986. Despite the presence of suitable habitat, the species is locally extirpated and presumed absent from the BSA.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				frequently re-used, but new burrows may be created nightly. Young are born in March and April within burrows dug in relatively dry, often sandy, soil, usually in areas with sparse overstory cover. Species is somewhat tolerant of human activity, but is sensitive to automobile mortality, trapping, and persistent poisons (up to 12,000 feet).		
Pallid bat	<i>Antrozous pallidus</i>	Fed: -- State: -- CDFW: SSC	SSC	Inhabits low elevations of deserts, grasslands, shrub lands, woodlands and forests year-round. Most common in open, dry habitats with rocky areas for roosting. Forages over open ground within 1-3 miles of day roosts. Prefers caves, crevices, and mines for day roosts, but may utilize hollow trees, bridges and buildings. Roosts must protect bats from high temperatures. Sensitive to disturbance of roosting sites. Maternity colonies form early April and young are born April-July (below 10,000 feet).	A	Presumed Absent: The BSA lacks caves, crevices, mines, and rocky areas that would provide potentially suitable roosting habitat for this species. Due to lack of suitable habitat, the species is presumed absent from the BSA.
Pallid San Diego pocket mouse	<i>Chatodipus fallax pallidus</i>	Fed: -- State: -- CDFW: SSC	SSC	Species inhabits arid habitats including desert wash, pinon and juniper woodlands, and Sonoran Desert scrub communities. Species strongly associated with rocky slopes and sandy soils, which are required for burrow construction. Breeds March to May (0-4,500 feet).	A	Presumed Absent: This species is strongly associated with rocky slopes, which do not occur within the BSA. As such, it is presumed absent due to a lack of suitable roosting habitat.
Palm Springs pocket mouse	<i>Perognathus longimembris bangsi</i>	Fed: -- State: -- CDFW: SSC	SSC	Species occurs only in the Coachella Valley. Inhabits flat to gently sloping topography, sparse to moderate vegetative cover, and loosely packed or sandy soils of desert wash, Sonoran Desert scrub communities with preference to creosote dominated	A	Low to Moderate Potential: Within the BSA, disturbed desert scrub is comprised primarily of saltbush and creosote bush, providing potentially suitable habitat for this species. In addition, there is a recent (2015) CNDDDB occurrence of this species approximately 4 miles southwest the

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				desert scrub. Species is unlikely to utilize areas with compacted, stony, and cobbly soils, in saltbush dominated communities, or in areas of human disturbance. Hibernation is believed to occur below ground from October to March.		Project. Due to the presence of potentially suitable habitat and recent local occurrences, the species has a low to moderate potential to occur within the Project area.
Palm Springs round-tailed ground squirrel	<i>Xerospermophilus tereticaudus chlorus</i>	Fed: -- State: -- CDFW: SSC		A diurnal species restricted to the Coachella Valley. Inhabits desert succulent scrub, desert wash, Sonoran Desert scrub, chenopod scrub and alkali scrub communities. Prefers open, flat, grassy areas in fine textured, sandy soil and will burrow at the base of shrubs. Population density is correlated with the quantity of winter rainfall. Found at elevations as low as -180 feet.	A	Presumed Absent: The BSA does not include flat grassy areas. Furthermore, there are no CNDDDB observations of this species within 10 miles of the BSA and all known occurrences of the species are in the northern section of the Coachella Valley. Due to lack of suitable habitat or recent local occurrences, the species is presumed absent from the BSA.
Peninsular bighorn sheep	<i>Ovis canadensis nelson pop. 2</i>	Fed: E State: E CDFW: FP		Peninsular bighorn sheep occur in the Peninsular Ranges, from the San Jacinto and Santa Rosa Ranges in Riverside County south into Mexico. Bighorns prefer open areas of low-growing vegetation for feeding, with steep, rugged terrain nearby as a means of escape. Requires an adequate source of water. Preferential to low sage, sagebrush, desert scrub, subalpine conifer, perennial grassland, montane chaparral, and montane riparian habitat communities.	A	Presumed Absent: The BSA is relatively flat and does not include steep, rugged terrain. As such, the species is presumed absent from the BSA due to the lack of habitat.
Pocketed free-tailed bat	<i>Nyctinomops femerosaccus</i>	Fed: -- State: -- CDFW: SSC		Inhabits pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oasis communities. Prefers rocky desert areas with high cliffs or rock	A	Presumed Absent: The BSA does not include high cliffs or rocky outcrops that would provide suitable habitat for this species. Due to the lack of habitat features, the species is presumed absent from the BSA.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				outcrops and frequently selects roosts in cliff rock crevices. Species must have an adequate drop from the roost to gain flight. Maternity sites are located in rock crevices, caverns and buildings. Young are born June-July.		
Spotted bat	<i>Euderma maculatum</i>	Fed: -- State: -- CDFW: SSC		Occupies a wide variety of habitats from arid deserts and grasslands through mixed conifer forests. Foraging habitat includes marshes, meadows, riparian zones, shrub-steppe, and open ponderosa pine forest. Prefers rock crevices in cliffs or caves for roosting. Species is solitary but may roost with other species. Mates in autumn and births before June (sea level-10,000 feet).	A	Presumed Absent: The BSA does not include high cliffs or rocky outcrops that would provide suitable habitat for this species. In addition, no suitable foraging habitat is located in proximity to the BSA. Due to the lack of critical habitat features, the species is presumed absent.
Townsend's big-eared bat	<i>Corynorhinus townsendii</i>	Fed: -- State: -- CDFW: SSC		Species occurs throughout California in all habitats except subalpine and alpine communities. Requires caves, mines tunnels, buildings or man-made structures for day and night roosts. Rarely roosts in tree cavities, limited to males and non-reproductive females. Young born May-June (0-6,561 feet 10,800 feet elevation).	A	Presumed Absent: The BSA does not have high cliffs, caves, or mines which would provide suitable habitat for this species. Due to the lack of critical habitat features, the species is presumed absent from the BSA.
Western mastiff bat	<i>Eumops perotis californicus</i>	Fed: -- State: -- CDFW: SSC		Inhabits many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral. Prefers open, rugged, rocky areas where suitable crevices are available for day roosts. Roosts in cliff face crevices (usually granite or consolidated sandstone), high buildings, trees and tunnels. Roosting sites must have a minimum 10-foot vertical drop. Births	A	Presumed Absent: The BSA does not include cliffs, crevices, trees, or tunnels that would provide suitable habitat for this species. Due to a lack of suitable habitat, the species is presumed absent.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				early April through August or September (sea level-8,475 feet).		
Western yellow bat	<i>Lasiurus xanthinus</i>	Fed: -- State: -- CDFW: SSC		Species known in California only in Los Angeles and San Bernardino Counties south to the Mexican border. Inhabits valley foothill riparian, desert riparian, desert wash, and palm oasis habitats in proximity to water. Species utilizes trees and palms for roosting and maternity colonies. Births in June and July (below 2,000 feet).	A	Low to Moderate Potential: There is a historic (1976) CNDDDB occurrence of this species in Oasis, CA, approximately 1.2 miles north of the BSA. The northern extent of the BSA includes orchards of date palms that may provide suitable roosting habitat for this species. In addition, agricultural reservoirs near the northern part of the BSA may provide additional prey base for the species. Due to the presence of potentially suitable habitat features and the local historic occurrence, the species is presumed to have a low to moderate potential to occur within the northern section of the BSA where date palms are present.
Reptile Species						
Coachella Valley fringe-toed lizard	<i>Uma inornata</i>	Fed: T State: E CDFW: --		The species is restricted to sandy habitats of the Coachella Valley floor. Requires un-stabilized, fine, wind-blown sands for burrowing with widely spaced shrubs, often within high mesquite dunes and creosote bush sand hummocks. The species spends November through February in burrows and in the sand. Breeding occurs from March through May with egg laying occurring from April to September.	A	Presumed Absent: The distribution of this species is limited to sand dunes in the northern part of the Coachella Valley approximately 30 miles north of the project. The BSA does not have the aeolian sand habitat required by the species.
Colorado Desert fringe-toed lizard	<i>Uma notata</i>	Fed: -- State: -- CDFW: SSC		Found in the Colorado and Sonoran deserts south of the Salton Sea in Imperial and San Diego County. Restricted to fine sand dunes, dry lakebeds, desert washes, and sparse desert scrub habitat communities.	HP	Low to Moderate Potential: The BSA is largely comprised of sparse desert scrub habitat with fine sandy soils that may be suitable for the species. In addition, the Project falls within the northern range of this species and there are recent (2018)

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
				Fringe-toed lizards utilize shrubs and rodent burrows for cover. Escapes from predators via running bipedally or burrowing into the sand.		research-grade iNaturalist occurrences within 2 miles of the BSA. As such, the species has a low to moderate potential to occur.
Desert tortoise	<i>Gopherus agassizii</i>	Fed: T State: T CDFW: --		Species inhabits a variety of habitats from flats and slopes within creosote bush scrub at lower elevations to rocky slopes in blackbrush scrub and juniper woodland at higher elevations within Mojavean desert scrub and Sonoran Desert scrub communities. Species prefers creosote bush scrub with a high diversity of perennials and high production of ephemeral plant species. Requires friable soil for burrow and nest construction, but adequately firm to prevent burrow collapse. Feeding activity is short and occurs in the spring. Mating occurs in March and April, with eggs laid in May to July at the openings of burrows. Prefers elevations at 1,000-3,000 feet but has been documented from below sea level to 7,300 feet.	A	Presumed Absent: Creosote scrub habitat is present; however, the distribution of this species is limited to the Mojave and Sonoran Deserts north and east of the Salton Sea and it is not found on the western side of the Coachella Valley.
Flat-tailed horned lizard	<i>Phrynosoma mcallii</i>	Fed: -- State: -- CDFW: SSC		Species inhabits desert scrub, desert wash, succulent shrub, and alkali scrub habitats. Common in sandy desert hardpan, gravel flats with scattered vegetation, and areas with fine windblown sand (but rarely dunes). Requires an adequate source of ants for food; species is an ant specialist, particularly Harvester ants. Hibernation occurs as early as October and can extend to March but may emerge in January or February. Breeds in early spring and may produce multiple clutches within a	HP	Low to Moderate Potential: The BSA has desert scrub habitat with scattered vegetation and fine sandy soils. Furthermore, there are multiple recent (2002-2014) CNDDDB occurrences of this species located in the vicinity of the Project, the closest being a 2009 occurrence approximately 1.7 miles west of the Project. Due to recent local occurrences and presence of potentially suitable habitat, the species is presumed to have a low to moderate potential to occur within the BSA.

Common Name	Species Name	Status	General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
			breeding season; young appear in July through September (below sea level-750 feet).		
Sandstone night lizard	<i>Xantusia gracilis</i>	Fed: -- State: -- CDFW: SSC	Originally identified as a subspecies of <i>X. henshawi</i> , this species was recognized as a full species in 2001. Distribution of <i>X. gracilis</i> is limited to the Truckhaven Rocks in Anza-Borrego Desert State Park in San Diego County. The limited distribution of this species increases the risk for extinction. Will utilize small burrows and rocks for cover. Rocky refuge habitat is a critical component for habitat of this species.	A	Presumed Absent: The range of this species is limited to the Truckhaven Rocks about 8 miles west of the BSA.
Plant Species					
Abrams' spurge	<i>Euphorbia abramsiana</i>	Fed: -- State: -- CDFW: 2B.2	An annual herb found in creosote bush scrub within the Mojave and Sonoran Deserts. Blooms September-November (-15-4,300 feet).	A	Presumed Absent: The BSA includes desert scrub habitat within the Sonoran Desert; however, the population of this species is primarily west of Blythe, 70 miles east of the BSA. Local occurrences are limited to south of Highway 78 and within the foothills of the Anza-Borrego Desert State Park. There are no CNDDB occurrences within 10 miles of the BSA. The species is presumed absent from the BSA because it is outside of the known range of the species.
California ayenia	<i>Ayenia compacta</i>	Fed: -- State: -- CDFW: 2B.3	A perennial herb inhabiting sandy, gravelly, rocky washes and dry canyons of Mojavean desert scrub and Sonoran Desert scrub communities. Blooms March-April (500-3,600 feet).	A	Presumed Absent: The species is restricted to foothills and mountains above 500 feet in elevation. The BSA is about 460 feet below the documented elevation range of the species.
Coachella Valley milk-vetch	<i>Astragalus lentiginosus</i> var. <i>coachellae</i>	Fed: -- State: -- CDFW: SSC	An annual herb, inhabiting loose, wind-blown, or alluvial sands of desert dunes and Sonoran Desert scrub	A	Presumed Absent: All occurrences of this species are north of the Salton Sea a minimum of 11 miles north of the BSA. The BSA is outside of the known

Common Name	Species Name	Status	General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
			communities. Blooms February-May (0-2,150 feet).		distribution of this species and the species is presumed absent.
Gravel milk-vetch	<i>Astragalus sabulorum</i>	Fed: -- State: -- CDFW: 2B.2	An annual to perennial herb inhabiting sandy and sometimes gravelly soils of flats, washes and roadsides within desert dune, Mojavean scrub, and Sonoran Desert scrub communities. Species has some salt tolerance. Blooms February-June (-200-3,050 feet).	A	Presumed Absent: The BSA includes flats, washes, and roadsides of Sonoran Desert scrub habitat; however, recent observations of this species are limited to Inyo County and all local observations of the species are at least 40 years old. In addition, no milk-vetch species were observed during biological surveys which were timed to fall during the bloom period for this species. Despite the historic distribution of this species, the species is presumed absent from the BSA.
Mecca-aster	<i>Xylorhiza cognata</i>	Fed: -- State: -- CDFW: 1B.2	A perennial herb inhabiting arid canyons and washes of creosote-bush scrub and Sonoran Desert scrub communities. Species is known mostly from Indio Hills and Mecca Hills. Blooms January-June (65-1,300 feet).	A	Presumed Absent: All occurrences of this species are in the foothills on the eastern side of the Coachella Valley near Mecca and Indio. The BSA is outside of the known distribution of the species.
Narrow-leaf sandpaper plant	<i>Petalonyx linearis</i>	Fed: -- State: -- CDFW: 2B.3	A perennial shrub inhabiting sandy or rocky canyons of Mojavean desert scrub and Sonoran Desert scrub communities. Species generally occurs in creosote-bush scrub. Blooms March-May (-80-3,660 feet).	A	Presumed Absent: The BSA does not include any sandy or rocky canyons. As such, the species is presumed absent due to lack of suitable habitat.
Orcutt's woody-aster	<i>Xylorhiza orcutti</i>	Fed: -- State: -- CDFW: 1B.2	A perennial herb native to California and Baja California. Known to inhabit arid canyons, barren slopes, and creosote-scrub habitat. Flowers January-May (<1,200 feet).	A	Presumed Absent: All local occurrences of this species are west of the BSA in the foothills of the Santa Rosa Mountains. The species is presumed absent based on the BSA being located outside of the documented distribution of the species.
Parish's desert thorn	<i>Lycium parishii</i>	Fed: -- State: -- CDFW: 2B.3	A perennial shrub inhabiting coastal scrub and Sonoran Desert scrub. Flowers March-April (1,000-3,280 feet).	A	Presumed Absent: The Project falls outside of the elevational range of this species. As such, the species is presumed absent from the BSA.

Common Name	Species Name	Status		General Habitat Description	Habitat Present	Potential for Occurrence and Rationale
Peirson's pincushion	<i>Chaenactis carphoclinia</i> var. <i>peirsonii</i>	Fed: -- State: -- CDFW: 1B.3		An annual herb endemic to California. Occurs in open habitats with rocky or gravelly slopes or in flats. Flowers March-April (<600 feet).	A	Presumed Absent: All local occurrences of this species are west of the BSA in the foothills of the Santa Rosa Mountains. The species is presumed absent based on the BSA being located outside of the documented distribution of the species.
Sand evening-primrose	<i>Chylismia arenaria</i>	Fed: -- State: -- CDFW: 2B.2		An annual or bushy perennial herb that occurs in sandy washes, rocky slopes, or desert scrub habitat in the Sonoran Desert. Flowers March-April (500-1,400 feet).	A	Presumed Absent: A single historic occurrence of the species was documented on the west side of the Coachella Valley in 1976 with the exact location unknown. All other occurrences of the species are in the Chocolate Mountains on the east side of the Coachella Valley. In addition, the BSA is below the accepted elevation range of the species listed on CNDDDB. The species is presumed absent from the BSA based on the project being located outside of the documented range of the species.
Singlewhorl burrobush	<i>Ambrosia monogyra</i>	Fed: -- State: -- CDFW: 2B.2		A perennial shrub inhabiting sandy soils within chaparral and Sonoran Desert scrub communities. Blooms August-November (30-1,640 feet).	A	Presumed Absent: The BSA includes sandy soils and is comprised of desert scrub habitat. However, all recent occurrences of this species have been limited to San Diego County and the nearest occurrence of this species is historic (1922) 10 miles from the BSA. The species is presumed absent from the BSA due to its pattern of occurrence.
Slender woolly heads	<i>Nemacaulis denudata</i> var. <i>gracilis</i>	Fed: -- State: -- CDFW: 2B.2		An annual herb inhabiting sandy soils of coastal dunes, desert dunes, and Sonoran Desert scrub communities. Blooms March-May (-160-1,640 feet).	A	Presumed Absent: The BSA includes sandy soils and is comprised of desert scrub habitat; however, occurrences of this species are limited to east of Joshua Tree National Park and the project is not within the range of the species.

<p>Federal Designations (Fed): (FESA, USFWS) E: Federally listed, endangered T: Federally listed, threatened DL: Federally listed, delisted</p>	<p>State Designations (CA): (CESA, CDFW) E: State-listed, endangered T: State-listed, threatened</p>
<p>Other Designations CDFW_SSC: CDFW Species of Special Concern CDFW_FP: CDFW Fully Protected CDFW_WL: CDFW Watchlist</p> <p>California Native Plant Society (CNPS) Designations: <i>*Note: according to CNPS (Skinner and Pavlik 1994), plants on Lists 1B and 2 meet definitions for listing as threatened or endangered under Section 1901, Chapter 10 of the California Fish and Game Code. This interpretation is inconsistent with other definitions.</i> 1A: Plants presumed extinct in California. 1B: Plants rare and endangered in California and throughout their range. 2: Plants rare, threatened, or endangered in California but more common elsewhere in their range. 3: Plants about which need more information; a review list.</p> <p>Plants 1B, 2, and 4 extension meanings: _1 Seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat) _2 Fairly endangered in California (20-80% occurrences threatened) _3 Not very endangered in California (<20% of occurrences threatened or no current threats known)</p>	
<p>Habitat Potential Absent [A] - No habitat present and no further work needed. Habitat Present [HP] - Habitat is or may be present. The species may be present. Critical Habitat [CH] – Project is within designated Critical Habitat.</p>	
<p>Potential for Occurrence Criteria: Present: Species was observed on site during a site visit or focused survey. High: Habitat (including soils and elevation factors) for the species occurs on site and a known occurrence has been recorded within 5 miles of the site. Low to Moderate: Either low quality habitat (including soils and elevation factors) for the species occurs on site and a known occurrence exists within 5 miles of the site; or suitable habitat strongly associated with the species occurs on site, but no records were found within the database search. Presumed Absent: Focused surveys were conducted, and the species was not found, or species was found within the database search but habitat (including soils and elevation factors) do not exist on site, or the known geographic range of the species does not include the survey area.</p>	
<p>Source: (CDFW 2024b), (CNPS 2024), (Calflora 2024), (Jepson 2024), (USFWS 2024).</p>	

Chapter 4. Results: Biological Resources, Discussion of Impacts, and Mitigation

4.1 Habitats and Natural Communities of Special Concern

The proposed pipeline alignment crosses 38 ephemeral desert washes. These washes have a fluvially defined bed, bank and channel; however, in the wake of the 2023 Sackett v. EPA Supreme Court ruling, these channels no longer meet the definition of a Water of the United States. They still are Waters of the State and are thus still a natural community of special concern discussed in detail below. Table 3. Temporary Impacts to Sensitive Natural Habitats and Figure 4. Project Impacts outline the temporary impacts anticipated to affect this habitat community. Avoidance, minimization, and mitigation measures for the impacted desert washes are discussed in this section.

4.1.1 Desert Wash Habitat

Desert washes are closely associated with sparsely vegetated arid environments down slope from steep mountains or hills. Soils in these watersheds are typically poorly developed, consisting of coarse sand and gravel with very little organic material and very low water holding capacity. The lack of vegetative cover in these watersheds combined with the poor water holding capacity of the soil means that precipitation that falls on upslope areas rapidly runs off resulting in rapid flood events that dissipate just a few hours or days after rain events.

Vegetation within desert wash habitat usually consist of spiny arborescent shrubs. The ultimate composition of a desert wash community is dictated by local precipitation as well as the size of the associated watershed (CDFW 2021). This habitat within the BSA is approximately 90% barren ground and 10% of vegetative cover. Observed flora included blue paloverde and smoketree; however, a majority of vegetation in this community is small shrubs including cattle saltbush, creosote bush, and non-native and invasive saltcedar.

Project Impacts to the Desert Wash Habitat

The Project is anticipated to temporarily impact 3.32 acres of desert wash during construction (Figure 4. Project Impacts). Approximately 0.93 acres of these temporary impacts fall within the right of way (ROW) of Caltrans (Appendix E. Project Impacts within Caltrans ROW). Impacts to each channel, starting at the northern end of the BSA, are outlined in Table 3 below. Temporary impacts will include linear excavation to install the proposed pipeline which will then be buried four feet deep with native material and the top surface will be regraded to pre-construction contours. To quantify temporary impacts, it was assumed that a 50-foot-wide corridor along the pipeline would need to be disturbed to accommodate trenching, spoil piles, equipment access, and material staging. Temporary access routes, staging areas, and stockpile/spoil locations would be located outside of stream channels when possible to minimize the temporary construction footprint within desert wash habitats. Most of the desert washes within the BSA are sparsely vegetated, meaning very little vegetation along these channels will be disturbed by construction. As such, the project would not permanently alter the ecological functions or values of these washes and the project would only temporarily disturb these areas. With the inclusion of seasonal restrictions, no water quality impacts are anticipated.

Table 3. Temporary Impacts to Sensitive Natural Habitats

Name of Desert Wash ¹	Temporary Impacts
	Impact Size ²
Cophy Ditch	0.28 acres
Travertine Palms Wash	0.03 acres
Perone Ditch	0.06 acres
Dinal Ditch	0.07 acres
Avertine Ditch	0.04 acres
Shoreline Ditch	0.03 acres
Coolidge Springs	0.04 acres
Zanthe Ditch	0.04 acres
Parosa Ditch	0.21 acres
Romney Ditch	0.15 acres
Ambig Ditch	0.03 acres
Matis Ditch	0.10 acres
Calyx Ditch	0.08 acres
Godetia Ditch	0.04 acres
Farinosa Drainage	0.19 acres
Encilia Ditch	0.06 acres
Incienso Ditch	0.07 acres
Floris Ditch	0.02 acres
Folius Ditch	0.04 acres
Torif Ditch	0.27 acres
Bexar Ditch	0.07 acres
Daroca Ditch	0.17 acres
Tonalee Ditch	0.09 acres
Talofa Ditch	0.17 acres
Electra Ditch	0.05 acres
Ibycus Wash	0.02 acres
Verbena Wash	0.06 acres
Aster Wash	0.10 acres
Virgo Wash	0.08 acres
Valerie Wash Tributary	0.05 acres
Tesla Wash Tributaries	0.12 acres
Gravel Wash	0.17 acres
Coral Wash	0.07 acres
Palm Wash	0.12 acres
Anza Ditch	0.09 acres
Verde Ditch	0.01 acres
Iberia Wash at Service Road	0.02 acres
Iberia Wash at Golden Avenue	0.01 acres
Total	3.32 acres

¹ The naming of the desert wash corresponds to the labels on Figure 4.

² Impacts rounded to the nearest 0.01. The 3.32-acre impact total reflects the un-rounded total.



Figure 4
Project Impacts
 Page 1 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

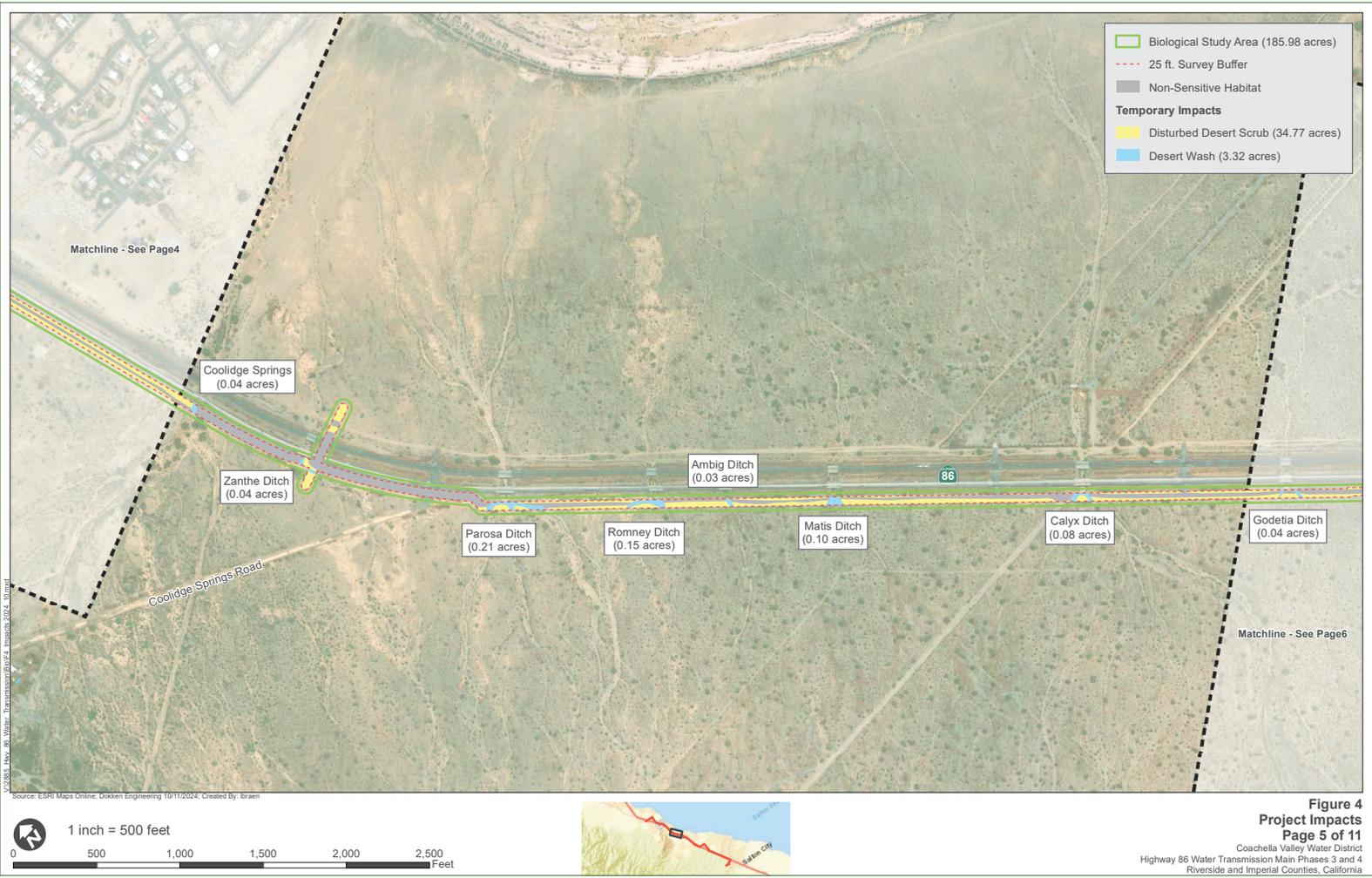
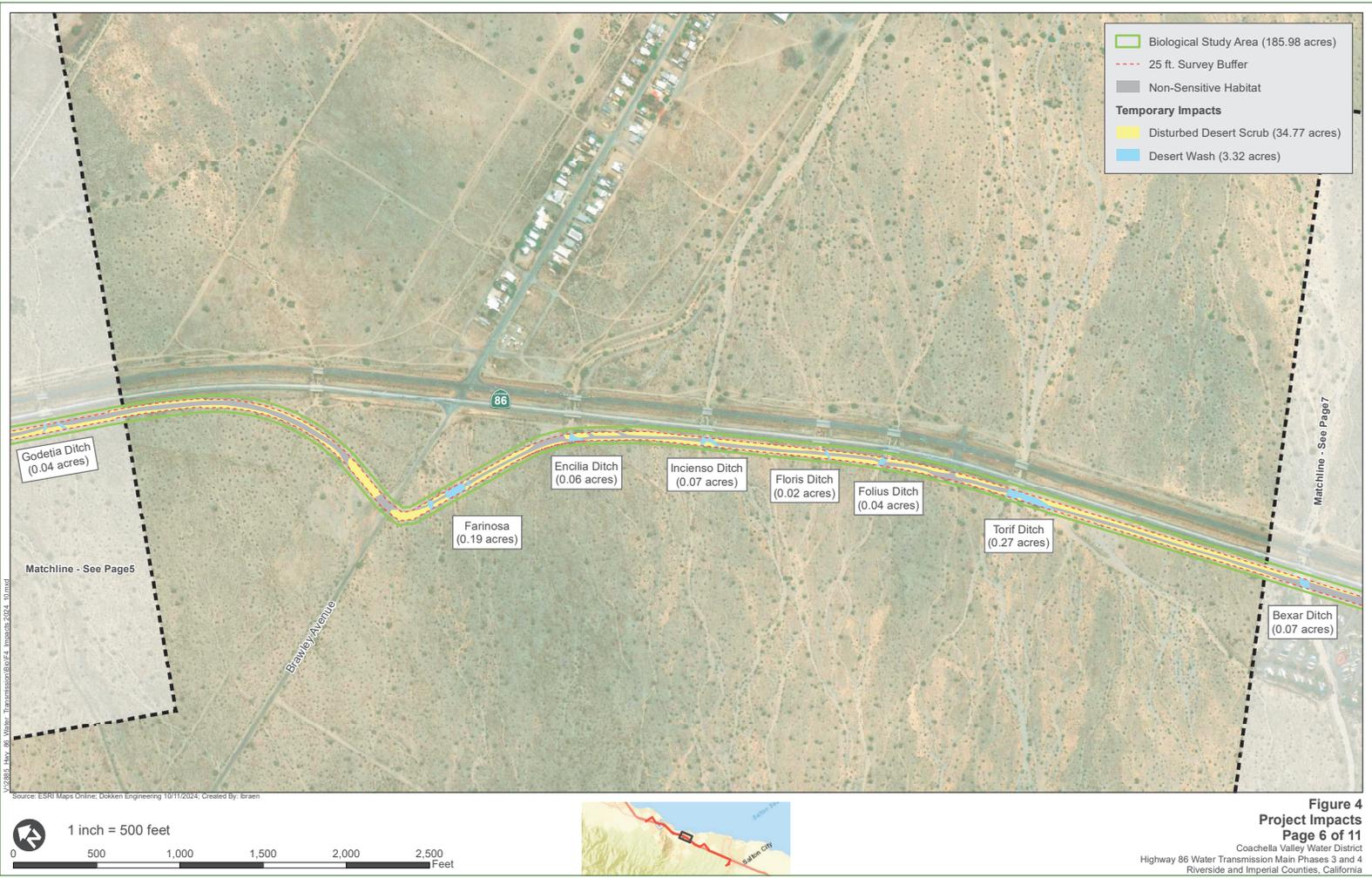


Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



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 Source: ESRI Maps Online, Dokken Engineering 10/11/2024, Created by: braen

Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

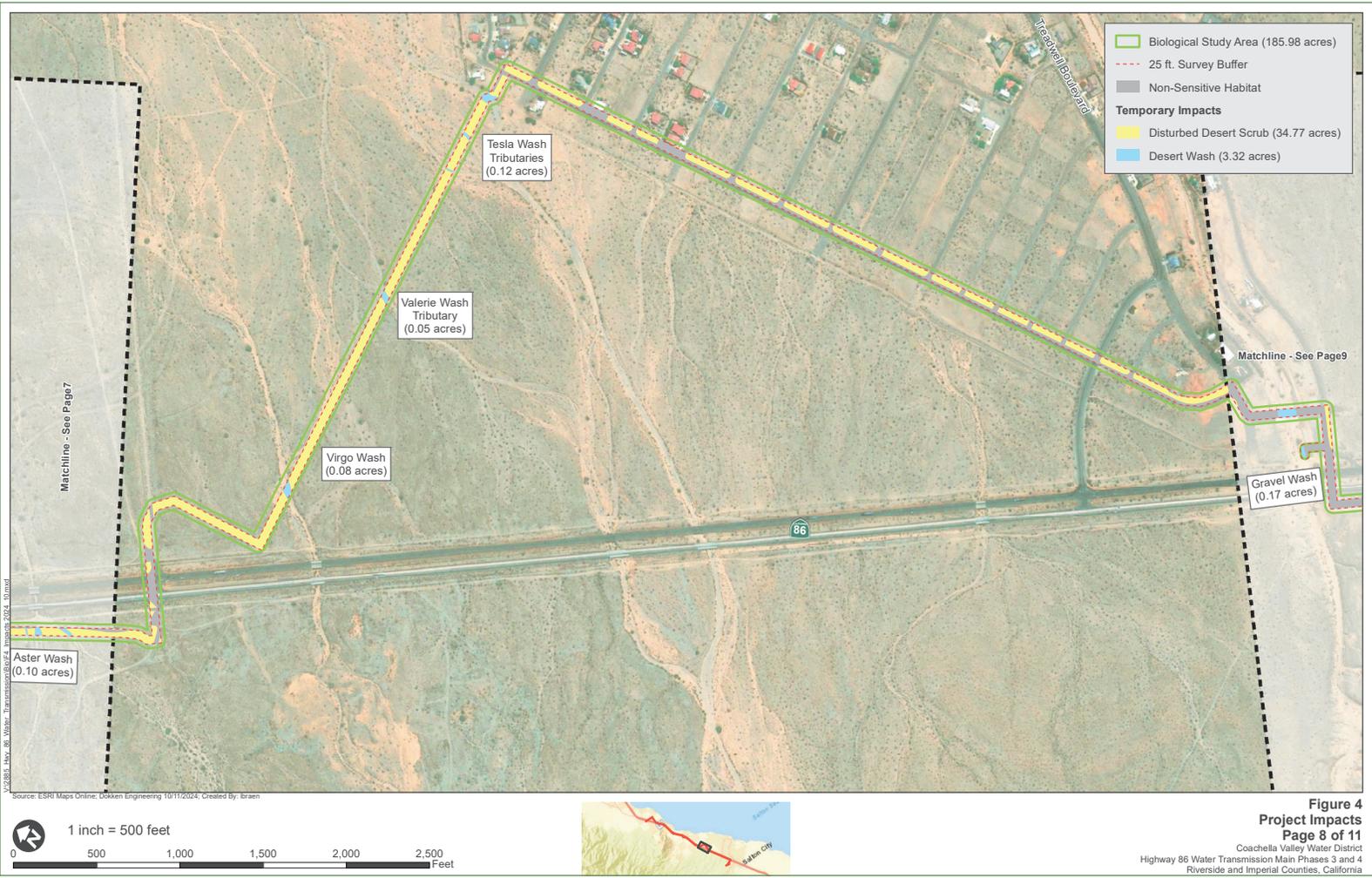


Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 4
Project Impacts
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 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

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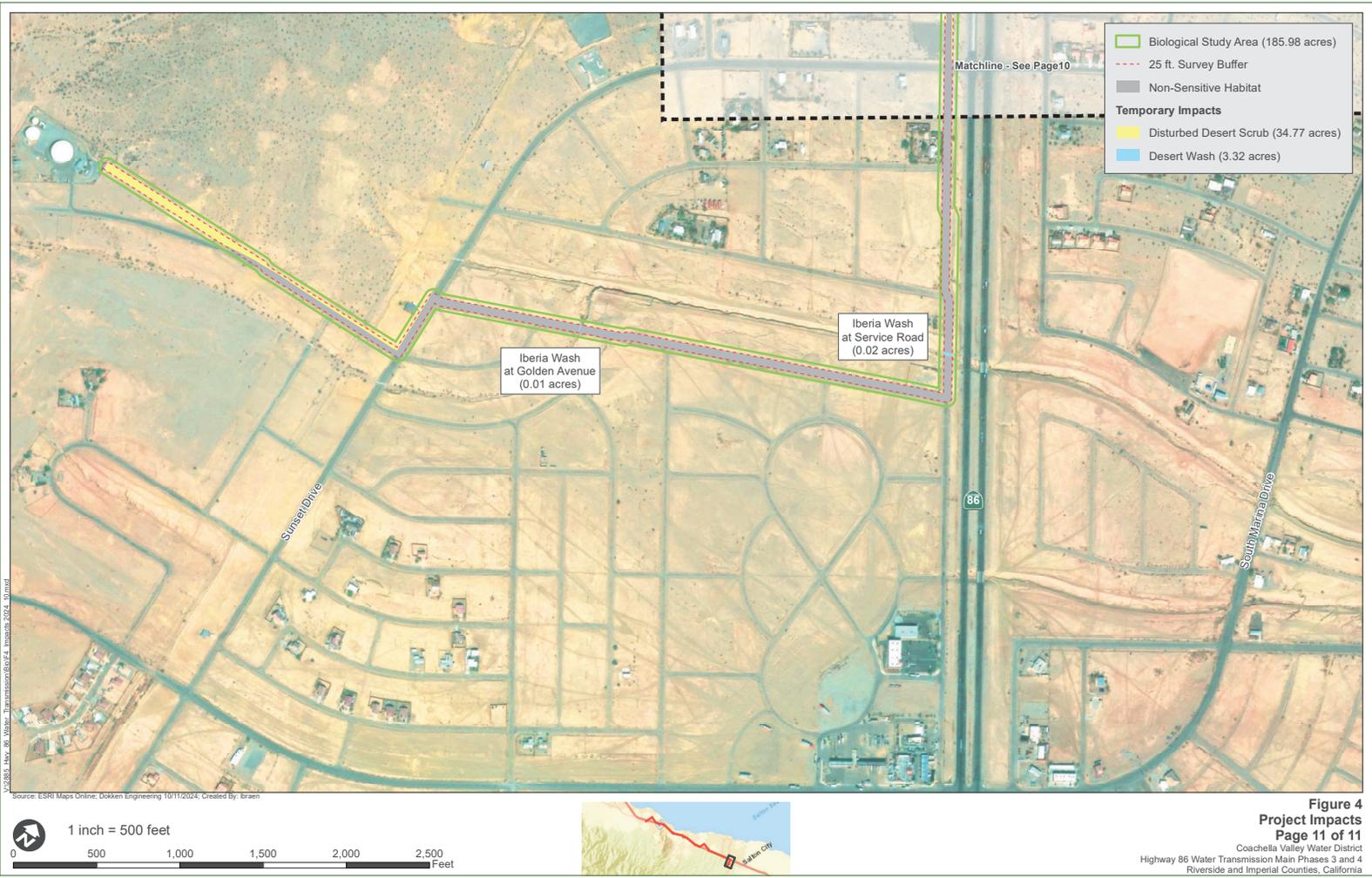


Figure 4
Project Impacts
 Page 11 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

Avoidance and Minimization Efforts for Desert Wash Habitat

The following avoidance and minimization measures will be incorporated into the Project design and Project management to reduce potential impacts to the desert washes that occur within the Project alignment:

- BIO-1:** Every individual working on the Project must attend a Worker Environmental Awareness Program training session delivered by the Project biologist prior to starting work on the job site. This training program will include information regarding the sensitive habitats and special status species with the potential to occur within the Project area, as well as the avoidance and minimization measures that must be complied with.
- BIO-2:** Best Management Practices (BMPs) will be incorporated to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):
- Exposed soils and material stockpiles must be stabilized through watering or other measures to prevent the movement of dust at the Project site caused by wind and construction activities such as off road driving, excavation, and grading activities;
 - All vehicle and equipment fueling/maintenance must be sited outside any desert wash;
 - Equipment used in and around desert wash habitat must not have any leaks;
 - Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life must not enter any of the desert washes;
 - Any accidental spills of hazardous materials must be cleaned up immediately;
 - All construction materials must be hauled off-site after completion of construction;
 - Upon completion of construction activities, any temporary barriers/materials within desert wash habitat must be removed in a manner that would allow flow to pass downstream with the least disturbance to the substrate.

Compensatory Mitigation for Desert Wash Habitat

No permanent impacts to desert wash habitat are anticipated as a result from the Project. In addition, temporary impacts to desert wash habitat will be returned to pre-construction conditions following the completion of construction activities. No compensatory mitigation for impacts to desert wash habitat is proposed.

4.2 Special-Status Plant Species

Prior to field surveys, a list of regional special status plant species with potential to occur within the Project vicinity was compiled from the CNPS Electronic Inventory of Rare and Endangered Plants (Appendix C. CNPS Species List). The potential for each species to occur within the BSA was determined by analyzing the habitat requirements of each species and comparing them with available habitat within the BSA and analyzing the distribution of known populations. It was determined that no special status plants have potential to be present within the BSA. Furthermore, no special status plants were identified during the biological survey conducted between April 25 and April 27, 2022. No Project-related impacts to special status plant species are anticipated.

4.3 Special-Status Wildlife Species

Prior to field surveys, a list of regional special-status wildlife species with potential to occur within the Project vicinity was compiled from the USFWS IPaC (Appendix A. USFWS Species List) and the CDFW CNDDDB (Appendix B. CNDDDB Species List). The potential for each species to occur within the BSA was determined by analyzing the habitat requirements of each species and comparing them with available habitat within the BSA and analyzing the distribution of known occurrences of each species. Six special status wildlife species were determined to have potential to occur within the BSA. Each species with the potential to occur within the BSA is discussed in more detail below.

4.3.1 Discussion of Burrowing Owl

The burrowing owl is not a state or federally listed species but is a CDFW Species of Special Concern and a USFWS Migratory Nongame Bird of Management Concern. In addition, burrowing owls are protected by the MBTA and CFG Code §3513 and are considered a Covered Species under the CVMSHCP. Burrowing owls were historically common throughout much of California; however, due to habitat degradation and urbanization, populations have been drastically reduced. The owl is a migrant or yearlong resident occupying disturbed open, arid habitats, particularly grasslands, deserts, and abandoned agricultural areas. The species requires friable soils for burrow construction and an adequate prey base (Zeiner et al. 1988). Burrowing owls rely on California ground squirrels (*Otospermophilus beecheyi*) and other fossorial mammals for burrow construction. Although active throughout the day, burrowing owls mainly forage nocturnally for small vertebrate and invertebrate prey including mammals, lizards, birds, and beetles (Shuford 2008). Occupied burrowing owl nests can be identified by the presence of owl excrement, pellets, debris, grass, and feathers in the vicinity of a burrow. Human development threatens burrowing owl populations by reducing available nesting habitat and decreasing rodent populations, which serve as the owl's main food source.

Survey Results

Due to the transient nature of the species and unknown temporal distance between the environmental clearance phase and construction phases of the project, a protocol breeding season survey was not completed. Instead, a habitat assessment survey was completed to identify and map the portions of the BSA that provide potentially suitable habitat and assess the distribution of burrowing owl occurrences in the region in order to determine the potential for burrowing owl to use the site.

The paved or compacted roadways and date palm orchards within the survey area do not provide suitable habitat for this species. However, the disturbed desert scrub and desert wash habitat are arid, open, and sparsely vegetated, and may provide suitable habitat for burrowing owls. These habitat communities are comprised of friable soils with mammal burrows that may serve as potentially suitable nesting habitat for this species. Disturbed desert scrub and desert wash habitat cumulatively provide approximately 95.62 acres of potential burrowing owl habitat within the BSA (Figure 3. Vegetation Communities).

There is a recent (2021) eBird occurrence of this species located at the intersection of Highway 86 and North Marina Drive, directly adjacent to the BSA. In addition, there is a recent (2006) CNDDDB occurrence of this species located approximately 1 mile east of Iberia Wash as it crosses Service Road, near the southern end of the Project. Evidence of burrowing owls was not observed during the biological surveys; however, the presence of potentially suitable habitat features as

well as the recent local occurrences of the species indicate that burrowing owls have a high potential to occur during construction.

Project Impacts to Burrowing Owl

The Project is anticipated to temporarily impact approximately 34.77 acres of disturbed desert scrub habitat and approximately 3.32 acres of desert wash habitat (Figure 4. Project Impacts). Approximately 16.05 acres of temporary impacts to disturbed desert scrub and approximately 0.93 acres of temporary impacts to desert wash habitat fall within Caltrans ROW (Appendix E. Project Impacts within Caltrans ROW). Temporary impacts to these habitat communities will result from the temporary construction disturbance associated with local construction access as well as the installation of the proposed pipeline. The pipeline will be installed underground via open trench and subsurface boring; as such, no permanent impacts to disturbed desert scrub or desert wash habitat are anticipated to result following the completion of this Project. All temporary impacts within these habitat types will be restored to preconstruction conditions.

Avoidance and Minimization Efforts for Burrowing Owl

In addition to avoidance and minimization measure BIO-1, the following avoidance and minimization measures will be incorporated into the Project to minimize potential impacts to individual burrowing owl and their habitat:

BIO-3: A qualified biologist must conduct a take avoidance survey in accordance with the 2012 CDFW *Staff Report on Burrowing Owl Mitigation* within 2 months and again within 14 days prior to the start of ground disturbance for each phase of construction. Surveys must be conducted in all portions of the Project footprint that encompass suitable habitat for the species, with an approximate 50 meter buffer. If no active burrows are discovered, no further avoidance or minimization measures are required.

If burrows are detected but determined to be inactive or it is outside the burrowing owl breeding season (February 1 - August 31), exclusion methods will be implemented to prevent owls from occupying the burrows during Project activities. If active burrows are identified, a no work buffer will be placed around the burrow and CVWD must notify CDFW within 48 hours of the discovery. The buffer must be 200 meters between April 1 – Oct 15 and 50 meters between Oct 16 – Mar 31. The buffer must be demarcated with temporary high visibility fencing installed under the supervision of a biologist.

Compensatory Mitigation for Burrowing Owl

No permanent impacts to burrowing owl habitat are anticipated. The pipe alignment and temporary staging and work areas will be returned to pre-construction conditions following the completion of construction activities. No compensatory mitigation for burrowing owl is proposed.

4.3.2 Discussion of LeConte's Thrasher

LeConte's thrasher is not a state or federally listed species but is a CDFW Species of Special Concern and is protected by the MBTA and CFG Code §3513. In addition, the species is considered a Covered Species under the CVMSHCP. The species is a large, long-tailed songbird found rarely in arid desert scrub habitats in southeastern California, southern Nevada, and western Arizona. The species is a year-round resident throughout most of its range. The species nests in shrubs, with some preference shown for cholla and other cacti. Pairs typically lay three to four eggs per clutch and have between one and three clutches a year. The diet of the species

is predominantly insects and other arthropods. Conversion of arid desert habitats to irrigated farmland threatens the species by allowing competing bird species to encroach into their habitat.

Survey Results

The BSA includes disturbed desert scrub habitat that consists of scattered shrubs and barren space, which may serve as potentially suitable nesting and/or foraging habitat for this species (Figure 3. Vegetation Communities). In addition, there is a recent (2019) eBird occurrence of this species located near the Santa Rosa Mountain foothills, approximately 7 miles west of the BSA. No LeConte's thrashers were observed during the biological survey conducted between April 25 and April 27, 2022; however, the species is presumed to have a low to moderate potential to occur within the BSA due to the presence of potentially suitable habitat as well as the recent eBird occurrence.

Project Impacts to LeConte's Thrasher

The Project is anticipated to temporarily impact approximately 34.77 acres of disturbed desert scrub habitat, which may serve as suitable nesting and foraging habitat for LeConte's thrasher (Figure 4. Project Impacts). Approximately 16.05 acres of temporary impacts to disturbed desert scrub habitat fall within Caltrans ROW (Appendix E). Temporary impacts to this habitat type will result from the temporary construction disturbance associated with local construction access as well as the installation of the proposed pipeline. The pipeline will be installed underground via open trench and subsurface boring; as such, no permanent impacts to disturbed desert scrub habitat are anticipated to result following the completion of this Project. All temporary impacts within this habitat type will be restored to preconstruction conditions.

Avoidance and Minimization Efforts for LeConte's Thrasher

The implementation of BIO-1 will serve to reduce impacts to this species. In addition, the following avoidance and minimization measure will be incorporated into the Project design and Project management to reduce potential impacts to LeConte's thrasher habitat that occur within the Project alignment:

BIO-4: Prior to vegetation removal or initial ground disturbance during the nesting bird season (March 1 – September 15 for passerine species and January 1 – September 15 for raptors) a pre-construction nesting bird survey must be conducted by a Project biologist prior to the start of work. The nesting bird survey must include the Project area plus a 100-foot buffer, where feasible. Within 14 days of the nesting bird survey, all project impact areas surveyed by the Project biologist must be cleared of vegetation by the contractor or a follow-up nesting bird survey is required.

A minimum 100 foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 250 foot no-disturbance buffer will be established around any nesting special status species including LeConte's thrasher and burrowing owl. The contractor must immediately stop work in the buffer area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the Project biologist.

Compensatory Mitigation for LeConte's Thrasher

No permanent impacts to disturbed desert scrub habitat are anticipated to result from the Project.. No compensatory mitigation for LeConte's thrasher is proposed.

4.3.3 Discussion of Palm Springs Pocket Mouse

The Palm Springs pocket mouse is not a state or federally listed species but is a CDFW Species of Special Concern and is considered a Covered Species under the CVMSHCP. The subspecies has historically ranged from the San Geronio Pass to the Little San Bernardino Mountains, and south along the Peninsular Range to Borrego Valley; however, their current distribution within the Coachella Valley is not well known. Individuals typically hibernate from October to March but can also become dormant for short periods when experiencing environmental stress. The species has typically been observed within creosote scrub, desert scrub, and grassland communities with loosely packed or sandy soils. The species is less likely to occur in habitats comprised of cobbly soils and saltbush (*Atriplex*) species. Local population density of the Palm Springs pocket mouse can vary greatly, including observations of approximately 400 individuals per acre (Bolster 1998).

Survey Results

Within the BSA, disturbed desert scrub habitat is comprised primarily of cattle saltbush and creosote bush, providing marginally suitable habitat for this species (Figure 3. Vegetation Communities). In addition, there is a recent (2015) CNDDDB occurrence of this species located approximately 4 miles west of the southern terminus of the Project. Due to the presence of potentially suitable habitat features as well as the recent local occurrence, the species is presumed to have a low to moderate potential to occur within the Project area.

Project Impacts to Palm Springs Pocket Mouse

The Project is anticipated to temporarily impact approximately 34.77 acres of potentially suitable Palm Springs pocket mouse habitat (Figure 4. Project Impacts). Approximately 16.05 acres of temporary impacts to disturbed desert scrub habitat fall within Caltrans ROW (Appendix E). Temporary impacts to this habitat type will result from the temporary construction disturbance associated with local construction access as well as the installation of the proposed pipeline. The pipeline will be installed underground via open trench as such, no permanent loss of disturbed desert scrub habitat are anticipated. All temporary impacts within this habitat type will be restored to preconstruction conditions.

Avoidance and Minimization Efforts for Palm Springs Pocket Mouse

The implementation of BIO-1 will serve to reduce impacts to this species. No additional avoidance and minimization measures to reduce potential impacts to Palm Springs pocket mouse and its habitat are proposed.

Compensatory Mitigation for Palm Springs Pocket Mouse

No permanent impacts to disturbed desert scrub habitat are anticipated to result from the Project. No compensatory mitigation for Palm Springs pocket mouse is proposed for this Project.

4.3.4 Discussion of Western Yellow Bat

The western yellow bat is not a Federally or State listed species but is a CDFW Species of Special Concern. Western yellow bats are a rare yearlong southern California resident from Los Angeles and San Bernardino Counties south to the Mexican border. This species occupies a range of habitats of extremely arid areas to dry areas. Western yellow bats inhabit savannas, secluded woodlands, regions dominated by pasture or croplands, and can tolerate residential areas. Typically, the species occurs close to water resources within riparian, desert riparian, desert wash and palm oasis habitats. Females usually give birth to two young in early June-July, and pregnant females have been found as early as late April. Breeding time is unknown; however, it is thought

that females store sperm and both males and females probably can breed within their first year. The species is insectivorous, feeding on a variety of insects: ants, wasps, bees, flies, mosquitoes, butterflies, moths, beetles, grasshoppers, crickets, and others. They are known to leave day roosts and begin foraging at dusk (Zeiner et al. 1988). Populations of western yellow bats are threatened and eliminated from many areas in Riverside County due to cosmetic trimming of palm fronds. The use of pesticides in date palm and other orchards may also constitute a threat to both roosting bats as well as their food sources (Cardoso 2020).

Survey Results

There is a historic (1976) CNDDDB occurrence of western yellow bat located approximately 1.2 miles north of the BSA in Oasis, California. The BSA north of 86th Avenue passes through a date palm orchard, a habitat type known to be used by maternal colonies of this species (Figure 3. Vegetation Communities). Furthermore, proximal water sources are present adjacent to the BSA in the form of local agricultural reservoirs. Due to the presence of potentially suitable habitat features as well as the local historic occurrence, the species is presumed to have a low to moderate potential to occur in the date orchards in the northern portion of the BSA.

Project Impacts to Western Yellow Bat

Construction will not remove any date palms, which serve as suitable habitat for this species. Roosting bats may be temporarily disturbed by the presence of construction equipment and personnel; however, with the inclusion of appropriate avoidance and minimization measures, no direct impacts to this species are anticipated.

Avoidance and Minimization Efforts for Western Yellow Bat

The implementation of BIO-1 will serve to reduce indirect impacts to this species. In addition, measure BIO-5 will eliminate potential impacts to western yellow bat nesting habitat. No species-specific avoidance and minimization measures are proposed.

BIO-5: Removal or trimming of date palms (*Phoenix dactylifera*) should not occur during the maternity season for Western yellow bat (June 1 – July 31). If date palms must be trimmed or removed during the maternity season, the subject tree must be surveyed within 24 hours prior to the trimming or removal by a biologist with specialized experience working with bats. If evidence of current bat occupation is found, the tree cannot be removed until after the maternity season.

Compensatory Mitigation for Western Yellow Bat

No permanent impacts to western yellow bat habitat are anticipated to result from the Project. Temporary impacts to western yellow bat habitat will be returned to pre-construction conditions following the completion of construction activities in accordance with measure BIO-5. No compensatory mitigation for western yellow bat is proposed for this Project.

4.3.5 Discussion of Colorado Desert Fringe-Toed Lizard

The Colorado Desert fringe-toed lizard is not a Federal or State listed species but is a CDFW Species of Special Concern. This species occurs in the Colorado and Sonoran deserts south of the Salton Sea, in Imperial and San Diego County. This species requires loose, wind-blown sand for burrowing in order to seek refuge from predators or for hibernating during the winter. Individuals are found in sand dunes, dry lakebeds, desert washes, and sparse desert scrub habitat. As primarily insectivores, fringe-toed lizards likely require a minimum level of vegetation

within the habitat to support the arthropods found in their diet. This species is diurnal, although levels of activity fluctuate depending on the local temperature and season. Predators include roadrunners, badgers, American kestrels, and coyotes, which fringe-toed lizards avoid by running bipedally away or by diving into the sand (Zeiner et al. 1988).

Survey Results

The BSA is largely comprised of sparse desert scrub and desert wash habitat with fine sandy soils that would serve to support this species (Figure 3. Vegetation Communities). Furthermore, the BSA falls within the northern range of this species and there are several recent (2018) iNaturalist occurrences of this species within two miles of the BSA's southern extent. Due to the presence of potentially suitable habitat features as well as the recent local occurrences of this Colorado Desert fringe-toed lizard, it is anticipated that the species has a low to moderate potential to occur within the BSA.

Project Impacts to Colorado Desert Fringe-Toed Lizard

The Project is anticipated to temporarily impact approximately 3.32 acres of desert wash habitat and approximately 34.77 acres of disturbed desert scrub habitat, which may serve as suitable habitat for Colorado Desert fringe-toed lizard (Figure 4. Project Impacts). Temporary impacts to these habitats will result from construction including noise and ground disturbance from personnel and equipment. The pipeline will be installed underground via open trench and subsurface boring; as such, no permanent impacts to either desert wash or disturbed desert scrub habitat are anticipated to result following the completion of this Project. All temporary impacts within these habitat types will be restored to preconstruction conditions.

Avoidance and Minimization Efforts for Colorado Desert Fringe-Toed Lizard

The implementation of BIO-1 will serve to reduce potential impacts to this species. In addition, the following avoidance and minimization measures are proposed for Colorado Desert fringe-toed lizard:

- BIO-6:** To avoid inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches greater than 6 inches deep must be covered at the end of the day or contain at least one escape ramp made of earth fill or wooden planks. All holes must be inspected at the beginning of each workday and before the holes and trenches are filled. Anything stored within the holes or trenches overnight must be inspected for special status species (Colorado Desert fringe-toed lizard, flat-tailed horned lizard) before being moved.

Compensatory Mitigation for Colorado Desert Fringe-Toed Lizard

Permanent impacts to potentially suitable Colorado Desert fringed-toed lizard habitat are not anticipated as result of the Project. Compensatory mitigation for Colorado Desert fringe-toed lizard is not proposed.

4.3.6 Discussion of Flat-Tailed Horned Lizard

The flat-tailed horned lizard is not a Federally or State listed species but is a CDFW Species of Special Concern and is considered a Covered Species under the CVMSHCP. This species inhabits areas of fine sand in desert washes and flats in the desert areas of San Diego, Imperial, and Riverside counties in California, southwestern Arizona, and northern Baja California, and in Sonora, Mexico. This lizard typically occurs in flat sparse desert scrub habitats dominated by creosote bush and bursage on fine, sandy, alkaline soils. Most of the species' current known

range occurs from north of the Algodones Dunes, south to the Mexican border. The flat-tailed horned lizard is also known to occur along the north edge of the Salton Sea, in the vicinity of Thousand Palms, and south of I-10 at the north end of Palm Springs (Zeiner et al. 1988).

Survey Results

The BSA encompasses desert scrub and desert wash habitat with scattered vegetation and fine, sandy soils (Figure 3. Vegetation Communities). Furthermore, there are multiple recent (2002-2014) CNDDDB occurrences of this species located in the vicinity of the Project, the closest being a 2009 occurrence located approximately 1.7 miles west of the Project. Due to the recent local occurrences and presence of potentially suitable habitat features, the species is presumed to have a low to moderate potential to occur within the BSA.

Project Impacts to Flat-Tailed Horned Lizard

The Project is anticipated to temporarily impact approximately 3.32 acres of desert wash habitat and approximately 34.77 acres of disturbed desert scrub habitat, which may serve as suitable habitat for flat-tailed horned lizard (Figure 4. Project Impacts). Temporary impacts to these habitats will result from construction including noise and ground disturbance from personnel and equipment. The pipeline will be installed underground via open trench and subsurface boring; as such, no permanent impacts to either desert wash or disturbed desert scrub habitat are anticipated to result following the completion of this Project. All temporary impacts within these habitat types will be restored to preconstruction conditions.

Avoidance and Minimization Efforts for Flat-Tailed Horned Lizard

The implementation of BIO-1 will serve to reduce potential impacts to this species. additional avoidance and minimization measures are proposed for flat-tailed horned lizard.

Compensatory Mitigation for Flat-Tailed Horned Lizard

Permanent impacts to potentially suitable flat-tailed horned lizard habitat are not anticipated as result of the Project. Compensatory mitigation for flat-tailed horned lizard is not proposed.

Chapter 5. Conclusions and Regulatory Determinations

5.1 Federal Endangered Species Act Consultation Summary

Table 4. Federally Listed Species Determinations lists the eight federally listed species that were returned via database searches and the effect determinations made for each species. No federally listed species are anticipated to occur within the BSA; as such, consultation with the USFWS regarding federally listed species is not required.

Table 4. Federally Listed Species Determinations

Common Name	Scientific Name	Potential	Fed. Status	Determination
Coachella Valley fringe-toed lizard	<i>Uma inornata</i>	Absent	Threatened	No Effect
Desert pupfish	<i>Cyprinodon macularius</i>	Absent	Endangered	No Effect
Desert tortoise	<i>Gopherus agassizii</i>	Absent	Threatened	No Effect
Least Bell's vireo	<i>Vireo bellii pusillus</i>	Absent	Endangered	No Effect
Peninsular bighorn sheep	<i>Ovis canandensis pop. 2</i>	Absent	Endangered	No Effect
Razorback sucker	<i>Xyrauchen texanus</i>	Absent	Endangered	No Effect
Western snowy plover	<i>Charadrius nivosus nivosus</i>	Absent	Threatened	No Effect
Yuma Ridgeway's rail	<i>Rallus obsoletus obsoletus</i>	Absent	Endangered	No Effect

5.2 California Endangered Species Act Consultation Summary

No state-listed species are anticipated to occur within the BSA; as such, consultation with CDFW under California Fish and Game Code Section 2081 is not required.

5.3 Wetlands and Other Waters Coordination Summary

As discussed in Section 2.1.1, the ephemeral desert washes and drainages within the Project Area are no longer considered WOTUS in the wake of the Sackett ruling; however, these features are still considered Waters of the State. CDFW and the Colorado River Basin regional Water Board retain regulatory authority over these areas. As such, a §1600 Streambed Alteration Agreement from CDFW and a Waste Discharge Requirement are still required prior to the commencement of work. The Regional Water Board, at their discretion, may decide that due to the small scale of impacts, these crossings are exempt from obtaining a WDR but that decision will be made after final design in coordination with the Board.

5.4 Invasive Species

In February 1999, EO 13112 was signed, requiring Federal agencies to work on preventing and controlling the introduction and spread of invasive species. Measure BIO-7 will be incorporated into the Project plans to ensure that invasive species are not introduced or spread.

BIO-7: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

5.5 Other

5.5.1 General Wildlife

To minimize and avoid potential effects to local wildlife, the following measures BIO-8 and BIO-9 have been incorporated into the Project design.

BIO-8: All food-related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.

BIO-9: The contractor must not apply rodenticide or herbicide within the Project area during construction.

5.5.2 Migratory Birds

Native birds are protected by the MBTA and CFG Code §3513. The implementation of measure BIO-4 would avoid all potential impacts to migratory birds.

Chapter 6. References

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- NOAA 2023 Essential Fish Habitat Mapper. 2023. National Oceanic and Atmospheric Administration (NOAA) Fisheries. Available at: <https://www.habitat.noaa.gov/apps/efhmapper/?page=page_4>
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- U.S. Climate Data 2024 U.S. Climate Data. 2024. Palm Springs Weather Averages. Available at: <<http://www.usclimatedata.com>> (accessed: March 6, 2024).
- USFWS 2024 United States Fish and Wildlife Service. 2024. Official Species List: U.S. Department of the Interior – Fish and Wildlife Service: Sacramento Fish and Wildlife Office. Project Code: 2024-0059056 (requested: March 6, 2024).
- Zeiner et al. 1988 Zeiner, D.C., W.F.Laudenslayer, Jr., K.E. Mayer, and M. White, eds. 1988-1990. California's Wildlife. Vol. I-III. California Department of Fish and Game, Sacramento, California.

Appendix A: USFWS Species List



United States Department of the Interior



FISH AND WILDLIFE SERVICE
Carlsbad Fish And Wildlife Office
2177 Salk Avenue - Suite 250
Carlsbad, CA 92008-7385
Phone: (760) 431-9440 Fax: (760) 431-5901

In Reply Refer To:

March 07, 2024

Project Code: 2024-0059056

Project Name: Highway 86 Water Transmission Main Phases 3 and 4 Project

Subject: List of threatened and endangered species that may occur in your proposed project location or may be affected by your proposed project

To Whom It May Concern:

The enclosed species list identifies threatened, endangered, proposed, and candidate species, as well as proposed and final designated critical habitat, that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through IPaC by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2) (c)). For projects other than major construction activities, the Service suggests that a biological

evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at: <https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf>

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see [Migratory Bird Permit | What We Do | U.S. Fish & Wildlife Service \(fws.gov\)](#).

The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see <https://www.fws.gov/library/collections/threats-birds>.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit <https://www.fws.gov/partner/council-conservation-migratory-birds>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List

OFFICIAL SPECIES LIST

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

Carlsbad Fish And Wildlife Office

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

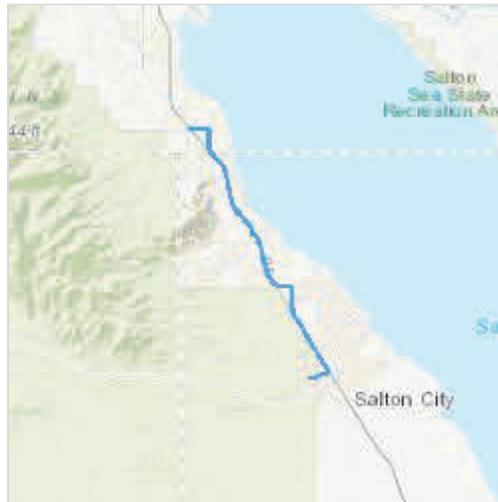
(760) 431-9440

PROJECT SUMMARY

Project Code: 2024-0059056
Project Name: Highway 86 Water Transmission Main Phases 3 and 4 Project
Project Type: Water Supply Pipeline - New Constr - Below Ground
Project Description: The CVWD proposes to install a 30-inch water transmission main as part of the Highway 86 Water Transmission Main Phases 3 and 4 Project (Project) in Riverside County and Imperial County, California

Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.3604341,-116.0200252596653,14z>



Counties: Imperial and Riverside counties, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 7 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries¹, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

MAMMALS

NAME	STATUS
Peninsular Bighorn Sheep <i>Ovis canadensis nelsoni</i> Population: Peninsular CA pop. There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4970	Endangered

BIRDS

NAME	STATUS
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/5945	Endangered
Western Snowy Plover <i>Charadrius nivosus nivosus</i> Population: Pacific Coast population DPS-U.S.A. (CA, OR, WA), Mexico (within 50 miles of Pacific coast) There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8035	Threatened
Yuma Ridgway's Rail <i>Rallus obsoletus yumanensis</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/3505	Endangered

REPTILES

NAME	STATUS
Desert Tortoise <i>Gopherus agassizii</i> Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/4481	Threatened

FISHES

NAME	STATUS
Desert Pupfish <i>Cyprinodon macularius</i> There is final critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/7003	Endangered

INSECTS

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/9743	Candidate

CRITICAL HABITATS

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency: Dokken Engineering
Name: Vincent Chevreuil
Address: 110 Blue Ravine Road #200
City: Folsom
State: CA
Zip: 95630
Email: vchevreuil@dokkenengineering.com
Phone: 9168580642

Appendix B: CNDDDB Species List



Selected Elements by Common Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad (Truckhaven (3311538) OR Seventeen Palms (3311631) OR Oasis (3311641) OR Fonts Point (3311632) OR Rabbit Peak (3311642) OR Salton (3311548) OR Borrego Mountain (3311622) OR Shell Reef (3311621) OR Kane Spring NW (3311528))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Abrams' spurge <i>Euphorbia abramsiana</i>	PDEUP0D010	None	None	G4	S2	2B.2
Active Desert Dunes <i>Active Desert Dunes</i>	CTT22100CA	None	None	G4	S2.2	
Algodones Dunes sunflower <i>Helianthus niveus ssp. tephrodes</i>	PDAST4N0Z2	None	Endangered	G4T2T3	S1	1B.2
burrowing owl <i>Athene cunicularia</i>	ABNSB10010	None	None	G4	S2	SSC
California ayenia <i>Ayenia compacta</i>	PDSTE01020	None	None	G4	S3	2B.3
California brown pelican <i>Pelecanus occidentalis californicus</i>	ABNFC01021	Delisted	Delisted	G4T3T4	S3	
chaparral sand-verbena <i>Abronia villosa var. aurita</i>	PDNYC010P1	None	None	G5T2?	S2	1B.1
cheeseweed owlfly (cheeseweed moth lacewing) <i>Oliarces clara</i>	IINEU04010	None	None	G1G3	S2	
Colorado Desert fringe-toed lizard <i>Uma notata</i>	ARACF15020	None	None	G3	S2	SSC
Desert Fan Palm Oasis Woodland <i>Desert Fan Palm Oasis Woodland</i>	CTT62300CA	None	None	G3	S3.2	
desert pupfish <i>Cyprinodon macularius</i>	AFCNB02060	Endangered	Endangered	G1	S1	
flat-tailed horned lizard <i>Phrynosoma mcallii</i>	ARACF12040	None	None	G3	S3	SSC
Gander's cryptantha <i>Cryptantha ganderi</i>	PDBOR0A120	None	None	G2G3	S1	1B.1
great blue heron <i>Ardea herodias</i>	ABNGA04010	None	None	G5	S4	
Le Conte's thrasher <i>Toxostoma lecontei</i>	ABPBK06100	None	None	G4	S3	SSC
little-leaf elephant tree <i>Bursera microphylla</i>	PDBUR01020	None	None	G4	S2	2B.3
mountain plover <i>Charadrius montanus</i>	ABNNB03100	None	None	G3	S2	SSC
narrow-leaf sandpaper-plant <i>Petalonyx linearis</i>	PDLOA04010	None	None	G4	S3?	2B.3



Selected Elements by Common Name
 California Department of Fish and Wildlife
 California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
Orcutt's woody-aster <i>Xylorhiza orcuttii</i>	PDASTA1040	None	None	G3?	S3	1B.2
Palm Springs pocket mouse <i>Perognathus longimembris bangsi</i>	AMAFD01043	None	None	G5T2	S1	SSC
Parish's desert-thorn <i>Lycium parishii</i>	PDSOL0G0D0	None	None	G4	S1	2B.3
Peirson's milk-vetch <i>Astragalus magdalenae</i> var. <i>peirsonii</i>	PDFAB0F532	Threatened	Endangered	G3G4T1	S1	1B.2
Peirson's pincushion <i>Chaenactis carphoclinia</i> var. <i>peirsonii</i>	PDAST20042	None	None	G5T2	S2	1B.3
Peninsular bighorn sheep DPS <i>Ovis canadensis nelsoni</i> pop. 2	AMALE04012	Endangered	Threatened	G4T3Q	S2	FP
prairie falcon <i>Falco mexicanus</i>	ABNKD06090	None	None	G5	S4	WL
razorback sucker <i>Xyrauchen texanus</i>	AFCJC11010	Endangered	Endangered	G1	S2	FP
sand evening-primrose <i>Chylismia arenaria</i>	PDONA03020	None	None	G4?	S2S3	2B.2
sandstone night lizard <i>Xantusia gracilis</i>	ARACK01040	None	None	G1	S2	SSC
Santa Rosa Mountains leptosiphon <i>Leptosiphon floribundus</i> ssp. <i>hallii</i>	PDPLM090J3	None	None	G4T1T2	S1S2	1B.3
Stabilized and Partially Stabilized Desert Dunes <i>Stabilized and Partially Stabilized Desert Dunes</i>	CTT22200CA	None	None	G4	S3.2	
Thurber's pilostyles <i>Pilostyles thurberi</i>	PDRAF01010	None	None	G5	S4	4.3
western mastiff bat <i>Eumops perotis californicus</i>	AMACD02011	None	None	G4G5T4	S3S4	SSC
western snowy plover <i>Charadrius nivosus nivosus</i>	ABNNB03031	Threatened	None	G3T3	S3	SSC
western yellow bat <i>Lasiurus xanthinus</i>	AMACC05070	None	None	G4G5	S3	SSC
white-faced ibis <i>Plegadis chihi</i>	ABNGE02020	None	None	G5	S3S4	WL

Record Count: 35

Appendix C: CNPS Species List



CNPS Rare Plant Inventory

Search Results

21 matches found. Click on scientific name for details

Search Criteria: Quad is one of [3311538:3311631:3311632:3311642:3311548:3311622:3311621:3311528:3311641]

▲ COMMON NAME	SCIENTIFIC NAME	FAMILY	LIFEFORM	BLOOMING PERIOD	FED LIST	STATE LIST	GLOBAL RANK	STATE RANK	CA RARE PLANT RANK	CA ENDEMIC	DATE ADDED	PHOTO
Abrams' spurge	<u>Euphorbia abramsiana</u>	Euphorbiaceae	annual herb	(Aug)Sep-Nov	None	None	G4	S2	2B.2		2001-01-01	No Photo Available
Algodones Dunes sunflower	<u>Helianthus niveus ssp. tephrodes</u>	Asteraceae	perennial herb	Sep-May	None	CE	G4T2T3	S1	1B.2		1974-01-01	 © 2014 Keir Morse
Borrego milk-vetch	<u>Astragalus lentiginosus</u> var. <u>borreganus</u>	Fabaceae	annual herb	Feb-May	None	None	G5T5?	S4	4.3		1974-01-01	No Photo Available
California ayenia	<u>Ayenia compacta</u>	Malvaceae	perennial herb	Mar-Apr	None	None	G4	S3	2B.3		1974-01-01	No Photo Available
chaparral sand-verbena	<u>Abronia villosa</u> var. <u>aurita</u>	Nyctaginaceae	annual herb	(Jan)Mar-Sep	None	None	G5T2?	S2	1B.1		2001-01-01	 © 2011 Aaron E. Sims
Cooper's rush	<u>Juncus cooperi</u>	Juncaceae	perennial herb	Apr-May(Aug)	None	None	G4	S3	4.3		1974-01-01	 © 2018 Neal Kramer
Gander's cryptantha	<u>Cryptantha ganderi</u>	Boraginaceae	annual herb	Feb-May	None	None	G2G3	S1	1B.1		1974-01-01	No Photo Available
little-leaf elephant tree	<u>Bursera microphylla</u>	Burseraceae	perennial deciduous tree	Jun-Jul	None	None	G4	S2	2B.3		1980-01-01	No Photo Available
narrow-leaf sandpaper-plant	<u>Petalonyx linearis</u>	Loasaceae	perennial shrub	(Jan-Feb)Mar-May(Jun-Dec)	None	None	G4	S3?	2B.3		2016-09-16	No Photo Available

Newberry's velvet-mallow	<i>Horsfordia newberryi</i>	Malvaceae	perennial shrub	Feb-Dec	None	None	G5	S4	4.3		2001-01-01	No Photo Available
Orcutt's woody-aster	<i>Xylorhiza orcuttii</i>	Asteraceae	perennial herb	Mar-Apr	None	None	G3?	S2	1B.2		1974-01-01	No Photo Available
Parish's desert-thorn	<i>Lycium parishii</i>	Solanaceae	perennial shrub	Mar-Apr	None	None	G4	S1	2B.3		1980-01-01	No Photo Available
Peirson's milk-vetch	<i>Astragalus magdalenae</i> <i>var. peirsonii</i>	Fabaceae	perennial herb	Dec-Apr	FT	CE	G3G4T1	S1	1B.2		1974-01-01	No Photo Available
Peirson's pincushion	<i>Chaenactis carphoclinia</i> <i>var. peirsonii</i>	Asteraceae	annual herb	Mar-Apr	None	None	G5T2	S2	1B.3	Yes	1994-01-01	No Photo Available
pink velvet-mallow	<i>Horsfordia alata</i>	Malvaceae	perennial shrub	Feb-Dec	None	None	G5	S4	4.3		2001-01-01	No Photo Available
ribbed cryptantha	<i>Johnstonella costata</i>	Boraginaceae	annual herb	Feb-May	None	None	G4G5	S4	4.3		1974-01-01	No Photo Available
Salton milk-vetch	<i>Astragalus crotalariae</i>	Fabaceae	perennial herb	Jan-Apr	None	None	G4G5	S4	4.3		1974-01-01	No Photo Available
sand evening-primrose	<i>Chylisma arenaria</i>	Onagraceae	annual/perennial herb	Nov-May	None	None	G4?	S2S3	2B.2		2001-01-01	No Photo Available
Santa Rosa Mountains leptosiphon	<i>Leptosiphon floribundus</i> <i>ssp. hallii</i>	Polemoniaceae	perennial herb	May-Jul(Nov)	None	None	G4T1T2	S1S2	1B.3	Yes	1988-01-01	 © 2016 Keir Morse
slender-lobed four o'clock	<i>Mirabilis tenuiloba</i>	Nyctaginaceae	perennial herb	(Feb)Mar-May	None	None	G5	S4	4.3		1974-01-01	No Photo Available
Thurber's pilostyles	<i>Pilostyles thurberi</i>	Apodanthaceae	perennial herb (parasitic)	Dec-Apr	None	None	G5	S4	4.3		1974-01-01	No Photo Available

Showing 1 to 21 of 21 entries

Suggested Citation:

California Native Plant Society, Rare Plant Program. 2024. Rare Plant Inventory (online edition, v9.5). Website <https://www.rareplants.cnps.org> [accessed 7 March 2024].

Appendix D: Representative Photographs



Photo 1. Representative photograph of the disturbed desert scrub habitat that occurs within the BSA. This habitat community is sparsely vegetated by low-lying shrubs (April 2022).



Photo 2. Representative photograph of a typical roadway crossing over a desert wash channel along the alignment. Taken of Virgo Wash (April 2022).



Photo 3. Representative photograph of the Valerie Wash tributary, which occurs within the disturbed desert scrub habitat between Highway 86 and Lesser Drive (February 2024).



Photo 4. Typical OHWM indicators of desert washes included changes in soil texture and composition, sediment sorting, and shelving along the banks of the channel, as seen above. Channels were highly disturbed due to vehicular activity. Taken of Zanthé Ditch (April 2022).



Photo 5. Representative photograph of the vehicle disturbance that is present throughout the natural communities found within the BSA. Photo is of Coral Wash (April 2022).



Photo 6. Representative photograph of the barren access route present along the utility corridor adjacent to Highway 86 (April 2022).



Photo 7. Barren habitat present south of Sunset Drive in Salton City (April 2022).

Appendix E: Project Impacts within Caltrans ROW



Figure 5
Project Impacts within Caltrans ROW
Page 1 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 5
Project Impacts within Caltrans ROW
 Page 2 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



- Approximate Caltrans Right of Way
 - Biological Study Area (185.98 acres)
 - Approximate Project Area
 - Non-Sensitive Habitat
- Vegetation Communities**
- Disturbed Desert Scrub (16.05 acres)
 - Desert Wash (0.93 acres)

Figure 5
Project Impacts within Caltrans ROW
 Page 3 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 5
Project Impacts within Caltrans ROW
 Page 4 of 11



Figure 5
Project Impacts within Caltrans ROW
 Page 5 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

SOURCE: NHDOT, NHDOT, TRANSMISSIONS, CHARTER, BARRIS, DAV

Source: ESRI Maps Online; Unken Engineering 9/3/2024; Created By: scotts



Figure 5
Project Impacts within Caltrans ROW
 Page 6 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



SOURCE: AERIAL PHOTOGRAPHY COURTESY OF CALTRANS

Source: ESRI Maps Online; Duxken Engineering 9/3/2024; Created by: scotts

- Approximate Caltrans Right of Way
 - Biological Study Area (185.98 acres)
 - Approximate Project Area
 - Non-Sensitive Habitat
- Vegetation Communities**
- Disturbed Desert Scrub (16.05 acres)
 - Desert Wash (0.93 acres)

Figure 5
Project Impacts within Caltrans ROW
 Page 7 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

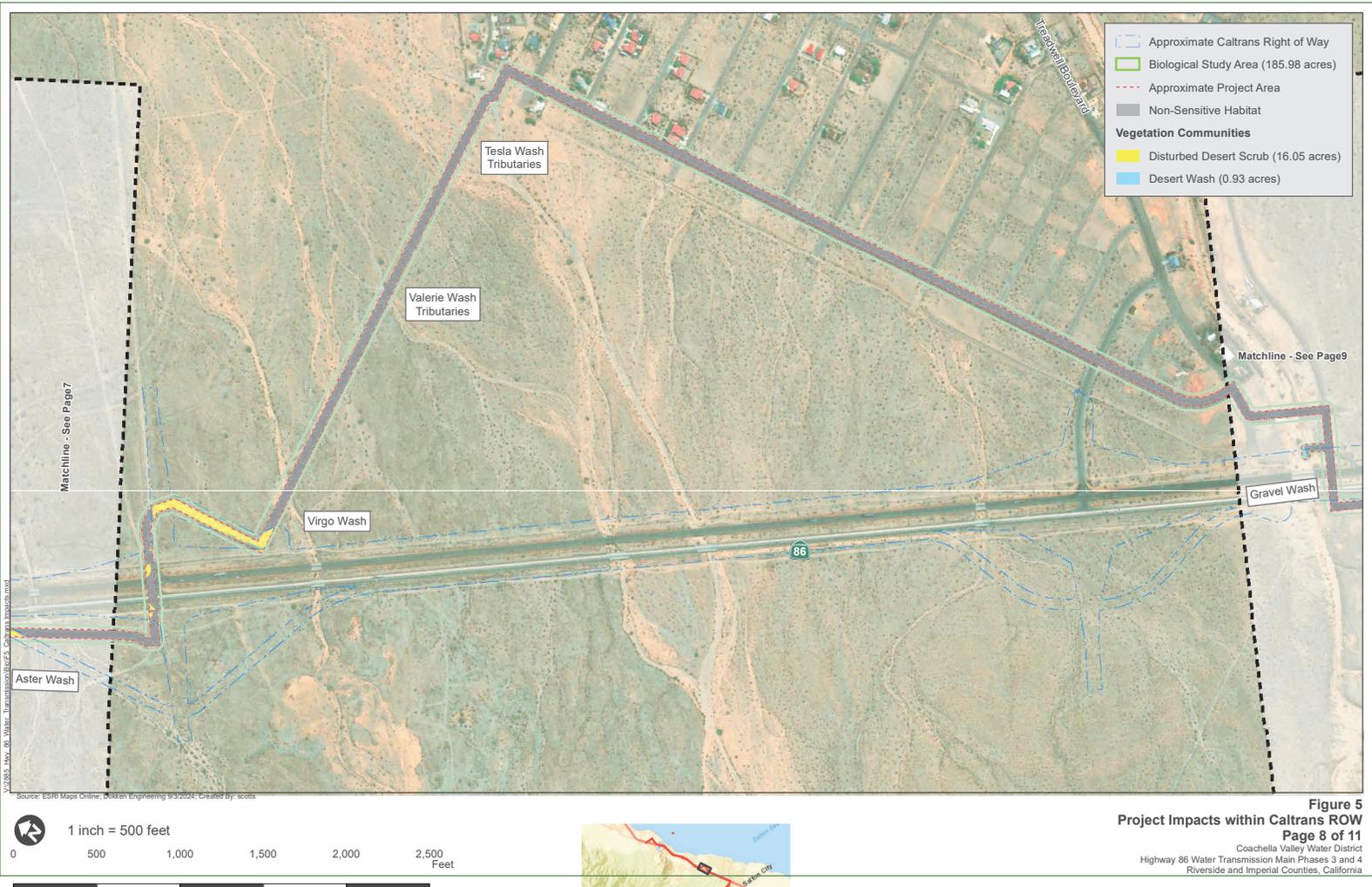


Figure 5
Project Impacts within Caltrans ROW
 Page 8 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

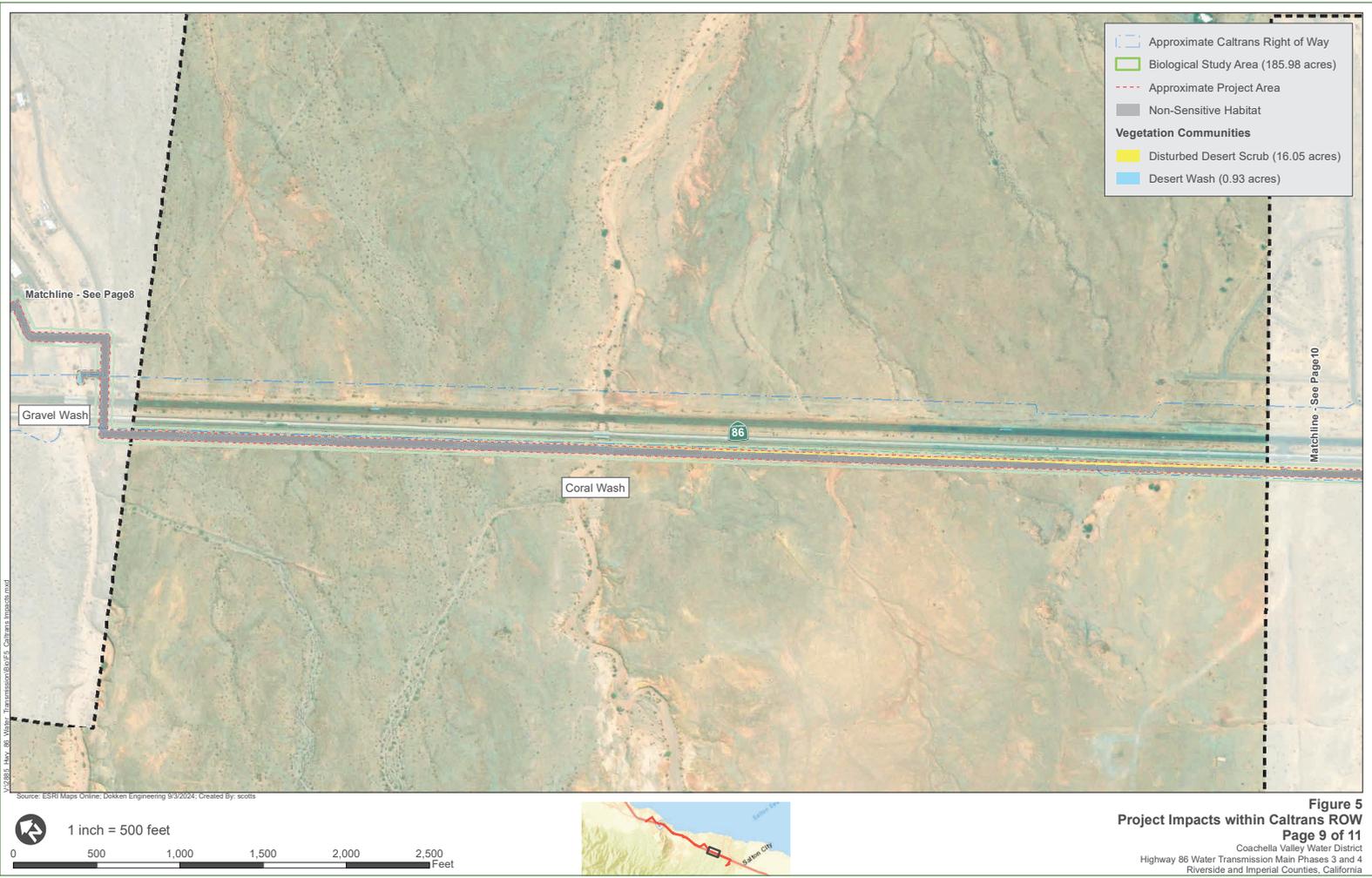


Figure 5
Project Impacts within Caltrans ROW
Page 9 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



Figure 5
Project Impacts within Caltrans ROW
 Page 10 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California



- Approximate Caltrans Right of Way
 - Biological Study Area (185.98 acres)
 - Approximate Project Area
 - Non-Sensitive Habitat
- Vegetation Communities**
- Disturbed Desert Scrub (16.05 acres)
 - Desert Wash (0.93 acres)

Figure 5
Project Impacts within Caltrans ROW
 Page 11 of 11
 Coachella Valley Water District
 Highway 86 Water Transmission Main Phases 3 and 4
 Riverside and Imperial Counties, California

Appendix F: Avoidance and Minimization Measures

BIO-1: Every individual working on the Project must attend a Worker Environmental Awareness Program training session delivered by the Project biologist prior to starting work on the job site. This training program will include information regarding the sensitive habitats and special status species with the potential to occur within the Project area, as well as the avoidance and minimization measures that must be complied with.

BIO-2: Best Management Practices (BMPs) will be incorporated to minimize impacts on the environment including erosion and the release of pollutants (e.g. oils, fuels):

- Exposed soils and material stockpiles must be stabilized through watering or other measures to prevent the movement of dust at the Project site caused by wind and construction activities such as off road driving, excavation, and grading activities;
- All vehicle and equipment fueling/maintenance must be sited outside any desert wash;
- Equipment used in and around desert wash habitat must not have any leaks;
- Raw cement, concrete or concrete washings, asphalt, paint or other coating material, oil or other petroleum products, or any other substances that could be hazardous to aquatic life must not enter any of the desert washes;
- Any accidental spills of hazardous materials must be cleaned up immediately;
- All construction materials must be hauled off-site after completion of construction;
- Upon completion of construction activities, any temporary barriers/materials within desert wash habitat must be removed in a manner that would allow flow to pass downstream with the least disturbance to the substrate.

BIO-3: A qualified biologist must conduct a take avoidance survey in accordance with the 2012 CDFW *Staff Report on Burrowing Owl Mitigation* within 2 months and again within 14 days prior to the start of ground disturbance for each phase of construction. Surveys must be conducted in all portions of the Project footprint that encompass suitable habitat for the species, with an approximate 50 meter buffer. If no active burrows are discovered, no further avoidance or minimization measures are required.

If burrows are detected but determined to be inactive, exclusion methods will be implemented to prevent owls from occupying the burrows during Project activities. If active burrows are identified, a no work buffer will be placed around the burrow and CVWD must notify CDFW within 48 hours of the discovery. The buffer must be 200 meters between April 1 – Oct 15 and 50 meters between Oct 16 – Mar 31. The buffer must be demarcated with temporary high visibility fencing installed under the supervision of a biologist.

BIO-4: Prior to vegetation removal or initial ground disturbance during the nesting bird season (March 1 – September 15 for passerine species and January 1 – September 15 for raptors) a pre-construction nesting bird survey must be conducted by a Project biologist prior to the start of work. The nesting bird survey must include the Project area plus a 100-foot buffer, where feasible. Within 14 days of the nesting bird survey, all project impact areas surveyed by the Project biologist must be cleared of vegetation by the contractor or a follow-up nesting bird survey is required.

A minimum 100 foot no-disturbance buffer will be established around any active nest of migratory birds and a minimum 250 foot no-disturbance buffer will be established around any nesting special status species including LeConte's thrasher and burrowing owl. The contractor must immediately stop work in the buffer area until the appropriate buffer is established and is prohibited from conducting work that could disturb the birds (as determined by the Project biologist and in coordination with wildlife agencies) in the buffer area until a qualified biologist determines the young have fledged. A reduced buffer can be established if determined appropriate by the Project biologist.

BIO-5: Removal or trimming of date palms (*Phoenix dactylifera*) should not occur during the maternity season for Western yellow bat (June 1 – July 31). If date palms must be trimmed or removed during the maternity season, the subject tree must be surveyed within 24 hours prior to the trimming or removal by a biologist with specialized experience working with bats. If evidence of current bat occupation is found, the tree cannot be removed until after the maternity season.

BIO-6: To avoid inadvertent entrapment of animals during construction, all excavated, steep-walled holes or trenches greater than 6 inches deep must be covered at the end of the day or contain at least one escape ramp made of earth fill or wooden planks. All holes must be inspected at the beginning of each workday and before the holes and trenches are filled. Anything stored within the holes or trenches overnight must be inspected for special status species (Colorado Desert fringe-toed lizard, flat-tailed horned lizard) before being moved.

BIO-7: Prior to arrival at the Project site and prior to leaving the Project site, construction equipment that may contain invasive plants and/or seeds will be cleaned to reduce the spreading of noxious weeds.

BIO-8: All food-related trash must be disposed into closed containers and must be removed from the Project area daily. Construction personnel must not feed or otherwise attract wildlife to the Project area.

BIO-9: The contractor must not apply rodenticide or herbicide within the Project area during construction.