

**Appendix B**  
**Update to Biological Resources Technical Study**  
**for the FY 2024-2025 NPW Connections Project**

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## **Technical Memorandum**

**To: Carlos Huerta, CVWD, Environmental Resources Analyst**

**From: Nathan Moorhatch, WSP, Senior Biologist**

**Date: May 16, 2025**

***Subject: Update to Biological Resources Technical Study for the Fiscal Year (FY) 2024-2025 Non-Potable Water (NPW) Connections Project***

On June 4, 2021, the CVWD Board of Directors approved the FY 2020-2021 NPW Connections Project Mitigated Negative Declaration (MND), which evaluated the potential environmental impacts associated with the construction and operation of approximately 12 miles of additional NPW pipeline (Rincon Consultants, Inc. 2020b).

The proposed FY 2024-2025 NPW Pipeline Connection Project (Modified Project) would expand CVWD's WRP #7 and WRP #10 NPW services and deliver an average of approximately 2,993 acre feet per year (AFY) of NPW to five new NPW customers and would expand the low pressure pipeline capacity within the WRP #10 service area. The proposed Project would involve the installation of approximately 34,200 linear feet of pipeline ranging from 12-inch to 36-inch diameter. All excavations would be approximately 5 feet deep with an average width of approximately 3 feet. Most of the activities would be located within City of Palm Desert and City of Indio rights-of-way with approximately 4,200 linear feet of pipeline within customer-owned properties. Construction activities associated with the Modified Project would involve the installation of pipelines, concrete-work, and installation of metering and control vaults, flow meters, control valves, and telemetry systems.

This update to the Biological Resources Technical Study verifies the current site conditions and assesses the requirements for the implementation of mitigation measures previously presented as part of the Biological Resources Technical Study (Rincon Consultants, Inc. 2020a) and the Final IS/MND for the FY 2020-2021 NPW Connections Project (Rincon Consultants, Inc. 2020b).

### **Study Area**

The Study Area generally includes the 3-foot-wide NPW pipeline corridor as well as adjacent work areas that could be affected by the proposed Project (e.g., construction staging areas). Therefore, the Study Area conservatively includes a 25-foot-wide buffer located on either side of the proposed NPW pipeline corridor (50-foot-wide total). In addition, to the adjacent work areas, this 50-foot-wide buffer also addresses potential temporary, indirect dust and noise impacts associated with construction.

### **Database and Literature Review**

WSP senior biologist, Mr. Moorhatch reviewed a variety of reference and literature sources to obtain information on sensitive biological resources that may have some potential to occur in the

project area. These resources included: a review of the California Department of Fish and Wildlife (CDFW) California Natural Diversity Data Base (CNDDDB); the California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants of California (CNPS 2024), and the Biological Resources Technical Study for the FY 2020-2021 NPW Pipeline Connections Project produced by Rincon Consultants, Inc. in August 2020.

**Table 1. Special Status Plants**

Species	Protective Status	Habitat	Flowering Period	Occurrence Probability
Chaparral sand-verbena ( <i>Abronia villosa</i> var. <i>aurita</i> )	CNPS List: 1B.1 State Rank: S2 CVMSHCP: No	Chaparral, coastal scrub, desert dunes between 245 to 5,250 feet above mean sea level (amsl).	(January) March - September	<b>Absent</b> Habitat limited and disturbed, would not be expected within the Study Area.
Coachella Valley milk-vetch ( <i>Astragalus lentiginosus</i> var. <i>coachellae</i> )	F: END CNPS List: 1B.2 State Rank: S1 CVMSHCP: Yes	Annual/perennial herb found in sandy flats, washes, alluvial fans, sand field, dunes and dune edges between 130 to 2,150 feet amsl.	February - May	<b>Low</b> Habitat limited and disturbed, would not be expected within the Study Area.
Horn's milk-vetch ( <i>Astragalus hornii</i> var. <i>hornii</i> )	CNPS List: 1B.1 State Rank: S1 CVMSHCP: No	Annual/perennial herb found in salty flats and lake shores between 197 to 984 feet amsl.	May - September	<b>Absent</b> Habitat not present within the Study Area; the closest CNDDDB record is from 1936.
Gravel milk-vetch ( <i>Astragalus sabulonum</i> )	CNPS List: 2B.2 State Rank: S2 CVMSHCP: No	Desert dunes, Mojavean Desert scrub, Sonoran Desert scrub; usually found on sandy flats and washes, sometimes found on gravelly roadsides between 195 to 3,050 feet amsl.	February - June	<b>Absent.</b> Habitat limited and disturbed, would not be expected within the Study Area.
Triple-ribbed milk-vetch ( <i>Astragalus tricarinatus</i> )	F: FE CNPS List: 1B.2 State Rank: S2 CVMSHCP: Yes	Joshua tree woodland, Sonoran desert scrub. Rocky slopes in canyons and along edge of boulder-strewn desert washes, with creosote and brittlebush between 1,493 to 5,003 feet amsl.	February - May	<b>Absent</b> Habitat not present within the Study Area.
Glandular ditaxis ( <i>Ditaxis claryana</i> )	CNPS List: 2B.2 State Rank: S2 CVMSHCP: No	Mojavean Desert scrub, Sonoran Desert scrub; found in sandy areas between 0 to 1,395 feet amsl.	October - March	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected within the Study Area.

Species	Protective Status	Habitat	Flowering Period	Occurrence Probability
California ditaxis ( <i>Ditaxis serrata</i> var. <i>californica</i> )	CNPS List: 3.2 State Rank: S2? CVMSHCP: No	Usually associated with washes and canyons in desert areas, between 100 and 3,280 feet amsl.	March - December	<b>Absent</b> Habitat (dry washes or rocky hillsides) not present within the Study Area.
Arizona spurge ( <i>Euphorbia arizonica</i> )	CNPS List: 2B.3 State Rank: S3 CVMSHCP: No	Sandy flats at approximately 984 feet amsl.	March - April	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected within the Study Area.
Flat-seeded spurge ( <i>Euphorbia platysperma</i> )	CNPS List: 1B.2 State Rank: S1 CVMSHCP: No	Desert dunes, Sonoran desert scrub. Sandy soils at approximately 328 feet amsl.	May	<b>Absent.</b> Habitat limited and disturbed (road or road edge), would not be expected; Study Area is generally below elevational range of species.
Slender cottonheads ( <i>Nemacaulis denudata</i> var. <i>gracilis</i> )	CNPS List: 2B.2 State Rank: S2 CVMSHCP: No	Sandy areas in coastal and desert areas, saltbush scrub, creosote bush scrub, and coastal grasslands between 165 and 1,310 feet amsl.	March - May	<b>Absent</b> Habitat limited and disturbed, not expected to occur in roadside Study Area.
Narrow-leaf sandpaper-plant ( <i>Petalonyx linearis</i> )	CNPS List: 2B.3 State Rank: S3? CVMSHCP: No	Mojavean desert scrub, Sonoran desert scrub. Sandy or rocky canyons between 98 and 3,576 feet amsl.	(January - February) March - May (June - December)	<b>Absent</b> Habitat not present within the Study Area.
Desert spike-moss ( <i>Selaginella eremophila</i> )	CNPS List: 2B.2 State Rank: S2S3 CVMSHCP: No	Often found growing in rock crevices or on rocks (also the ground) on rocky slopes between 655 and 4,250 feet amsl in elevation in desert and desert edge areas.	(May) June — (July) doesn't truly "bloom," but produces antheridia	<b>Absent</b> Habitat not present; Study Area is generally below elevational range of species.
Purple stemodia ( <i>Stemodia durantifolia</i> )	CNPS List: 2B.1 State Rank: S2 CVMSHCP: No	Wet or moist sandy areas in riparian habitats (within surrounding Sonoran desert scrub) between 590 and 1,000 feet amsl.	(January) April - December	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected; mesic sites not present.
Mecca-aster ( <i>Xylorhiza cognata</i> )	F: BLM sensitive CNPS List: 1B.2 State Rank: S2 CVMSHCP: Yes	Grows on sandstone and clay substrates on steep canyon slopes between 65 and 1,000 feet asml.	January - June	<b>Absent</b> Habitat not present; Study Area outside of range.

**Table 2. Special Status Wildlife**

Species	Protective Status	Habitat	Occurrence Probability
<b>Invertebrates</b>			
Crotch bumble bee ( <i>Bombus crotchii</i> )	C: SC State Rank: S1S2 CVMSHCP: No	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include <i>Antirrhinum</i> , <i>Phacelia</i> , <i>Clarkia</i> , <i>Dendromecon</i> , <i>Eschscholzia</i> , <i>Lupinus</i> , <i>Astragalus</i> , and <i>Eriogonum</i> .	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected; very little remaining vegetation for nectar sources.
Casey's June beetle ( <i>Dinacoma caseyi</i> )	F: END State Rank: S1 CVMSHCP: No	Sandy soils; flightless females live below ground and come to surface only for mating. Known only from two populations in a small area of southern Palm Springs.	<b>Absent</b> Habitat not present; Study Area outside of range.
Coachella giant sand treader cricket ( <i>Macrobaenetes valgum</i> )	State Rank: S1S2 CVMSHCP: Yes	Found in the sandy areas of the specialized sand dune ecosystem of Coachella Valley (i.e., "blow sand" habitat)	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected.
Cheeseweed owlfly ( <i>Oliarces clara</i> )	State Rank: S2 CVMSHCP: No	Occur on or near bajadas, attracted to elevated topographic features when mating	<b>Absent</b> Habitat limited and disturbed (road or road edge); no elevated features for males to congregate at during mating.
<b>Fish</b>			
Desert pupfish ( <i>Cyprinodon macularius</i> )	F: END C: END State Rank: S1 CVMSHCP: Yes	Desert ponds, springs, marshes, and streams. Able to adapt to a variety of aquatic habitats, including those having high temperatures and salinities.	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected.
<b>Reptiles</b>			
Flat-tailed horned lizard ( <i>Phrynosoma mcallii</i> )	C: CSC State Rank: S2 CVMSHCP: Yes	Fine sand in desert washes and flats with vegetative cover and ants, generally below 600 feet amsl elevation in Riverside, San Diego, and Imperial counties.	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected.
Coachella Valley fringe-toed lizard ( <i>Uma inornate</i> )	F: THR C: END State Rank: S1 CVMSHCP: Yes	Sandy areas of the Coachella Valley (e.g., dunes and sand field habitats).	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected.

Species	Protective Status	Habitat	Occurrence Probability
Red-diamond rattlesnake ( <i>Crotalus ruber</i> )	C: CSC State Rank: S3 CVMSHCP: No	Inhabits a variety of habitats including chaparral, woodland, grassland, and desert edge areas from Coastal San Diego County to eastern slopes of mountains bordering the Colorado Desert.	<b>Absent</b> Habitat limited and disturbed (road or road edge), would not be expected; more common in desert edge areas (e.g., rocky), not expected this far east on the valley floor.
<b>Birds</b> (Birds covered by the CVMSHCP still cannot be directly impacted while nesting or in burrows)			
Burrowing owl ( <i>Athene cunicularia</i> )	F: MBTA, BCC C: SSC State Rank: SC CVMSHCP: Yes	Occupies open, dry grasslands, scrub habitats, agricultural, railroad rights-of-way, and margins of highways, golf courses, and airports. Utilizes ground squirrel burrows and man-made structures, such as earthen berms, cement culverts, cement, asphalt, and debris piles for nesting and shelter.	<b>Nesting: Absent</b> No owls or suitable burrows/surrogates present.  <b>Foraging: Absent</b> Right-of-way has been cleared and graded, or developed. Surrounding open areas also degraded/disturbed.
Ferruginous hawk ( <i>Buteo regalis</i> )	State Rank: S3S4 CVMSHCP: No	Prefers arid and semiarid grassland and prairie regions; can also be found at foothills, mid-elevation plateaus, riparian corridors and at desert edges; rock outcrops, solitary trees, and shallow canyons may characterize potential habitat.	<b>Nesting: Absent</b> No suitable nesting habitat (winter visitor only).  <b>Foraging: Absent</b> The right-of-way is roadside in an urban/disturbed setting, does not support prey base to attract this raptor.
Southwestern willow flycatcher ( <i>Empidonax traillii extimus</i> )	F: END C: END State Rank: S1 CVMSHCP: Yes	Nests in large areas of riparian forests and woodlands	<b>Nesting: Absent</b> No suitable nesting habitat.  <b>Foraging: Absent</b> No suitable foraging habitat on or adjacent to Study Area.

Species	Protective Status	Habitat	Occurrence Probability
Prairie falcon ( <i>Falco mexicanus</i> )	C: WL State Rank: S4 CVMSHCP: No	Another raptor that favors dry, open terrain for foraging, although smaller open areas adjacent to human development are not as commonly used. Usually nests on cliff ledges.	<b>Nesting: Absent</b> No suitable nesting habitat.  <b>Foraging: Low</b> Low quality foraging habitat.
Loggerhead shrike ( <i>Lanius ludovicianus</i> )	F: MBTA C: SSC State Rank: S4 CVMSHCP: No	A variety of open habitats with perches for scanning, and fairly dense shrubs/brush for nesting. Woodlands, pinyon-juniper, Joshua trees, desert oases, scrub and washes.	<b>Nesting: Absent</b> No suitable nesting habitat.  <b>Foraging: Low</b> Low potential in adjacent undeveloped area north of Varner Road.
Black-tailed gnatcatcher ( <i>Poliophtila melanura</i> )	C: WL State Rank: S3S4 CVMSHCP: No	Nests in wooded desert wash habitat containing mesquite, palo verde, ironwood, and acacia. May also occur in areas with salt cedar, especially when adjacent to native wooded desert wash habitat. Also occurs in desert scrub habitat in winter.	<b>Nesting: Absent</b> Suitable habitat not present.  <b>Foraging: Low</b> Right-of-way is highly disturbed, habitat limited and disturbed on or adjacent to Study Area.
Vermilion flycatcher ( <i>Pyrocephalus rubinus</i> )	C: SSC State Rank: S2S3 CVMSHCP: No	Usually found near water in habitats including arid scrub, farmlands, golf courses, desert or savanna, and riparian woodlands.	<b>Nesting: Absent</b> Marginally suitable habitat present on golf course portions of right-of-way, but location next to developed areas would make occupation very unlikely.  <b>Foraging: Low</b> Low potential in agricultural areas along the Study Area.
Crissal thrasher ( <i>Toxostoma crissale</i> )	C: SSC State Rank: S3 CVMSHCP: Yes*	Dense thickets of shrubs or low trees in desert riparian and desert wash habitats. Southeastern California to Texas and northern Mexico.	<b>Nesting: Absent</b> No habitat present.  <b>Foraging: Absent</b> No habitat present.

Species	Protective Status	Habitat	Occurrence Probability
LeConte's thrasher ( <i>Toxostoma lecontei</i> )	F: BCC C: SSC State Rank: S3 CVMSHCP: Yes	Resident of open desert wash, scrub, alkali scrub, succulent scrub habitats, nests in dense spiny shrubs and cacti in washes, usually within 2 to 8 feet of the ground.	<b>Nesting: Absent</b> No habitat present.  <b>Foraging: Absent</b> No habitat present.
Coastal California gnatcatcher ( <i>Polioptila californica californica</i> )	F: TH State Rank: S2, CSC CVMSHCP: No	Obligate, permanent resident of coastal sage scrub below 2,500 feet asml in Southern California. Low, coastal sage scrub in arid washes, on mesas and hillsides.	<b>Nesting: Absent</b> No suitable nesting habitat, Study Area not within currently understood breeding range.  <b>Foraging: Absent</b> No suitable foraging habitat in the Study Area.
<b>Mammals</b>			
Pallid San Diego pocket mouse ( <i>Chaetodipus fallax pallidus</i> )	C: SSC State Rank: S3S4 CVMSHCP: No	Desert border areas in desert wash, desert scrub, desert succulent scrub, pinon-juniper, etc. Associated with sandy herbaceous areas usually in association with rocks or coarse gravel from sea level to 4,500 feet asml	<b>Absent</b> Study Area largely outside preferred range of species and lacking rocky and/or sandy herbaceous areas.
Earthquake Merriam's kangaroo rat ( <i>Dipodomys merriami collinus</i> )	State Rank: S3S4 CVMSHCP: No	Coastal sage scrub with coarse granitic soils. Visible disturbances.	<b>Absent</b> Suitable habitat not present.

Species	Protective Status	Habitat	Occurrence Probability
Western yellow bat ( <i>Lasiurus xanthinus</i> )	C: SSC State rank: S3 CVMSHCP: Yes WBWG: H	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis. Roosts in trees, particularly palms. Forages over water and among trees.	<b>Low</b> Landscaped <i>Washingtonia spp</i> palms (both species) present along parts of the right-of-way, but proximity to development as well as disturbance from traffic/human activities and trimming would make a very low probability of occurrence.
San Diego desert woodrat ( <i>Neotoma lepida intermedia</i> )	C: SSC State Rank: S3S4 CVMSHCP: No	Most often in Coastal scrub in Southern California (San Diego to San Luis Obispo Counties) but does range into desert areas. Most common in areas with rock outcrops, cliffs, and slopes.	<b>Absent</b> Site lacks rocky habitat, cacti and succulent plants absent. Native habitat and topsoils have been removed.
Pocketed free-tailed bat ( <i>Nyctinomops femorosaccus</i> )	C: SSC State Rank: S3 CVMSHCP: No WBWG: M	Colonial and roosts primarily in crevices of rugged cliffs, high rocky outcrops and slopes. It has been found in a variety of plant associations, including desert shrub and pine-oak forests. The species may also roost in buildings, caves, and (rarely) under roof tiles.	<b>Absent</b> Most of the Study Area does not have roosting habitat, proximity to development and human disturbance likely to preclude presence. Not expected to forage in vicinity either.
Peninsular bighorn sheep Distinct Population Segment (DPS) ( <i>Ovis canadensis nelsoni</i> pop 2)	F: END C: THR, FP State Rank: S2 CVMSHCP: Yes	Eastern slopes of the Peninsular Ranges generally below 4,600 feet amsl range of this DPS is from the San Jacinto Mtns. south to the international border. Optimal habitat includes steep-walled canyons and ridges bisected by rocky/sandy washes w available water.	<b>Absent</b> No suitable habitat on site, site is not within the known range of this subspecies (too far north on the valley floor).

Species	Protective Status	Habitat	Occurrence Probability
Palm Springs pocket mouse ( <i>Perognathus longimembris bangsi</i> )	F: BLM Sensitive C: SSC State Rank: S2 CVMSHCP: Yes	Sonoran Desert habitats with level to gently sloping topography, sparse to moderate vegetative cover, and loosely packed or sandy soils.	<b>Absent</b> Suitable habitat lacking, most of the Study Area is highly disturbed/developed.
American badger ( <i>Taxidea taxus</i> )	C: SSC State Rank: S3 CVMSHCP: No	Can be found in brushy areas and hot desert habitats, occasionally found in open chaparral and riparian zones; typically have numerous burrows in areas with substantial rodent populations.	<b>Absent</b> Suitable habitat lacking and project site does not support a substantial rodent population due to disturbance, lack of vegetation, and immediate proximity to development.
Coachella Valley (Palm Springs) round-tailed ground squirrel ( <i>Xerospermophilus tereticaudus chlorus</i> )	C: SSC State Rank: S2 CVMSHCP: Yes	Prefers open, flat, grassy areas in fine-textured, sandy soil in desert succulent scrub, desert wash, desert scrub, alkali scrub, and levees.	<b>Absent</b> Suitable habitat lacking; Study Area is mainly roadside (paved) and surrounded by commercial and residential development.

**Definitions of occurrence probability:**

*Occurs:* Observed on the site by qualified biologists.

*High:* Observed in similar habitat in region by qualified biologists, or habitat on the site is a type often utilized by the species and the site is within the known range of the species.

*Moderate:* Reported sightings in surrounding region, or site is within the known range of the species and habitat on the site is a type occasionally used by the species.

*Low:* Site is within the known range of the species but habitat on the site is rarely used by the species.

*Absent:* A focused study failed to detect the species, or no suitable habitat is present.

**Definitions of status designations and occurrence probabilities.**

**Federal Designations:** (Federal Endangered Species Act; U.S. Fish and Wildlife Service):

END: Federally listed, Endangered

THR: Federally listed, Threatened

BCC: Bird of Conservation Concern

C: Candidate for Federal listing

**State Designations:** (California Endangered Species Act; California Dept. of Fish and Game)

END: State listed, Endangered

THR: State listed, Threatened

RARE: State listed as Rare (Listed "Rare" animals have been re-designated as Threatened, but Rare plants have retained the Rare designation.)

CSC: California Special Concern Species

WL: Watch List Species

**CDFW CNDDDB rankings: Animals**

- S1: Extremely endangered: <6 viable occurrences or <1,000 individuals, or < 2,000 acres of occupied habitat
- S2: Endangered: about 6-20 viable occurrences or 1,000 - 3,000 individuals, or 2,000 to 10,000 acres of occupied habitat
- S3: Restricted range, rare: about 21-100 viable occurrences, or 3,000 – 10,000 individuals, or 10,000 – 50,000 acres of occupied habitat
- S4: Apparently secure; some factors exist to cause some concern such as narrow habitat or continuing threats
- S5: Demonstrably secure; commonly found throughout its historic range
- SC: State Candidate for listing
- SH: All sites are historical, this species may be extinct, further field work is needed

**CDFW CNDDDB rankings: Plants and Vegetation Communities**

- S1: Less than 6 viable occurrences OR less than 1,000 individuals OR less than 2,000 acres
  - S1.1: Very threatened
  - S1.2: Threatened
  - S1.3: No current threats known
- S2: 6-20 viable occurrences OR 1,000-3,000 individuals OR 2,000-10,000 acres
  - S2.1: Very threatened
  - S2.2: Threatened
  - S2.3: No current threats known
- S3: 21-80 viable occurrences or 3,000-10,000 individuals OR 10,000-50,000 acres
  - S3.1: Very threatened
  - S3.2: Threatened
  - S3.3: No current threats known
- S4: Apparently secure within California; this rank is clearly lower than S3, but factors exist to cause some concern (i.e., there is some threat, or somewhat narrow habitat).
- S5: Demonstrably secure to ineradicable in California.

**California Native Plant Society (CNPS) designations:**

Note: According to the CNPS ([http://www.cnps.org/programs/Rare\\_Plant/inventory/names.htm](http://www.cnps.org/programs/Rare_Plant/inventory/names.htm)), ALL plants on Lists 1A, 1B, 2A, and 2B meet definitions for state listing as threatened or endangered under Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code. Certain plants on Lists 3 and 4 do as well.

The CDFW ([http://www.dfg.ca.gov/hcpb/species/t\\_e\\_spp/nat\\_plnt\\_consv.shtml](http://www.dfg.ca.gov/hcpb/species/t_e_spp/nat_plnt_consv.shtml)) states that plants on Lists 1A, 1B, 2A, and 2B of the CNPS Inventory consist of plants that may qualify for listing, and recommends they be addressed in CEQA projects (CEQA Guidelines Section 15380). However, a plant need not be in the Inventory to be considered a rare, threatened, or endangered species under CEQA. In addition, CDFW recommends, and local governments may require, protection of plants which are regionally significant, such as locally rare species, disjunct populations of more common plants, or plants on the CNPS Lists 3 and 4.

List 1A: Plants presumed extinct in California.

List 1B: Plants rare and endangered in California and throughout their range.

List 2A: Plants presumed extirpated in California, but more common elsewhere.

List 2B: Plants rare, threatened, or endangered in California, but more common elsewhere.

List 3: Plants for which more information is needed.

List 4: Plants of limited distribution; a "watch list."

CA Endemic: Taxa that occur only in California

**CNPS Threat Code:**

- .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)

Note: All List 1A (presumed extinct in California) and some List 3 (need more information- a review list) plants lacking any threat information receive no threat code extension. Also, these Threat Code guidelines represent a starting point in the assessment of threat level. Other factors, such as habitat vulnerability and specificity, distribution, and condition of occurrences, are also considered in setting the Threat Code.

### **Western Bat Working Group (WBWG) designations:**

The Western Bat Working Group is comprised of agencies, organizations and individuals interested in bat research, management and conservation from the 13 western states and provinces. Its goals are (1) to facilitate communication among interested parties and reduce risks of species decline or extinction; (2) to provide a mechanism by which current information on bat ecology, distribution and research techniques can be readily accessed; and (3) to develop a forum to discuss conservation strategies, provide technical assistance and encourage education programs.

- H: High: Species which are imperiled or are at high risk of imperilment based on available information on distribution, status, ecology and known threats.
- M: Medium: Species which warrant a medium level of concern and need closer evaluation, more research, and conservation actions of both the species and possible threats. A lack of meaningful information is a major obstacle in adequately assessing these species' status and should be considered a threat.
- L: Low: Species for which most of the existing data support stable populations, and for which the potential for major changes in status in the near future is considered unlikely. There may be localized concerns, but the overall status of the species is believed to be secure. Conservation actions would still apply for these bats, but limited resources are best used on High and Medium status species.
- P: Periphery: This designation indicates a species on the edge of its range, for which no other designation has been determined.

### **CVMSHCP designations**

- Yes: Conserved by the CVMSHCP
- No: Not Specifically Conserved by the CVMSHCP
- C: Considered, but not included in the CVMSHCP

## **Biological Field Survey**

WSP senior biologist Nathan T. Moorhatch surveyed the entire existing and proposed NPW pipeline alignments on October 3, 2024, with a special emphasis on the new NPW pipeline segments proposed under the FY 2024-2025 NPW Pipeline Connection Project. Weather conditions included a temperature range of 97 degrees Fahrenheit (°F) to 104°F, under clear skies (0 percent clouds), with winds between 0 to 6 miles per hour (mph).

## **Existing Conditions**

The original FY 2020-2021 NPW Pipeline Connection Project was located within the cities of Indian Wells, Palm Desert, La Quinta, and Rancho Mirage, and the census-designated place (CDP) of Thousand Palms in the Coachella Valley of Riverside County, California. The proposed FY 2024-2025 NPW Pipeline Connection Project segments are located within the City of Indio for the eastern segments, and within the City of Palm Desert, and the City of Rancho Mirage for the western segments. The proposed Project is located within the Colorado Desert (a subdivision of the larger Sonoran Desert Region). The majority of the Study Area is located on lands that have been previously developed for urban and residential purposes. The only undeveloped areas along the proposed NPW pipeline alignment are located along the Eastern Segment at the corner of Avenue 38 and Madison Street, near Water Reclamation Plant (WRP) #7. It should be noted that the area along Madison Street, which appears to be undeveloped in aerial photography (refer to Figure 1) is currently under active development and was recently paved with concrete. Thus, the only undeveloped area along the proposed NPW pipeline alignment is limited to approximately 1,800 feet along the Eastern Segment adjacent to the north of Avenue 38. The habitat in this area is limited to stabilized and partially stabilized desert sand fields. These areas are generally characterized as desert sand accumulations that are not obviously worked into dune landforms, with a vegetative cover ranging from scant to almost closed shrub canopy. However, potential

habitat within this 1,800-foot segment of Avenue 38 is affected by surrounding development, including WRP #7 to the south, subdivisions to the west and southeast, powerlines, and the vehicle traffic along the paved two-lane roadway.

### **Sensitive Biological Resources**

The 2020 Biological Resources Technical Study found that 14 special-status plants and 26 special-status wildlife species had been recorded in the CNDDDB within a 5-mile radius of the Study Area (refer to Table 1 and Table 2). The federally listed Least Bell's vireo and desert tortoise as well as the proposed threatened monarch butterfly were also identified in the Information for Planning and Consultation (IPaC) database as having the potential to occur; however, none of these species were listed on the CNDDDB. Based on the field reconnaissance survey, no habitat for the Least Bell's vireo or desert tortoise occurs within the Project site. While monarch butterflies could be expected to fly through the Project area occasionally, no milkweed plants occur within the Project site. Therefore these species are not included in Table 2 and are not described in further detail below.

The proposed FY 2024-2025 NPW Pipeline Connection Project alignments are located completely within this same original 5-mile radius. That study concluded that there was not suitable habitat to support any of the 14 sensitive plants identified in the CNDDDB, and that none of the 26 special-status wildlife species would be expected to occur, or at most would have a low potential for occurrence, based on the lack of suitable undeveloped/undisturbed habitat. This was verified during this current 2024 survey effort, which included a reconnaissance-level survey of the old alignment. The majority of the entire FY 2024-2025 NPW Pipeline Connection Project alignment is located within fully developed areas, mostly within the existing public rights-of-way including existing paved roads and/or road shoulders. Other areas of the proposed NPW pipeline segments would cross golf courses or residential/commercial properties, areas that also lack natural habitat required by most sensitive plants and wildlife. No sensitive plants, wildlife species, or plant communities were observed in the Study Area during the original or current surveys. The areas of remnant sand field and fourwing saltbush habitat present adjacent to some areas of the original alignment (e.g., along Varner Road, Ramon Road, Los Alamos Drive, Bob Hope Drive, and Portola Avenue) are located outside of the Study Area.

### **Jurisdictional Waters and Wetlands**

No jurisdictional waters or wetlands are present within the proposed FY 2024-2025 NPW Pipeline Connections Project alignment.

### **Conservation Plans**

The Study Area is located within the CVMSHCP/NCCP area. The CVMSHCP/NCCP is a comprehensive, multi-jurisdictional habitat conservation plan focusing on the conservation of species and their associated habitats in the Coachella Valley region of Riverside County. The CVWD is a participating entity in the plan. However, the proposed FY 2024-2025 NPW Pipeline Connections Project alignment is not located within any of the designated CVMSHCP Conservation Areas.

## Discussion and Recommendations

As discussed previously, the Study Area does not provide suitable habitat for special-status plants, wildlife species, and plant communities. Nevertheless, there is some limited potential for native birds to nest within or adjacent to the Study Area, mainly within landscaped trees and shrubs. Native nesting birds are protected by the Migratory Bird Treaty Act (MBTA), and by sections of the California Fish and Game Code. In Southern California the nesting bird season is generally considered to be between January 1 and September 15, although some species such as mourning doves (*Zenaida macroura*) are known to nest outside this period. Construction occurring within the vicinity of nesting birds may indirectly impact nesting birds with construction noise, dust, and vibration from equipment.

Per the previously established biological resources mitigation measures, CVWD would avoid construction activities within the bird breeding season or would conduct pre-construction surveys and avoid active nests. Additionally, while no impacts to designated Conservation Areas would occur as a result of construction activities, CVWD would continue to implement the CVMHSCP/NCCP Land Use Adjacency Guidelines.

**BIO-1:** Project-related activities should occur outside of the bird breeding season (typically February 1 to August 31) to the extent practicable. If construction occurs within the bird breeding season (January 1 through September 15), then no more than one week prior to initiation of ground disturbance and/or vegetation removal, a nesting bird and raptor pre-construction survey shall be conducted by a qualified biologist within the disturbance footprint plus a 300-foot buffer (500-foot for raptors), where practicable. If the proposed project is phased, a subsequent pre-construction nesting bird and raptor survey may be required prior to each phase of construction within the project site.

Pre-construction nesting bird and raptor surveys shall be conducted during the time of day when birds are active and should be of sufficient duration to reliably conclude presence/absence of nesting birds and raptors onsite and within the designated vicinity.

If nests are found, their locations shall be flagged. An appropriate avoidance buffer ranging in size from 25 to 50 feet for song birds, and up to 250 feet for raptors depending upon the species and the proposed work activity, shall be determined by a qualified biologist in consultation with CDFW, and demarcated with bright orange construction fencing or other suitable flagging. Active nests shall be monitored at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults. No ground disturbance shall occur within this buffer until the qualified biologist confirms that the breeding/nesting is completed and all the young have fledged. If project activities must occur within the buffer, they shall be conducted at the discretion of the qualified biologist in consultation with CDFW. If no nesting birds are observed during pre-construction surveys, no further actions would be necessary.

**BIO-2:** The following Section 4.5 Land Use Adjacency Guidelines shall be implemented where applicable to minimize edge effects to adjacent Conservation Areas:

- **Drainage.** Proposed development adjacent to or within a Conservation Area shall incorporate plans to ensure that the quantity and quality of runoff discharged to the adjacent Conservation Area is not altered in an adverse way when compared with existing

conditions. Stormwater systems shall be designed to prevent the release of toxins, chemicals, petroleum products, exotic plant materials or other elements that might degrade or harm biological resources or ecosystem processes within the adjacent Conservation Area.

- **Toxics.** Land uses proposed adjacent to or within a Conservation Area that use chemicals or generate bioproducts such as manure that are potentially toxic or may adversely affect wildlife and plant species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in any discharge to the adjacent Conservation Area.
- **Lighting.** For proposed development adjacent to or within a Conservation Area, lighting shall be shielded and directed toward the developed area. Landscape shielding or other appropriate methods shall be incorporated in project designs to minimize the effects of lighting adjacent to or within the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.
- **Noise.** Proposed development adjacent to or within a Conservation Area that generates noise in excess of 75 A-weighted decibels (dBA) equivalent sound level ( $L_{eq}$ ) over a one hour period shall incorporate setbacks, berms, or walls, as appropriate, to minimize the effects of noise on the adjacent Conservation Area in accordance with the guidelines to be included in the Implementation Manual.
- **Invasives.** Invasive, non-native plant species shall not be incorporated in the landscape for land uses adjacent to or within a Conservation Area. Landscape treatments within or adjacent to a Conservation Area shall incorporate native plant materials to the maximum extent feasible; recommended native species are listed in Table 4-112 of the CVMSHCP/NCCP. The plants listed in Table 4-113 of the CVMSHCP/NCCP shall not be used within or adjacent to a Conservation Area. This list may be amended from time to time through a Minor Amendment with Wildlife Agency Concurrence.
- **Barriers.** Land uses adjacent to or within a Conservation Area shall incorporate barriers in individual project designs to minimize unauthorized public access, domestic animal predation, illegal trespass, or dumping in a Conservation Area. Such barriers may include native landscaping, rocks/boulders, fencing, walls and/or signage.
- **Grading/Land Development.** Manufactured slopes associated with site development shall not extend into adjacent land in a Conservation Area.

## References

- California Department of Fish and Wildlife (CDFW). 2024. California Natural Diversity Database (CNDDB), Rarefind 5. Commercial Version. Accessed: October 2024.
- California Native Plant Society. 2024. Inventory of Rare and Endangered Plants. Available at: <http://www.rareplants.cnps.org/>. Accessed October 2024.
- Coachella Valley Association of Governments (CVAG). 2007. Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP). Available at: <http://www.cvmshcp.org/>. Accessed October 2024.
- Rincon Consultants, Inc. 2020a. Fiscal Year (FY) 2020-2021 Non-Potable Water (NPW) Connections Project Biological Resources Technical Study.
- Rincon Consultants, Inc. 2020b. FY 2020-2021 NPW Connections Project Final Initial Study / Mitigated Negative Declaration.



**Photograph 1.** Representative photograph of recent development along Madison Street.



**Photograph 2.** Example of 1,800-foot-long undeveloped roadway segment to the north of Avenue 38.



Figure 1  
Coachella Valley Water District Non-Potable Water Connections Fiscal  
Year 2024-2025  
Regional Project Overview  
Esri World Imagery 1:64000 Scale



# 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:

02/10/2025 20:33:04 UTC

Project Code: 2025-0054318

Project Name: Fiscal Year 2024-2025 Non-Potable Water Connections 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 the IPaC system 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 at the Fish and Wildlife Service's Endangered Species Consultation website at:

<https://www.fws.gov/service/esa-section-7-consultation>

**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 <https://www.fws.gov/program/migratory-bird-permit/what-we-do>.

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:** 2025-0054318  
**Project Name:** Fiscal Year 2024-2025 Non-Potable Water Connections Project  
**Project Type:** Water Supply Pipeline - New Constr - Below Ground  
**Project Description:** The proposed FY 2024-2025 NPW Pipeline Connection Project (Modified Project) would expand CVWD's WRP #7 and WRP #10 NPW services and deliver an average of approximately 2,993 acre feet per year (AFY) of NPW to five new NPW customers and would expand the low pressure pipeline capacity within the WRP #10 service area. The proposed Project would involve the installation of approximately 34,200 linear feet of pipeline ranging from 12-inch to 36-inch diameter. All excavations would be approximately 5 feet deep with an average width of approximately 3 feet. Most of the activities would be located within City of Palm Desert and City of Indio rights-of-way with approximately 4,200 linear feet of pipeline within customer-owned properties. Construction activities associated with the Modified Project would involve the installation of pipelines, concrete-work, and installation of metering and control vaults, flow meters, control valves, and telemetry systems.

### Project Location:

The approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/@33.762726650000005,-116.2516097368532,14z>



Counties: Riverside County, 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 Fisheries<sup>1</sup>, 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 <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/4970">https://ecos.fws.gov/ecp/species/4970</a>	Endangered

**BIRDS**

NAME	STATUS
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5945">https://ecos.fws.gov/ecp/species/5945</a>	Endangered

**REPTILES**

NAME	STATUS
Coachella Valley Fringe-toed Lizard <i>Uma inornata</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2069">https://ecos.fws.gov/ecp/species/2069</a>	Threatened
Desert Tortoise <i>Gopherus agassizii</i> Population: Wherever found, except AZ south and east of Colorado R., and Mexico There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/4481">https://ecos.fws.gov/ecp/species/4481</a>	Threatened

**FISHES**

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

**INSECTS**

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> There is <b>proposed</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/9743">https://ecos.fws.gov/ecp/species/9743</a>	Proposed Threatened

**FLOWERING PLANTS**

NAME	STATUS
Coachella Valley Milk-vetch <i>Astragalus lentiginosus var. coachellae</i> There is <b>final</b> critical habitat for this species. Your location does not overlap the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/7426">https://ecos.fws.gov/ecp/species/7426</a>	Endangered

## **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: California State Water Resources Control Board  
Name: Nick Meisinger  
Address: 9177 Skypark Court  
City: San Diego  
State: CA  
Zip: 92123  
Email: nick.meisinger@woodplc.com  
Phone: 8052520060

## **LEAD AGENCY CONTACT INFORMATION**

Lead Agency: Environmental Protection Agency