APPENDIX C

VENTANA Project,
APNs 602-070-004-1, 602-080-001-9, & 602-080-002-0

FINAL Biological Resources Assessment &
Coachella Valley Multiple Species Habitat Conservation Plan
Compliance Report
February 23 2021

Prepared for

City of Indio
100 Civic Center Mall
Indio, CA 92201

Prepared by

Wood Environment and Infrastructure Solutions, Inc.
1845 Chicago Avenue, Suite D
Riverside, CA 92507

Ventana Project, APNs 602-070-004-1, 602-080-001-9, & 602-080-002-0

FINAL Biological Resources Assessment & Coachella Valley Multiple Species Habitat Conservation Plan Compliance Report

City of Indio, Riverside County, California

Submitted to:

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23 February 2021

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1.0 INTRODUCTION

At the request of Terra Nova Planning and Research, Inc., this biological resources assessment & Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) compliance report was prepared by Wood Environment & Infrastructure Solutions, Inc. (Wood) for the proposed Ventana residential development project in the City of Indio (project). The 45.17-acre project is located immediately north of Avenue 50 and generally south of Avenue 49, west of Madison Street and east of Jefferson Street (Figure 1). It is located within Section 33 of Township 5 South, Range 7 East of the United States Geological Survey (USGS) 7.5' *La Quinta, Calif.* quadrangle (Figure 2). The site is surrounded by existing residential and rural residential areas. The project site is on three assessor's parcel numbers (APNs): 602-070-004-1, 602-080-001-9, & 602-080-002-0.

Information contained herein is intended to be used for compliance with state and federal regulations intended to protect wildlife, special status elements, and their habitats.

2.0 REGULATORY FRAMEWORK

Several relevant biological and environmental regulations have been included in this section, but the CVMSHCP is the primary regulatory entity for this project.

2.1 Coachella Valley Multiple Species Habitat Conservation Plan

Finalized in October 2008, the CVMSHCP is a comprehensive regional plan that addresses the conservation needs of 27 species of native flora and fauna and 27 natural vegetation communities occurring throughout the Coachella Valley region of western Riverside County, California (Coachella Valley Association of Governments [CVAG] 2020). Permits for the CVMSHCP were issued by the California Department of Fish and Game (CDFG) [now the California Department of Fish and Wildlife (CDFW)] on September 9, 2008 and the United States Fish and Wildlife Service (USFWS) on October 1, 2008 (TE104604-0). The CVMSHCP serves two primary purposes: Balancing environmental protection and economic development objectives in the CVMSHCP area and simplifying compliance with endangered species related laws. The CVMSHCP accomplishes this by conserving unfragmented habitat to permanently protect and secure viable populations of the covered species.

The covered species include plants and animals that are either currently listed as threatened or endangered, are proposed for listing, or are believed by an USFWS and CDFW appointed Scientific Advisory Committee, to have a high probability of being proposed for listing in the future if not provided protection by the CVMSHCP. The goal of the CVMSHCP is to meet the requirements of the state and federal endangered species acts, while at the same time allowing for the economic growth (land development) within the CVMSHCP area without significant delay or hidden costs. Under the CVMSHCP, mitigation is required from all new development projects occurring in the CVMSHCP area for the purpose of assembling a preserve system for the covered species and natural vegetation communities within areas identified as having high conservation value.

Federal approval for the CVMSHCP was achieved under the Endangered Species Act (ESA or Act). The USFWS and the National Marine Fisheries Service are the designated federal agencies accountable for administering the ESA. ESA defines species as "endangered" or "threatened" and provides regulatory protection at the federal level. Section 10(a) of the ESA authorizes the issuance of incidental take permits and establishes standards for the content of habitat conservation plans, such as the CVMSHCP.

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1 inch = 1 miles
0 0.5 1 Miles

wood.

Project Boundary

FIGURE 1

Vicinity & Location
Ventana Project
Biological Resources Assessment &
CVMHCP Compliance Report
Indio, CA

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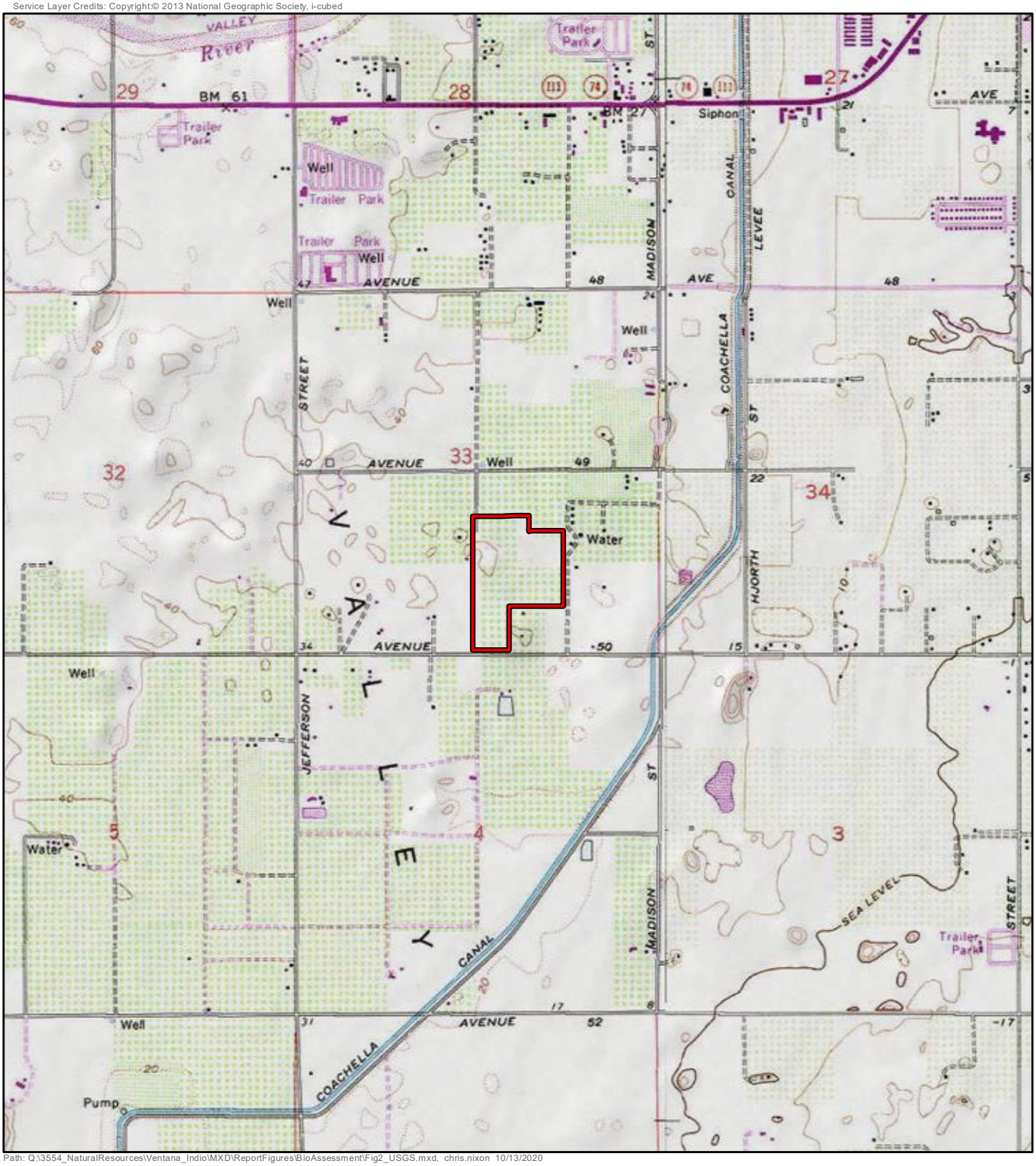

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1 inch = 2,000 feet
0 1,000 2,000 Feet

wood.

Project Boundary

FIGURE 2

Site Topography
Ventana Project
Biological Resources Assessment &
CVMHCP Compliance Report
Indio, CA

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State approval for the CVMSHCP was under the Natural Community Conservation Planning (NCCP) Program, managed by the CDFW. NCCPs are intended to conserve multiple species and their associated habitats, while also providing for compatible use of private lands. Through local planning, the NCCP planning process is designed to provide protection for wildlife and natural habitats before the environment becomes so fragmented or degraded by development that species listing are required under the California Endangered Species Act (CESA). Instead of conserving small, often isolated "islands" of habitat for just one listed species, agencies, local jurisdictions, and/or other interested parties have an opportunity through the NCCP to work cooperatively to develop plans that consider broad areas of land for conservation that would provide habitat for many species. Partners enroll in the programs and, by mutual consent, areas considered to have high conservation priorities or values are set aside and protected from development. Partners may also agree to study, monitor, and develop management plans for these high value "reserve" areas. The NCCP provides an avenue for fostering economic growth by allowing approved development in areas with lower conservation value. The Coachella Valley NCCP is included as a part of the CVMSHCP.

2.2 Protection of Migratory Birds

2.2.1 Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) signed by the U.S., Great Britain, Mexico, Japan, and the countries of the former Soviet Union make it unlawful to pursue, capture, kill, and/or possess, or attempt to engage in any such conduct to any migratory bird, nest, egg or parts thereof listed in the MBTA document (USFWS 2018). The Secretary of the Interior can issue permits for incidental take of migratory bird species. As with the ESA, the MBTA also allows the Secretary of the Interior to grant permits for the incidental take of these protected migratory bird species.

The USFWS permit for the CVMSHCP allows only for the take of covered bird species *which are also listed under the ESA*, as amended and which are also listed under the MBTA. For other birds protected by the MBTA and not listed under the ESA *no take is authorized* (including killing and wounding of any such birds or take of eggs and active nests). Take is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct."

2.2.2 Section 3503, 3505.5, & 3513 of the State Fish and Game Code

Section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3505.5 makes it unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds-of-prey, i.e.: owls, hawks, eagles, etc.) or to take, possess, or destroy the nest or eggs of any bird-of-prey. Section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA. See California Legislative Information (2020).

2.3 Waters of the United States and the State of California

Impacts to federal and state jurisdictional waters are not covered by the CVMSHCP.

2.3.1 United States Army Corps of Engineers (USACE)

The USACE regulates the discharge of dredged or fill material in waters of the United States (WUS) pursuant to Section 404 of the Clean Water Act (CWA).

2.3.2 Regional Water Quality Control Board (RWQCB)

The RWQCB regulates activities pursuant to Section 401(a)(1) of the CWA. Section 401 of the CWA specifies that certification from the State is required for any applicant requesting a federal license or permit to conduct any activity including, but not limited to, the construction or operation of facilities that may result in any discharge into navigable waters. Through the Porter Cologne Water Quality Control Act, the RWQCB asserts jurisdiction over Waters of the State of California (WSC) which is generally the same as WUS, but may also include isolated waterbodies. The Porter Cologne Act defines WSC as "surface water or ground water, including saline waters, within the boundaries of the state".

2.3.3 California Department of Fish and Wildlife

The CDFW regulates water resources under Section 1600-1616 of the California Fish and Game Code. Section 1602 states:

> "An entity may not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake (CDFW 2015a)."

3.0 METHODS

3.1 Literature Review

In preparation for the field visits, a literature search was conducted to identify special-status biological resources known from the vicinity of the site. In the context of this report, and for the purpose of this assessment, vicinity is defined as areas within a 5-mile radius of the site.

The literature review included the following documents:

- California Natural Diversity Data Base (CNDDB) RareFind 5 (CDFW 2020a)
- California Native Plant Society's (CNPS) Inventory of Rare, Threatened, and Endangered Plants of California (CNPS 2020)
- CVMSHCP (CVAG 2020)
- United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS). 2019a. Web Soil Survey
- USGS 7.5' *La Quinta, Calif.* quadrangle

This document utilized the following standard references: for plant communities, the CVMSHCP (2020); for flora, the Jepson Flora Project (2020) and USDA NRCS PLANTS Database (2019b); for amphibians, reptiles, and mammals, CDFW (2016); and for birds, the California Bird Records Committee (2020).

3.2 Field Assessment

The field assessment visit was conducted on 9 October 2020 by Wood Senior Biologist John F. Green. Suitable habitat was assessed based on the presence or absence of habitat components (e.g., soils, vegetation and topography) characteristic of the potentially occurring special-status biological resources determined by the literature review. Pedestrian transects were walked around the entire site. All flora and fauna observed or otherwise detected (e.g., dead remains [primarily plants], vocalizations, presence of scat, tracks, and/or bones) during the course of this assessment were recorded in field notes and are included in Appendices 1 and 2. Plant species of uncertain identity were photographed for identification in the office. General weather and site

conditions were also recorded at the beginning and end of each visit. Temperatures and wind speeds were recorded with a handheld Kestrel anemometer. Temperatures during the morning visit ranged from 72 to 76 degrees Fahrenheit with winds from 1 to 6 miles per hour under partly cloudy skies. Representative photos were taken (Appendix 3).

4.0 RESULTS

4.1 Topography and Soils

The project site is relatively flat, with the exception of a small hill on the west central edge of the site. Onsite elevation ranges from approximately 25 – 45 feet (7.6 – 13.7 meters) above mean sea level (Figure 2).

The Web Soil Survey (USDA, NRCS 2019a) shows the following soil types on the site (Figure 3):

- Myoma fine sand, 0 - 5% slopes
- Gilman fine sandy loam, 0 - 2% slopes
- Indio fine sandy loam

Myoma soils are somewhat excessively drained with very slow runoff and rapid permeability. They are moderately alkaline fine and very fine sands which formed in sand blown from recent alluvium. Slopes are level to rolling.

The Gilman series consists of very deep, well drained soils that formed in stratified stream alluvium. Gilman soils are on flood plains and alluvial fans and have slopes of 0 to 3 percent.

The Indio series consists of very deep, well or moderately well drained soils formed in alluvium derived from mixed rock sources. Indio soils are on alluvial fans, lacustrine basins and flood plains and have slopes of 0 to 3 percent.

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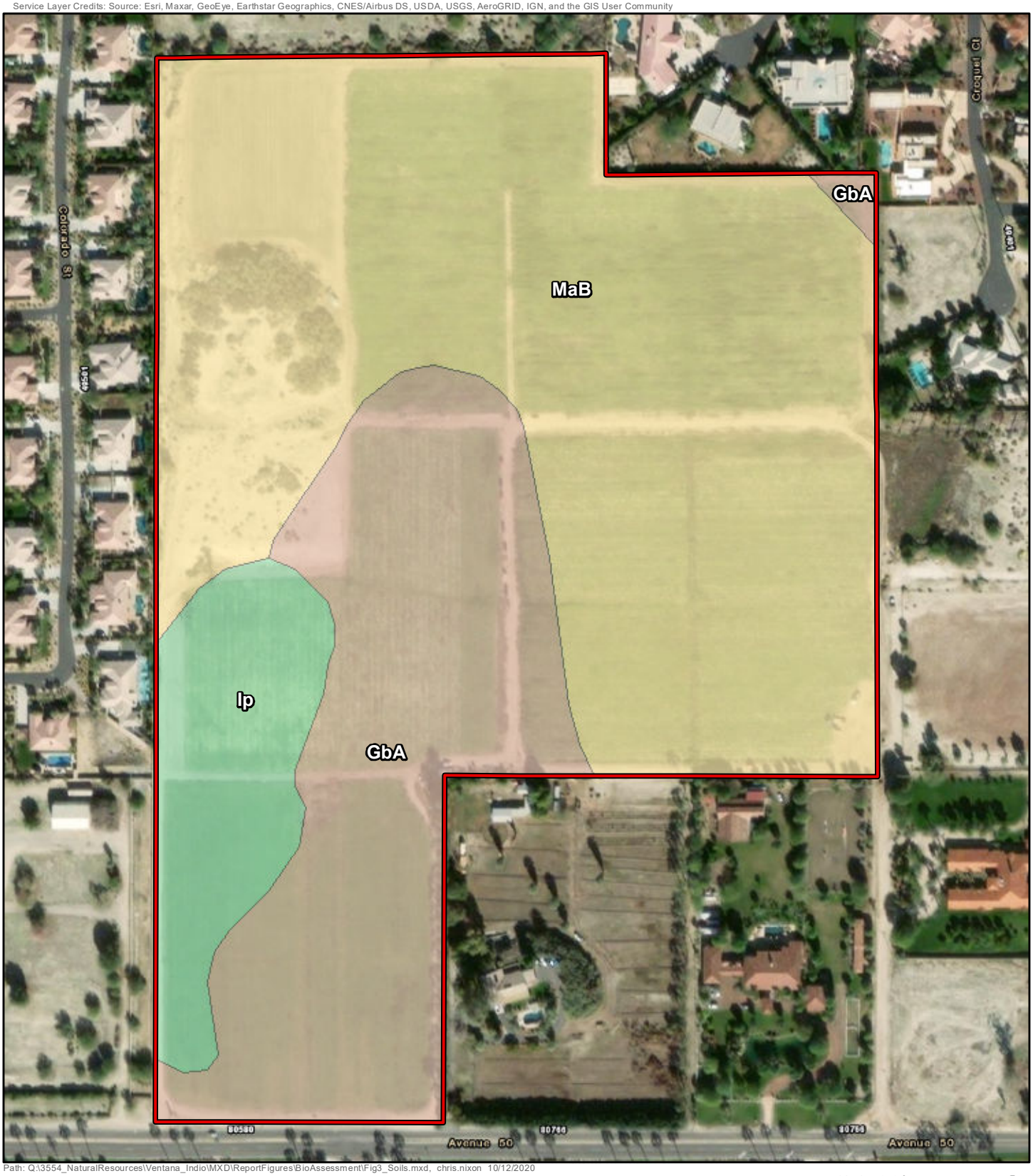

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1 inch = 250 feet
0 125 250 Feet

Project Boundary

Soil Types

- GbA - Gilman fine sandy loam, 0 to 2 percent slopes
- Ip- Indio fine sandy loam
- MaB - Myoma fine sand, 0 to 5 percent slopes

wood.

FIGURE 3

Soil Types
Ventana Project
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CVMHCP Compliance Report
Indio, CA

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4.2 Hydrology / Jurisdictional Waters

No hydrological features such as washes or basins were present on site.

4.3 Vegetation

The site has predominately been utilized for agriculture, but is currently inactive. Agricultural areas of the site are currently covered by the dry remains of weedy annuals. Only the sandy hill along the northwest central edge of the site retains disturbed natural habitat. In the parlance of the CVMSHCP that area appears to be a natural community consisting of a stabilized, shielded desert sand field which includes mesquite hummocks (Figure 4).

A list of the plant species detected during the field visit, including common and scientific names, is attached (Appendix 1). It does not include horticultural species planted around the developed periphery of the site. It should be noted that short-term biological studies of this nature are limited by the seasonality of plants and the timing of field visits. Most annuals were identified from dried remains.

4.4 CVMSHCP Conservation Areas

The project site is not within or adjacent to any CVMSHCP conservation area.

4.5 Wildlife

Vertebrate wildlife directly observed and/or detected otherwise (e.g., scat, bones, prints, feathers, burrows, etc.) during the survey included 28 species. This included 25 birds and at least three mammals. See Appendix 2 for a complete list of all vertebrate wildlife species detected.

It should be noted that short-term biological studies of this nature are limited by seasonality (for example migratory birds and “hibernating” mammals and reptiles), the fossorial and nocturnal habits of many mammals and reptiles, and the timing of field surveys. A complete inventory of the wildlife on the site would require extensive year-round surveys for fish, amphibians, reptiles, birds, and mammals including, for example: pitfall traps for reptiles, and live trapping and/or the placement of tracking stations for the detection of nocturnal mammals.

No reptiles were observed on the site, likely owing to the relatively cool morning visit. Common species such as the side-blotched lizard (*Uta stansburiana*) are likely to occur.

The 25 species of birds observed on the site included primarily native species. Only two nonnative species were observed, the European starling (*Sturnus vulgaris*) and house sparrow (*Passer domesticus*), but others such as the Eurasian collared-dove (*Streptopelia decaocto*) and rock pigeon (*Columba livia*) may occur. Common native species of desert and desert riparian habitats observed included, but were not limited to: American kestrel (*Falco sparverius*), common raven (*Corvus corax*), and verdin (*Auriparus flaviceps*). Other common species expected to occur include, but are not limited to, white-winged dove (*Zenaida asiatica*), white-throated swift (*Aeronautes saxatalis*), and Anna's hummingbird (*Calypte anna*).

Mammals detected on the site included the Audubon's cottontail (*Sylvilagus audubonii*), coyote, (*Canis latrans*), and a variety of small mammal burrows and tracks were observed. Other common species that could occur on the site include black-tailed jackrabbit (*Lepus californicus*) and deer mouse (*Peromyscus maniculatus*).

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1 inch = 250 feet
0 125 250
Feet

Project Boundary

Vegetation Communities

Agriculture (Inactive)

Stabilized, Shielded Desert Sand Field Including Mesquite Hummocks

FIGURE 4

Vegetation Communities
Ventana Project
Biological Resources Assessment &
CVMHCP Compliance Report
Indio, CA

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4.6 Special-status Elements

Plant or animal taxa may be considered "sensitive" or as having “special-status” due to declining populations, vulnerability to habitat change, or because they have restricted ranges. Some are listed as threatened or endangered by the USFWS or by the CDFW and are protected by the federal and state ESAs. Others have been identified as sensitive or as special-status species by the USFWS, the CDFW, or by private conservation organizations, including the CNPS. Unlisted sensitive species do not have formal state or federal status, but may nevertheless be considered significant.

Knowledge of habitat associations, natural history, seasonality, and distribution is essential in the assessment of the potential for occurrence of the various sensitive plants and animals known to occur throughout the region. For these reasons, special-status species that were not observed on the site have the potential to occur based on their geographic distribution, habitat preferences, and the regional location of the site. Tables 1-7 below summarize sensitive species known to occur in the vicinity of the site and include their potential occurrence status on the site based on the best available information and the collective expertise of Wood biologists.

The CVMSHCP provides conservation for 27 imperiled plant and animal species and 27 natural communities (vegetation). These include federal and state-listed species, federal and state species of concern, and species on the CNPS rare plant species lists. The CVMSHCP has created modeled habitat polygons for many of those species. No modeled habitat is present within the project site. Several special-status species not covered by the CVMSHCP may also potentially occur on site.

The literature review and biological resources assessment resulted in the identification of 31 special-status elements which were observed on the site, had CNDDB records within an approximate five-mile radius of the site, and/or which had habitat on the site. These included 12 plants, one vegetation community, two invertebrates, one amphibian, two reptiles, nine birds, and four mammals. Tables 1 through 7 provide a complete list of these sensitive biological resources, their associated status, their general habitat associations, and their respective site occurrence potential based on geographic distribution and presence of potentially suitable habitat.

Table 1. Special-status Plants

Species	Status	Habitat	Probability
Abronia villosa var. *aurita* **chaparral sand-verbena**	CVMSHCP = No F = ND C = S2 CNPS = 1B.1	Sandy areas in chaparral, coastal scrub, desert dunes. 75 to 1600 meters (m.). Blooms (B): January – September.	**Absent** Site below known elevational range
Astragalus lentiginosus var. *coachellae* **Coachella Valley milk-vetch**	CVMSHCP = **Yes** F = **END** C = S1 CNPS = 1B.2	Sonoran desert scrub; sandy flats, washes, outwash fans, sometimes on dunes. 40 to 665 m. B: January - September	**Absent** Site below known elevational range

Table 1. Special-status Plants

Species	Status	Habitat	Probability
Astragalus preussii var. laxiflorus **Lancaster milk-vetch**	CVMSHCP = No F = ND C = S1 CNPS = List 1B.1	Chenopod scrub. 700-735 m. B: Mar-May	**Absent** Site below known elevational range
Astragalus sabulonum **gravel milk-vetch**	CVMSHCP = No F = ND C = S2 CNPS = 2B.2	Sandy or gravelly flats, washes, and roadsides in desert dunes, Mojavean desert scrub, & Sonoran desert scrub. –60 to 930 m. B: February – June.	**Low** Limited habitat
Ditaxis claryana **glandular ditaxis**	CVMSHCP = Considered F = ND C = S2 CNPS = 2B.2	Sandy soils in dry washes and on rocky hillsides in Mojavean & Sonoran desert scrub. 0 to 465 m. B: October – March.	**Low** Habitat limited / absent
Ditaxis serrata var. *californica* **California ditaxis**	CVMSHCP = No F = ND C = S2? CNPS = List 3.2	Sonoran Desert scrub. 30-1000 m. B: March - December.	**Absent** Site below known elevational range
Euphorbia abramsiana **Abram's spurge**	CVMSHCP = No F = ND C = S2 CNPS List = 2B.2	Sandy sites in Mojave and Sonoran desert scrub. - 5 – 1,450 m. B: (August) September - November	**Low** Limited habitat
Johnstonella costata **ribbed cryptantha**	CVMSHCP = No F = ND C = S4 CNPS List = 4.3	Desert dunes in Mojave and Sonoran desert scrub. -60 – 500 m. B: February - May	**Low** Habitat limited / absent
Juncus acutus ssp. *leopoldii* **southwestern spiny rush**	CVMSHCP = No F = ND C = S4 CNPS List = 4.2	Meadows & alkaline seeps, coastal salt marshes. 3 – 900 m. B: (March) May – June.	**Absent** No suitable habitat
Nemacaulis denudata var. *gracilis* **slender cottonheads**	CVMSHCP = No F = ND C = S2 CNPS = 2B.2	Sandy places in coastal dunes, desert dunes, & Sonoran desert scrub. –50 to 400 m. B: March - May	**Low** Limited habitat
Petalonyx linearis **narrow-leaf sandpaper-plant**	CVMSHCP = No F = ND C = S2S3 CNPS = 2B.3	Mojavean desert scrub and Sonoran desert scrub in sandy or rocky canyons. -25 to 1,115 m. B: (January – February) March – May (June – December).	**Low** Habitat limited / absent
Pseudorontium cyathiferum **Deep Canyon snapdragon**	CVMSHCP = No F = ND C = S1 CNPS = List 2B.3	Sonoran desert scrub in rocky washes and on rocky slopes in the immediate vicinity of Deep Canyon. 0-800 m. B: February -April	**Absent** Site east of known range in California

Table 1. Special-status Plants

Species	Status	Habitat	Probability

Table 2. Special Status Vegetation Communities

Community	Status	Habitat	Probability
Mesquite Bosque	CVMSHCP = **Yes** (Mesquite hummocks) F = ND C = S2.1	Honey mesquite thickets (*Prosopis glandulosa* var. *torreyana*)	**Occurs**

Table 3. Special-status Invertebrates

Species	Status	Habitat	Probability
Dinacoma caseyi **Casey's June beetle**	CVMSHCP = No F = **END** C = S1	Found only in two populations in a small area of southern Palm Springs (Palm Canyon Wash)	**Absent** Site not in range of the species
Macrobaenetes valgum **Coachella giant sand treader cricket**	CVMSHCP = **Yes** F = ND C = S1S2	Active sand dune hummocks and ridges. Sites favorable to permanent habitation include spring-moistened sands.	**Low** Habitat marginal / absent

Table 4. Special-status Amphibians

Species	Status	Habitat	Probability
Batrachoseps major aridus **desert slender salamander**	MSHCP = No F = **END** C = **END**, S1	Known only from Hidden Palm & Guadalupe Canyons in palm oases, microhabitat is under limestone sheets, rocks, and talus at the base of shaded and moist west and north-facing walls.	**Absent** Out of range, no habitat

Table 5. Special-status Reptiles

Species	Status	Habitat	Probability
Phrynosoma mcallii **flat-tailed horned lizard**	CVMSHCP = **Yes** F = ND C =SSC, S2	Restricted to desert washes and desert flats; requires vegetative cover, ants, and fine sand.	**Absent** Isolated patch of marginal habitat insufficient to sustain a population

Uma inornata **Coachella Valley fringe-toed lizard**	CVMSHCP = **Yes** F = **THR** C = **END**, S1	Requires fine, loose, windblown sand interspersed with hardpan and widely spaced desert shrubs.	**Absent** Isolated patch of marginal habitat insufficient to sustain a population

Table 6. Special-status Birds

Species	Status	Habitat	Probability
Athene cunicularia **burrowing owl**	CVMSHCP = **Yes*** F = MBTA, BCC C = SSC, S2	Open, dry annual or perennial grassland, deserts & scrublands characterized by low-growing vegetation. Burrows essential.	**Low** Habitat limited and isolated, few potential burrow sites
Calypte costae **Costa's hummingbird**	CVMSHCP = No F = MBTA, BCC C = S4	Primary habitats are desert wash, edges of desert riparian and valley foothill riparian, coastal scrub, desert scrub, desert succulent shrub, lower-elevation chaparral, and palm oasis.	**Occurs** Nesting and foraging habitat on site.
Falco mexicanus **prairie falcon**	CVMSHCP = No F = MBTA, BCC C = SSC, S3	Breeding sites located on cliffs, but forages far afield.	**Low** No nesting habitat, potential for foraging only
Lanius ludovicianus **loggerhead shrike**	CVMSHCP = No F = MBTA, BCC C = SSC, S4	Found in open habitats with widely spaced vegetation.	**Occurs** Suitable nesting and foraging habitat present
Phalacrocorax auritus **double-crested cormorant**	CVMSHCP = No F = MBTA C = WL, S4	Colonial nester on coastal cliffs, offshore islands, and along lake margins.	**Occurs** Flyover only, no nesting or foraging habitat
Polioptila melanura **black-tailed gnatcatcher**	CVMSHCP = No F = MBTA C = WL, S3S4	Primarily inhabits wooded desert wash habitats; also occurs in desert scrub habitat, especially in winter.	**Occurs** Suitable nesting and foraging habitat present
Pyrocephalus rubinus **vermilion flycatcher**	CVMSHCP = No F = MBTA C = SSC (nesting), S2S3	During nesting, inhabits desert riparian adjacent to irrigated fields, irrigation ditches, pastures, & other open, mesic areas with nest in cottonwood, willow, mesquite, or other large desert riparian trees.	**Low** Nesting, foraging habitat at margins of site
Toxostoma crissale **crissal thrasher**	CVMSHCP = **Yes*** F = MBTA C = SSC, S3	Resident of deserts in riparian and wash habitats. Nests in dense vegetation.	**Absent** No suitable habitat

Table 6. Special-status Birds

Species	Status	Habitat	Probability
Toxostoma lecontei **LeConte's thrasher**	CVMSHCP = **Yes*** F = MBTA, BCC C = SSC (San Joaquin population only), S3	Primarily utilizes open desert washes, desert scrub, alkali desert scrub, and desert succulent scrub habitats; commonly nests in a dense, spiny shrub or densely branched cactus.	**Absent** Habitat too limited and isolated to support this species

* Species is to be conserved under the CVMSHCP, but is still protected by the MBTA

Table 7. Special-status Mammals

Species	Status	Habitat	Probability
Lasiurus xanthinus **western yellow bat**	CVMSHCP = **Yes** F = ND C = SSC, S3 WBWG = H	Found in valley foothill riparian, desert riparian & wash, & palm oasis habitats. Forages over water & among trees. Roosts in trees, particularly palms.	**Moderate** A few palms provide potential roosts on site. Foraging habitat as well.
Nyctinomops femorosaccus **pocketed free-tailed bat**	CVMSHCP = Considered F = ND C = S3 WBWG = M	Roosts in crevices on rugged cliffs, on high rocky outcrops and slopes. May also roost in buildings, caves, and under roof tiles.	**Low** No roosting habitat present, potential foraging habitat only
Taxidea taxus **American badger**	MSHCP = No F = ND C = SSC, S3	Inhabits areas herbaceous, shrub, and open stages of most habitats with dry, friable soils.	**Absent** Habitat too disturbed, limited, and isolated to support this species
Xerospermophilus tereticaudus chlorus **Coachella Valley (Palm Springs) round-tailed ground squirrel**	CVMSHCP = **Yes** F = None C = SSC, S1S2	Prefers open, flat, grassy areas in fine-textured, sandy soil in desert succulent scrub, desert wash, desert scrub, alkali scrub, & levees.	**Low** Habitat marginal and isolated, but many rodent burrows on site

Definitions of status designations and occurrence probabilities for Tables 1-8

Definitions of occurrence probability:

***Occurs**:* Observed onsite by Amec Foster Wheeler personnel or recently reported onsite by another reliable source.

***High**:*Observed in similar habitat in region by qualified biologists, or habitat onsite 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 onsite is a type occasionally used by the species.

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

***Absent**:*A focused study failed to detect the species, suitable habitat not present, or site is outside the geographic distribution of the species.

***Unknown**:*No focused surveys have been performed in the region, species' distribution and habitat are poorly known.

CVMSHCP designations

Yes: Conserved by the CVMSHCP

No: Not Specifically Conserved by the CVMSHCP

Considered: Considered, but not included in the CVMSHCP

Federal designations: (F = federal Endangered Species Act or USFWS designations)
END:Federally listed, Endangered
THR:Federally listed, Threatened
CAN:Candidate for Federal listing
MBTA: Migratory Bird Treaty Act
BEPA:Bald Eagle Protection Act (also protects Golden Eagles)
BCC:Birds of Conservation Concern
ND:No designation

***State designations*:** (C = California Endangered Species Act or CDFW designations)
END:State listed, Endangered
THR:State listed, Threatened
CAN:Candidate for State listing
RARE:State listed, Rare
FP:Fully Protected Species
SSC:Species of Special Concern
WL:Watch List Species
ND:No designation

CDFW state rankings are a reflection of the overall condition of an element throughout its California range. The number after the decimal point represents a threat designation attached to the rank:
S1 = Critically Imperiled. Less than (<) 6 Element Occurrences (EOs) OR < 1,000 individuals OR < 2,000 acres
- **S1.1** = very threatened
- **S1.2** = threatened
- **S1.3** = no current threats known

S2 = Imperiled. 6-20 EOs 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 = Vulnerable. 21-80 EOs 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. Uncommon but not rare in the state; some cause for long-term concern.
S5 = Secure. Common, widespread, and abundant in the state.
SH = All known California sites are historical, not extant

California Native Plant Society (CNPS) designations:
Primary Categories
LIST 1A: Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere
LIST 1B: Plants Rare, Threatened, or Endangered in California and Elsewhere
LIST 2A: Plants Presumed Extirpated in California, But Common Elsewhere
LIST 2B: Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
LIST 3: Plants About Which More Information is Needed - A Review List
LIST 4: Plants of Limited Distribution - A Watch List
Subdivisions within Categories
0.1: Seriously threatened in California
0.2: Moderately threatened in California
0.3: Not very threatened in California

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.

5.0 DISCUSSION

5.1 Discussion of the Special-status Elements Tables

Of the 31 special-status elements identified by the literature review and site visit to occur in the site vicinity (see Tables 1-7 above), 13 were determined to be absent as shown in the probability column. Since they are not expected to occur onsite or be impacted, those 13 species will not be discussed further.

Of the remaining 18 species which have some occurrence potential, four are fully covered and conserved through participation in the CVMSHCP: Mesquite Bosque (Mesquite Hummocks), Coachella giant sand treader cricket, western yellow bat, and Coachella Valley (Palm Springs) round-tailed ground squirrel. Since potential impacts to these four species will be mitigated through participation in the CVMSHCP they will not be discussed further. The remaining 14 species will be discussed below.

5.1.1 Plants and Vegetation

Six special-status plant species not covered by the CVMSHCP have a remote probability of occurrence onsite in the remnant disturbed natural habitat: gravel milk-vetch, glandular ditaxis, Abram's spurge, ribbed cryptantha, slender cottonheads, and narrow-leaf sandpaper plant. Due to the extensive conversion of the site to agriculture, and the isolated nature of the site, no significant population of any of these species is expected. We are not recommending any further action.

5.1.2 Burrowing Owl

The burrowing owl is a covered species under the CVMSHCP, but the federal permit for the CVMSHCP does not allow take of this species under the MBTA. This species nests and roosts underground, and is thus particularly vulnerable to ground disturbing activities. Marginal habitat is present onsite for the owl, but the isolated nature of the site and limited burrowing opportunities observed makes the possibility of occurrence quite low. To avoid take of the burrowing owl the "CDFW recommends two take avoidance surveys. The first should occur between 14 and 30 days prior to ground disturbance and the second within 24 hours of ground disturbance" (CDFG 2012, CDFW 2014).

5.1.3 Bird Species Not Covered by the CVMSHCP Which Do Not Nest Onsite

The double-crested cormorant is a special-status species which nests colonially. It occurred onsite only in passing overhead. Nesting and foraging habitat is not present. Prairie falcon is a special-status species which could occur as a forager, but no nesting habitat is available on site. We do not recommend any action in regard to these species.

5.1.4 Special-Status Bird Species Not Included in the CVMSHCP

The Costa's hummingbird, loggerhead shrike, vermilion flycatcher, and black-tailed gnatcatcher are all special-status species which may nest onsite and in the project area. None are covered by the CVMSHCP. Regardless of their status, all are protected from take by the MBTA and state code. Nesting bird surveys for compliance with the MBTA and state code will prevent impacts to these species. This will be discussed further below.

5.2 Migratory Bird Treaty Act (MBTA) and State Code

Excluded from coverage under the CVMSHCP are a variety of common bird species that are protected by the MBTA. This includes virtually all native migratory and resident bird species,

including many of the birds already known to occur in the vicinity (Appendix 2). Exceptions are discussed above. Avoidance of impacts to nesting migratory and resident birds is a requirement of the federal permit issued for the CVMSHCP. In order to avoid impacting nesting birds, either avoidance of project-related disturbance during the nesting season (generally from approximately 1 February to 31 August) or nesting bird surveys conducted by a qualified ornithologist or biologist immediately prior to site disturbance during the nesting season would be required. If nesting birds are present, no work would be permitted near the nest until young have fledged. While there is no established protocol for nest avoidance, when consulted, the CDFW generally recommends avoidance buffers of about 500 feet for birds-of-prey, and 100 – 300 feet for songbirds.

5.2.1 Mammals (Bats)

Besides the CVMSHCP covered western yellow bat, there are CNDDB records of one other bat species in the area, the pocketed free-tailed bat, and others likely occur. The pocketed free-tailed bat and potentially other bat species may forage on site, but they are not expected to roost so the project is unlikely to have any significant impact on uncovered bat species. We do not recommend any further action on behalf of bats.

5.3 CVMSHCP Consistency

The site is not within or adjacent to any CVMSHCP Conservation Area so will not interfere with any conservation area objectives and there will be no edge effects. No wildlife corridors or biological linkages are mapped, known, or expected onsite, so there will be no effects to them.

6.0 CONCLUSION

Implementation of the proposed project would result in permanent impacts to the entire project site, including the biological resources occurring or potentially occurring on the project site. Project impacts will be mitigated through participation in the CVMSHCP. Landscaping suggestions are included in Appendices 4 and 5.

With the implementation of the recommendations above, impacts to special-status species potentially occurring in the project area and their habitats would be expected to be less than significant. Recommendations include surveys as needed for the burrowing owl and MBTA protected nesting birds.

7.0 LITERATURE CITED AND REFERENCES

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APPENDIX 1

SPECIES LIST: VASCULAR PLANTS

Species List: Vascular Plants

This list reports only plants observed onsite by this study. Other species may have been overlooked or undetectable due to their growing season.
*†= special-status species, * =* non-native species, sp. = identified only to genus, spp. = two or more species, cf = compares favorably with, var. = variety, ssp. = subspecies

DICOTYLEDONEAE	**DICOT FLOWERING PLANTS**
Amaranthaceae	**Amaranth Family**
Amaranthus palmeri	Palmer's amaranth
Apocynaceae	**DOGBANE FAMILY**
Funastrum cynanchoides var. *hartwegii*	climbing milkweed
Asteraceae	**Sunflower Family**
Helianthus annuus	common sunflower
Heterotheca grandiflora	telegraph weed
Isocoma acradenia	alkali goldenbush
**Lactuca serriola*	prickly lettuce
Palafoxia arida	Spanish-needle
Brassicaceae	**Mustard Family**
**Brassica tournefortii*	Sahara mustard
**Sisymbrium* sp.	mustard
Boraginaceae	**Borage Family**
Cryptantha sp.	forget me not
Chenopodiaceae	**Goosefoot Family**
Atriplex canescens	four-wing saltbush
Atriplex lentiformis	big saltbush
cf. *Atriplex polycarpa*	allscale saltbush
Chenopodium sp.	goosefoot
**Salsola tragus*	Russian thistle
Euphorbiaceae	**Spurge Family**
Stillingia spinulosa	annual toothleaf
Fabaceae	**Pea Family**
* cf *Acacia*	acacia
Prosopis glandulosa var. *torreyana*	honey mesquite
Malvaceae	**Mallow Family**
**Malva parviflora*	cheeseweed
Polygonaceae	**Buckwheat Family**
cf. *Rumex* sp.	dock
Tamaricaceae	**Tamarisk Family**
**Tamarix aphylla*	athel
**Tamarix ramosissima*	saltcedar
Viscaceae	**MISTLETOE FAMILY**
Phoradendron californicum	desert mistletoe
Zygophyllaceae	**Caltrop Family**
Larrea tridentata	creosote bush

MONOCOTYLEDONEAE	**MONOCOT FLOWERING PLANTS**
Arecaceae	**Palm Family**
cf. *Phoenix dactylifera*	date palm
Washingtonia sp.	fan palm
Poaceae	**Grass Family**
**Arundo donax*	giant reed
**Cynodon dactylon*	Bermuda grass
cf. *Elymus triticoides*	beardless wild-rye
**Hordeum murinum*	wall barley
**Schismus* sp.	Mediterranean grass

APPENDIX 2

SPECIES LIST: VERTEBRATE ANIMALS

Species List: Vertebrate Animals

This list reports only the vertebrate animals observed by this study. Other species may have been overlooked or undetectable due to their activity patterns or weather conditions.[*†= special-status species,* * = non-native species, sp. = identified only to genus, spp. = two or more species, cf = compares favorably with]

AVES	BIRDS
Odontophoridae	**New World Quail**
Callipepla gambelii	Gambel's quail
Columbidae	**Pigeons and Doves**
Zenaida macroura	mourning dove
Cuculiformes	**Cuckoos and Allies**
Geococcyx californianus	greater roadrunner
Trochilidae	**Hummingbirds**
†Calypte costae	Costa's hummingbird
Charadriidae	**Lapwings and Plovers**
Charadrius vociferous	killdeer
Phalacrocoracidae	**Cormorants**
†Phalacrocorax auritus	double-crested cormorant
Accipitridae	**Hawks, Kites, Eagles, and Allies**
Buteo jamaicensis	red-tailed hawk
Picidae	**Woodpeckers and Allies**
Dryobates scalaris	ladder-backed woodpecker
Falconidae	**Caracaras and Falcons**
Falco sparverius	American kestrel
Tyrannidae	**Tyrant Flycatchers**
Sayornis nigricans	black phoebe
Sayornis saya	Say's phoebe
Laniidae	**Shrikes**
†Lanius ludovicianus	loggerhead shrike
Corvidae	**Crows, Jays, and Magpies**
Corvus brachyrhynchos	American crow
Alaudidae	**Larks**
Eremophila alpestris	horned lark
Remizidae	**Penduline Tits and Verdins**
Auriparus flaviceps	verdin
Troglodytidae	**Wrens**
Campylorhynchus brunneicapillus	cactus wren
Polioptilidae	**Gnatcatchers and Gnatwrens**
†Polioptila melanura	black-tailed gnatcatcher

Mimidae	**Mockingbirds and Thrashers**
Mimus polyglottos	northern mockingbird
Sturnidae	**Starlings**
**Sturnus vulgaris*	European starling
Passeridae	**Old World Sparrows**
**Passer domesticus*	house sparrow
Fringillidae	**Fringilline & Cardueline Finches and Allies**
Haemorhous mexicanus	house finch
Passerellidae	**New World Sparrows**
Zonotrichia leucophrys	white-crowned sparrow
Melozone aberti	Abert's Towhee
Icteridae	**Blackbirds**
Quiscalus mexicanus	great-tailed grackle
Parulidae	**Wood-Warblers**
Setophaga coronata	yellow-rumped warbler
MAMMALIA	**MAMMALS**
Leporidae	**Rabbits and Hares**
Sylvilagus audubonii	Audubon’s cottontail
Rodentia	**Rodents**
≥ two spp.	burrows & tracks cf. mice, kangaroo rats, etc.
Canidae	**Foxes, Wolves and Relatives**
Canis latrans	coyote (tracks & scat)

APPENDIX 3

PHOTOGRAPHIC EXHIBITS

Photo 1. Looking north from Avenue 50 at typical site view. Weedy, dry annuals on former agricultural land with small site hill and surrounding residential.

Photo 2. Burrowing owl habitat, such as it is, consists only of a few debris piles, here in northwestern site.

Photo 3. Looking southwest from north-central site at the small, relatively natural hill onsite with stabilized, shielded desert sand fields and mesquite hummocks.

APPENDIX 4

COACHELLA VALLEY NATIVE PLANTS RECOMMENDED FOR LANDSCAPING

APPENDIX 4

COACHELLA VALLEY NATIVE PLANTS RECOMMENDED FOR LANDSCAPING

Note: Many of the following scientific names have undergone taxonomic changes in recent years. Refer to Jepson Flora Project (2020).

BOTANICAL NAME	COMMON NAME
Trees	
Washingtonia filifera	California fan palm
Cercidium floridum	blue palo verde
Chilopsis linearis	desert willow
Olneya tesota	ironwood tree
Prosopis glandulosa var. torreyana	honey mesquite
Shrubs	
Acacia greggii	cat's claw acacia
Ambrosia dumosa	burro bush
Atriplex canescens	four wing saltbush
Atriplex lentiformis	quailbush
Atriplex polycarpa	cattle spinach
Baccharis sergiloides	squaw water-weed
Bebia juncea	sweet bush
Cassia (Senna) covesii	desert senna
Condalia parryi	crucilllo
Crossosoma bigelovii	crossosoma
Dalea emoryi	dye weed
Dalea (Psorothamnus) schottii	indigo bush
Datura meteloides	jimson weed
Encelia farinosa	brittle bush
Ephedra aspera	Mormon tea
Eriogonum fasciculatum	California buckwheat
Eriogonum wrightii membranaceum	Wright's buckwheat
Fagonia laevis	no common name
Gutierrezia sarothrae	matchweed
Haplopappus acradenius	goldenbush
Hibiscus denudatus	desert hibiscus
Hoffmannseggia microphylla	rush pea
Hymenoclea salsola	cheesebush
Hyptis emoryi	desert lavender
Isomeris arborea	bladder pod
Juniperus californica	California juniper
Krameria grayi	ratany
Krameria parvifolia	little-leaved ratany
Larrea tridentata	creosote bush
Lotus rigidus	desert rock pea
Lycium andersonii	box thorn
Petalonyx linearis	long-leaved sandpaper plant

BOTANICAL NAME	COMMON NAME
Petalonyx thurberi	sandpaper plant
Peucephyllum schottii	pygmy cedar
Prunus fremontii	desert apricot
Rhus ovata	sugar-bush
Salazaria mexicana	paper-bag bush
Salvia apiana	white sage
Salvia eremostachya	Santa Rosa sage
Salvia vaseyi	wand sage
Simmondsia chinensis	jojoba
Sphaeralcia ambigua	desert mallow
Sphaeralcia ambigua rosacea	apricot mallow
Trixis californica	trixis
Zauschneria californica	California fuchsia
Groundcovers	
Mirabilis bigelovii	wishbone bush
Mirabilis tenuiloba	white four o'clock
Vines	
Vitis girdiana	desert grape
Accent	
Muhlenbergia rigens	deer grass
Herbaceous Perennials	
Adiantum capillus-veneris	maiden-hair fern (w)
Carex alma	sedge (w)
Dalea parryi	Parry dalea (w)
Eleocharis montevidensis	spike rush (w)
Equisetum laevigatum	horsetail (w)
Juncus bufonis	toad rush (w)
Juncus effuses	juncus (w)
Juncus macrophyllus	juncus (w)
Juncus mexicanus	Mexican rush (w)
Juncus xiphioides	juncus (w)
Notholaena parryi	Parry cloak fern
Pallaea mucronata	bird-foot fern
Cacti and Succulents	
Agave deserti	desert agave
Asclepias albicans	desert milkweed
Asclepias subulata	ajamete
Dudleya arizonica	live-forever
Dudleya saxosa	rock dudleya
Echinocereus engelmannii	calico hedgehog cactus
Ferocactus acanthodes	barrel cactus
Fouquieria splendens	ocotillo

BOTANICAL NAME	COMMON NAME
Mamillaria dioica	nipple cactus
Mamillaria tetrancistra	corkseed cactus
Nolina parryi	Parry nolina
Opuntia acanthocarpa	stag-horn cholla
Opuntia bigelovii	teddy bear or jumping cholla
Opuntia basilaris	beavertail cactus
Opuntia echinocarpa	silver or golden cholla
Opuntia ramosissima	pencil cholla
Yucca schidigera	Mojave yucca, Spanish dagger
Yucca whipplei	our Lord's candle

APPENDIX 5

PROHIBITED INVASIVE ORNAMENTAL PLANTS

APPENDIX 5

PROHIBITED INVASIVE ORNAMENTAL PLANTS

BOTANICAL NAME	COMMON NAME
Acacia spp. (all species except *A. greggii*)	acacia (all species except native catclaw acacia)
Arundo donax[1]	giant reed
Atriplex semibaccata[1]	Australian saltbush
Avena barbata	slender wild oat
Avena fatua	wild oat
Brassica tournefortii[2]	African or Saharan mustard
Bromus madritensis ssp. *rubens*[1]	red brome
Bromus tectorum[2]	cheat grass
Cortaderia jubata [syn.*C. atacamensis*]	Jubata crass or Andean pampas grass
Cortaderia dioica [syn. C. selloana]	pampas grass
Descurainia sophia	tansy mustard
Eichhornia crassipes	water hyacinth
Elaegnus angustifolia	Russian olive
Foeniculum vulgare	sweet fennel
Hirschfeldia incana	short-pod mustard
Lepidium latifolium	perennial pepperweed
Lolium multiflorum	Italian ryegrass
Nerium oleander	oleander
Nicotiana glauca[1]	tree tobacco
Oenothera berlandieri[3]	Mexican evening primrose
Olea europea	European olive tree
Parkinsonia aculeata[1]	Mexican palo verde
Pennisetum clandestinum	Kikuyu grass
Pennisetum setaceum[2]	fountain grass
Phoenix canariensis[3]	Canary Island date palm
Phoenix dactylifera[3]	date palm
Ricinus communis[1]	castorbean
Salsola tragus[1]	Russian thistle
Schinus molle	Peruvian pepper tree
Schinus terebinthifolius	Brazilian pepper tree
Schismus arabicus	Mediterranean grass
Schismus barbatus[2]	Saharan grass
Stipa capensis[2]	no common name
Tamarix spp. (all species)[2]	tamarisk or salt cedar
Taeniatherum caput-medusae	Medusa-head
Tribulus terrestris	puncturevine
Vinca major	periwinkle
Washingtonia robusta	Mexican fan palm
Yucca gloriosa[3]	Spanish dagger

[1]indicates species known to be invasive in the Plan Area
[2] indicates particularly troublesome invasive species
[3] indicates species not on CalEPPC October 1999 “Exotic Pest Plants of Greatest Ecological Concern