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Mr. Adam Hoch, PE QSD
City of Oceanside
300 North Coast Highway
Oceanside, CA 92054

Subject: **Updated Biological Resources Letter Report for the La Salina Wastewater Treatment Plant Flow Diversion and Buccaneer Lift Station and Force Main Project**

Dear Adam Hoch:

At the request of the City of Oceanside (City), HELIX Environmental Planning, Inc. (HELIX) has completed this biological resource letter report for the La Salina Wastewater Treatment Plant (LSWWTP) Flow Diversion and Buccaneer Lift Station and Force Main Project (proposed project) located within the City of Oceanside, San Diego County, California (Figure 1, *Regional Location*). The proposed project would include flow diversion from the LSWWTP to the San Luis Rey Water Reclamation Facility (SLRWRF), construction of a new Buccaneer Lift Station and Buccaneer Force Main to divert the flows, upgrades to existing stormwater treatment facilities at the LSWWTP site, and addition of other amenities at the LSWWTP site, including public facilities, parking, and recreation improvements, as well as undergrounding an existing electric distribution line maintained by San Diego Gas & Electric (SDG&E). This letter report incorporates the results of an updated general biological survey and wetland delineation performed by HELIX in 2024.

This letter report summarizes the existing biological resources within and adjacent to the proposed project site, provides a focused assessment of aquatic resources subject to regulatory agency jurisdiction, and provides an analysis of the proposed impacts in accordance with the California Environmental Quality Act (CEQA) and applicable federal, state, and local policy.

INTRODUCTION

Project Location

The proposed project is in the City of Oceanside, in northern San Diego County (Figure 1). The proposed project site generally follows Garrison Street and Oceanside Boulevard west to and including the existing LSWWTP (Figure 2, *USGS Topography*). The project is currently still in the design phase, and three options are being considered for the portion of the project connecting Oceanside Boulevard to the LSWWTP including via Pacific Street, via Godfrey Street, or via Crosswaithe Street. For the purposes of this report, all three of these options are analyzed as part of the proposed project footprint, identified

herein as the project site. The project site is located in Section 35, Township 11 South, Range 5 West of the San Luis Rey 7.5' U.S. Geological Survey (USGS) Quadrangle (Figure 3, *Aerial Photograph*).

Project Background and Description

The proposed project primarily involves the diversion of wastewater flows from the existing LSWWTP at 1330 Tait Street in Oceanside, which is past its useful life. Flows would be diverted to the SLRWRF via the new Buccaneer Lift Station and Force Main. Several other improvements to the City's wastewater and stormwater system are necessary at the LSWWTP site and are included as part of the proposed project, including rehabilitation of the existing ultraviolet (UV) stormwater treatment facility, the relocation of the existing ocean outfall meter and bypass vault, and the relocation of a brine line. Other LSWWTP site improvements would also occur, including the provision a public parking lot, a bike/pedestrian path, site access, solid waste storage bins, walls/fencing, and landscaping, as well as the removal of overhead electric lines and power poles from the site. Dewatering activities during construction of the underground load equalization tank and emergency storage tank would occur over a three- to five-month period and are expected to discharge directly into Loma Alta Creek (as no feasible alternative has been identified). Lastly, a portion of an existing paved boat ramp and concrete driveway providing City staff access to Loma Alta Creek from the LSWWTP site would be improved with new concrete.

METHODS

Literature Review

Before conducting biological field surveys, HELIX conducted a search of aerial imagery (Google Earth 2024), soil survey data (USDA 2024), USGS topographic maps, U.S. Fish and Wildlife Service (USFWS) critical habitat maps, City Multiple Habitat Conservation Program (MHCP) designations, sensitive species information from California Department of Fish and Wildlife Service's (CDFW) California Natural Diversity Database (CNDDB) and USFWS database records, and data previously collected by HELIX for the project in 2017, 2018, and 2019.

General Biological Survey

The approximately 41.7-acre project site identified herein consists of three components: (1) the force main alignment (including all three alignment options), (2) the LSWWTP site, and (3) a staging area within existing disturbed lands. HELIX biologists Jason Kurnow and Talaya Rachels conducted a general biological survey of the project site on March 9 and 20, 2018, and updated the vegetation mapping on February 13, 2019. HELIX biologist Angelia Bottiani conducted an updated general biological survey of the project site on March 1, 2024. The general biological surveys included mapping vegetation communities, assessing site suitability for sensitive plant and animal species, and identifying potential sensitive resources. Meandering pedestrian transects were conducted throughout accessible areas of the project site to obtain 100 percent visual coverage of areas that would be directly impacted by the project. Other portions of the project site were inspected by a combination of visual scans and aerial interpretation. Physical parameters assessed included vegetation and soil conditions, the presence of indicator plant and animal species, slope, aspect, and hydrology.

Plant and animal species observed or otherwise detected during HELIX's biological surveys were recorded (Attachments A and B). Plant identifications were made in the field according to Baldwin et al. (2012), and Calflora (2024) was used to augment common names. The vegetation community and land cover mapping follows the Holland classification system (Holland 1986) and is supplemented by Oberbauer (2008). Animal species were identified by direct observation, vocalizations, or the observance of scat, tracks, or other sign. Nomenclature used in this report is from American Ornithologists' Union (2023) for birds. The lists of species identified are not necessarily comprehensive accounts of all species that occur on site, as species that are nocturnal, secretive, or seasonally restricted may not have been observed.

Sensitive plant and animal species recorded within two miles of the project site were analyzed for potential to occur within the proposed project site (Attachments C and D). Finally, representative photographs of the site were taken during the general biological survey (Attachment E).

Jurisdictional Delineation

The approximate extent of existing aquatic resources potentially subject to the regulatory jurisdiction of the U.S. Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act (CWA; 33 USC 1344); waters of the State potentially subject to the regulatory jurisdiction of the Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA and the Porter-Cologne Water Quality Control Act, streambed and riparian habitats potentially subject to the jurisdiction of the CDFW pursuant to Section 1602 of the Fish and Game Code, and coastal waters subject to the regulatory jurisdiction of the California Coastal Commission was mapped within the project site.

This report presents HELIX's best effort to identify the extent of potential USACE-, RWQCB-, and CDFW-jurisdictional aquatic resources and coastal wetlands on the project site in accordance with current regulations, policy, and regulatory guidance. The descriptions and maps provided represent HELIX's recommendation based on our experience and the information available at the time of the delineation. The potential jurisdictional boundaries suggested herein are subject to verification by the regulatory agencies.

Pre-Field Review

Before beginning fieldwork, HELIX reviewed aerial photographs (1"=200' scale), topographic maps (1"=200' scale), San Diego County soil survey maps, USGS quadrangle maps, and the National Wetlands Inventory (NWI; U.S. Fish and Wildlife Service [USFWS] 2024) maps to assist in determining the locations of potential aquatic resource features on the project site.

Delineation Methodology and Reference Documents

Delineation fieldwork was completed on March 24, 2024 by HELIX biologist Angelia Bottiani. Aquatic resources were mapped in the field on aerial imagery (1"=200' scale) and data collection was assisted with a submeter Global Positioning System unit. A formal delineation was conducted only within the project site; offsite wetlands and waters adjacent to the LSWWTP site that are associated with Loma Alta Creek were delineated based on observed boundaries of wetland vegetation and open water, combined with mean high water and high tide line data. These adjacent offsite wetlands and waters are depicted herein for informational purposes.

Plants were identified according to Baldwin et al. (2012) and Jepson eFlora (2023). Wetland affiliations of plant species follow the 2022 National Wetland Plant List (USACE 2022). Soil survey information was taken from the Web Soil Survey (National Resource Conservation Service [NRCS] 2024).

U.S. Army Corps of Engineers

Potential USACE-jurisdictional waters of the U.S. were generally determined based on the presence of a discernible ordinary high-water mark (OHWM), and/or wetland conditions expressed by three parameters (vegetation, hydrology, and soils) established for wetland delineations, as described within the Wetlands Delineation Manual (Environmental Laboratory 1987) and Arid West Regional Supplement (USACE 2008). The OHWM was identified according to "A Field Guide to the Identification of the Ordinary High-Water Mark in the Arid West Region of the Western United States" (Lichvar and McColley 2017. Mapping of drainage features was performed in the field based on the OHWM and surface indications of hydrology. Photographs taken of the sampling point and OHWM data point are included in Attachment E.

Regional Water Quality Control Board

The RWQCB asserts regulatory jurisdiction over activities affecting wetland and non-wetland waters of the State pursuant to Section 401 of the CWA and the State Porter-Cologne Water Quality Control Act. The State Water Resources Control Board's (SWRCB's) State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (Procedures), adopted on April 2, 2019 (SWRCB 2019), and implemented as of May 28, 2020, was used to identify potential RWQCB wetland waters of the State within the project site. Boundaries of potential non-wetland waters of the State were delineated based on presence of stream bed and bank, defined swales, ditches, or basins.

California Department of Fish and Wildlife

Pursuant to Division 2, Chapter 6, Sections 1600-1603 of the California Fish and Game Code (CFG Code), the CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife. CDFW does not have a specific definition of what constitutes a stream as it relates to regulation under Sections 1600-1603 of the CFG Code. In practice, CDFW defines a stream channel as that area where water uniformly or habitually flows over a given course, and where the width of the water course can reasonably be identified by physical or biological indicators. CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." Potential CDFW-jurisdictional streambed and CDFW-jurisdictional habitat were determined based on the presence of wetland vegetation or regular surface flow within a measurable bed and bank. Delineation of CDFW streambed width is measured to the top of bank.

California Coastal Commission

The jurisdictional boundaries of wetland habitats pursuant to Section 30121 of the California Coastal Act "coastal wetlands" were determined based on the presence of hydric soils, hydrophytic vegetation, or surface water or saturated substrate in unvegetated areas adjacent to vegetated wetlands or deep-water habitats. Whereas the USACE uses a "three parameter" test (the presence of hydrophytic vegetation, wetland hydrology, and hydric soils) to identify waters of the U.S., the Coastal Commission uses a "single parameter" test (any one of the three) to identify areas under their jurisdiction.

Vegetation mapping was used to define coastal wetlands within the survey area, which was based on the presence of a single parameter.

RESULTS

Existing Conditions and General Land Use

A majority of the project site includes the right-of-way along Oceanside Boulevard. Most of the development surrounding Oceanside Boulevard within the project site is associated with commercial uses, but there are also pockets of residential development. The western extent of the project site is associated with the LSWWTP, which is a treatment facility for wastewater and stormwater. Two staging areas are also identified, including a disturbed area just east of the proposed force main alignment, northeast of the intersection of Oceanside Boulevard and El Camino Real, and a second area within the LSWWTP site.

Coastal Zone and Critical Habitat

The proposed project is located partially within the Coastal Zone, including the LSWWTP and a portion of Oceanside Boulevard extending approximately 0.5 mile inland (Figure 4, *Regional Planning Context*). The eastern portion of the project is located outside of the Coastal Zone. Areas located within the Coastal Zone are subject to the California Coastal Act, which is discussed further below.

Critical habitat is defined by the federal Endangered Species Act (ESA). Critical habitat is specific areas with features that are considered essential to the conservation of a federally endangered or threatened species. Critical habitat can include areas that are not currently occupied by the species but will be needed for its recovery. The project site does not overlap with critical habitat, however, the eastern ends of the project site are in proximity to critical habitat, as follows. Critical habitat for the coastal California gnatcatcher (*Polioptila californica californica*) is located directly adjacent to the east end of the project site, northeast of the intersection of Oceanside Boulevard and El Camino Real. Additionally, critical habitat for thread-leaved brodiaea (*Brodiaea filifolia*) is located 100 feet north of the proposed project site, at the north end of Garrison Street.

Regional Context

The proposed project site is in a highly urbanized portion of the City (Figure 5, *Vegetation and Sensitive Biological Resources*). Transportation corridors in the vicinity include Interstate (I-) 5, State Route (SR-) 78 to the south, and SR-76 to the north. Railroad tracks for the Coast Sprinter run north and south on the east site of the LSWWTP. Additionally, railroad tracks run east and west on the south side of Oceanside Boulevard. The Loma Alta Creek runs east to west, south of the proposed project site. The surrounding neighborhoods are composed of single and multi-family residences and parks. Businesses along Oceanside Boulevard include a church and several industrial and commercial buildings. The Pacific Ocean is located west of the LSWWTP site, separated from the ocean by South Pacific Street and housing west of this street.

Topography and Soils

Elevations within the project site vary from five to 108 feet above mean sea level. There is little topographic variety within much of the project site, which is generally centered on Oceanside Boulevard. Lower elevations occur in the western portion of the project site in the area associated with the LSWWTP. The eastern portion of the project site has higher elevations.

Seven soil mapping units are identified within the project site: Chesterton fine sandy loam, Las Flores loamy fine sand, Las Flores-Urban land complex, Made land, Salinas clay loam, Terrace escarpments, and Tujunga sand.

Vegetation Communities/ Habitat Types

Vegetation communities or habitat types are classified in this report according to Holland (1986), with further guidance from Oberbauer et al. (2008). Four vegetation community or land use types were mapped by HELIX within the approximately 41.7-acre project site (Figures 5a-p, *Vegetation and Sensitive Biological Resources*): developed, disturbed habitat, non-native grassland, and non-native vegetation. Existing vegetation communities and land cover types are summarized below in Table 1, *Existing Vegetation Communities and Land Cover Types within the Project Site*.

Table 1
EXISTING VEGETATION COMMUNITIES AND LAND COVER TYPES
WITHIN THE PROJECT SITE

Vegetation Community or Land Cover Type	Acreage in the Project Site[1]			
	La Salina WWTP	Buccaneer Force Main	Staging Area	TOTAL
Sensitive Upland				
Non-native Grassland	0	0.5	0	0.5
Sensitive Upland Subtotal	*0*	*0.5*	*0*	*0.5*
Other / Non-sensitive				
Non-native Vegetation	<0.1	0.2	0	0.3
Disturbed Habitat	0.7	0.9	0.9	2.6
Developed Land	8.0	30.4	0	38.4
Other Subtotal	*8.7*	*31.5*	*0.9*	*41.2*
TOTAL	**8.7**	**32.0**	**0.9**	**41.7**

[1] Rounded to the nearest tenth acre.

Non-native Grassland

Non-native grassland is a dense to sparse cover of annual grasses, often associated with native annual forbs. This association occurs on gradual slopes with deep, fine-textured, usually clay soils. Most of the introduced annual species that comprise non-native grassland originated from the Mediterranean region of Europe, an area with a climate like that of California and a long history of agriculture. Approximately 0.5 acre of non-native grassland was mapped within the project site, occurring in small patches adjacent to Oceanside Boulevard and in the southeastern part of the LSWWTP. Characteristic species occurring in this habitat within the project site include slender oat (*Avena barbata*), common ripgut grass (*Bromus diandrus*), barley (*Hordeum* sp.), and purple fountain grass (*Pennisetum setaceum*).

Non-native Vegetation

Non-native vegetation is a category describing stands of naturalized trees and shrubs (e.g., acacia [*Acacia* sp.] and peppertree [*Schinus* sp.]), many of which are also used in landscaping. A total of 0.3 acre of non-native vegetation is present as small patches and includes species such as peppertree (*Schinus* spp.), and hottentot fig (*Carpobrotus edulis*). This vegetation community is located primarily along Oceanside Boulevard, Garrison Street, the I-5 freeway, Godfrey Street, and the LSWWTP.

Disturbed Habitat

Disturbed habitat is either unvegetated or is dominated by non-native, weedy species that are adapted to a regime of frequent disturbance (ruderal). Approximately 2.4 acres of disturbed habitat were mapped within the project site. It is made up of small patches of habitat along Oceanside Boulevard, adjacent to the railroad tracks, and within the southern part of the LSWWTP. Associated species include garland daisy (*Glebionis coronaria*), wild radish (*Raphanus sativus*), Australian saltbush (*Atriplex semibaccata*), and tree tobacco (*Nicotiana glauca*).

Developed

Developed land exists where permanent structures and/or pavement have been placed (preventing the growth of vegetation) or where landscaping is clearly tended and maintained. This is the most abundant land cover type, accounting for approximately 41.5 acres (93 percent) of the project site. Developed land mapped within the project site consists of paved roadways such as Oceanside Boulevard, commercial businesses along Oceanside Boulevard, residential development along Oceanside Boulevard, railroad tracks, and the LSWWTP.

Flora

HELIX identified a total of 29 plant species in the project site, of which 23 are non-native species. A complete list of animal species observed or otherwise detected during the general biological survey is included as Attachment B

Fauna

The majority of the project site occurs within developed lands, resulting in low-quality habitat for many wildlife species. Animal species observed or otherwise detected within the project site during the March 1, 2024, general biological survey included common bird species. A complete list of animal species observed or otherwise detected during the general biological survey is included as Attachment B.

Sensitive Biological Resources

Sensitive Natural Communities

Sensitive natural communities include land that supports unique vegetation communities or the habitats of rare or endangered species or subspecies of animals or plants as defined by Section 15380 of the CEQA Guidelines. Non-native grassland (0.5-acre) is the only sensitive natural community present within the project site.

Special-Status Plant and Animal Species

Special-Status Plant Species

Special-status plant species are those listed as federally threatened or endangered by the USFWS; State listed as threatened or endangered or considered sensitive by the CDFW; and/or are California Native Plant Society (CNPS) California Rare Plant Rank List 1A, 1B, or 2 species, as recognized in the CNPS Inventory of Rare and Endangered Vascular Plants of California and consistent with the CEQA Guidelines (California Native Plant Society 2024). Special-status plant species also include those identified in the MHCP .

No special-status plant species were observed within the project site during the August 2017, March 2018, February 2019, or March 2024 surveys. The project site is not expected to support special-status plant species because it is dominated by developed land, non-native vegetation, and disturbed habitat. No special-status plant species have moderate or high potential to occur on the project site (Attachment C, *Special Status Plant Species with Potential to Occur)*. Critical habitat for thread-leaved brodiaea (*Brodiaea filifolia*) is located outside of the proposed project limits, within 100 feet of the Garrison Street portion of the project's force main alignment.

Special-Status Animal Species

Special-status animal species are those listed as threatened or endangered, proposed for listing, or candidates for listing by the USFWS, or are considered sensitive by the CDFW. No sensitive animal species were observed or detected within the project site during the August 2017, March 2018, February 2019, or March 2024 surveys.

Sensitive animal species with potential to occur on the proposed project site are discussed in Attachment D.

There are six special status species that have moderate potential to occur directly adjacent (within 500 feet) to the project site: Ridgway's rail (*Rallus obsoletus levipes*), California least tern (*Sturnula antillarum browni*), coastal California gnatcatcher (*Polioptila californica californica*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), and white-faced ibis (*Plegadis chihi*). Construction noise or lighting have the potential to cause indirect effects to these species. Potential impacts to these species are discussed below.

Nesting Birds and Raptors

The project site contains suitable, albeit very limited, nesting habitat within existing ornamental vegetation on site, including trees and shrubs, for several common bird species, including raptors, protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (CFG Code).

Jurisdictional Waters and Wetlands

Potential USACE Jurisdictional Resources

No USACE jurisdictional resources were identified within the project site, as the only feature present is an ephemeral stream, which is not waters of the U.S. under the current definition (Figure 6, *USACE Jurisdictional Areas*). USACE jurisdictional resources are present offsite, outside of the project footprint of the LSWWTP, along Loma Alta Creek. Wetland habitats outside of, but adjacent to the LSWWTP project site, include cismontane alkali marsh and disturbed cismontane alkali marsh associated with Loma Alta Creek.

RWQCB Jurisdictional Resources

The RWQCB jurisdictional resources present within the project site were located within the LSWWTP and included a small ephemeral drainage and small portion of Loma Alta Creek (Table 2, *Potential RWQCB Jurisdiction in the Project Site;* Figure 7, *RWQCB Jurisdictional Areas*). This 0.011-acre small ephemeral drainage flows from an outlet along the far western project boundary south approximately 236 linear feet to a small inlet. This drainage had a defined bed and bank but lacked a relatively permanent surface water connection with Loma Alta Creek. Additional RWQCB jurisdictional resources are present offsite, outside of the project footprint of the LSWWTP along Loma Alta Creek Wetland communities adjacent to, but outside of the project site, include e cismontane alkali marsh and disturbed cismontane alkali marsh in Loma Alta Creek next to the LSWWTP site.

Table 2
POTENTIAL RWQCB JURISDICTION IN THE PROJECT SITE

Waters of the State	Acreage[1]
Ephemeral Stream	0.011
TOTAL	**0.011**

[1] Rounded to the nearest thousandth acre.

Potential CDFW Jurisdictional Resources

Potential CDFW jurisdictional resources present within the project site were located within the LSWWTP and included a small ephemeral drainage and small portion of Loma Alta Creek (Table 3, *Potential CDFW Jurisdiction in the Project Site;* Figure 8, *CDFW Jurisdictional Areas*). The 0.011-acre small ephemeral drainage flows from an outlet along the far western project boundary south approximately 236 linear feet to a small inlet. This drainage lacked a relatively permanent surface water connection with Loma Alta Creek and was not flowing during the jurisdictional delineation despite higher than average rainfall in the weeks leading up to the delineation. Additional CDFW jurisdictional habitat was present outside of the project site along Loma Alta Creek. Wetland communities within this offsite area adjacent to the LSWWTP site includes cismontane alkali marsh and disturbed cismontane alkali marsh.

Table 3
POTENTIAL CDFW JURISDICTION IN THE PROJECT SITE

	Impacts (acres)[1]
Ephemeral Stream	0.011
TOTAL	**0.011**

[1] Rounded to the nearest thousandth acre.

CCC Jurisdictional Resources

No coastal wetlands under CCC jurisdiction are present within the project site (Figure 9, *CCC Jurisdictional Areas*). Coastal wetlands are present outside of the LSWWTP project site along Loma Alta Creek. Coastal wetlands within this offsite area include cismontane alkali marsh, disturbed cismontane alkali marsh, and open water.

Wildlife Corridors and Linkages

Wildlife corridors connect otherwise isolated pieces of habitat and allow movement or dispersal of plant materials and animals. Local wildlife corridors allow access to resources such as food, water, and shelter within the framework of the wildlife's daily routine and life history. For example, animals can use these corridors to travel between their riparian breeding habitats and their upland burrowing habitats. Regional corridors provide these functions over a larger scale and link two or more large habitat areas, allowing the dispersal of organisms and the consequent mixing of genes between populations. A corridor is a specific route that is used for the movement and migration of species; it may be different from a linkage in that it represents a smaller or narrower avenue for movement. A linkage is an area of land that supports or contributes to the long-term movement of animals and genetic exchange by providing live-in habitat that connects to other habitat areas. Many linkages occur as stepping-stone linkages that are made up of a fragmented archipelago arrangement of habitat over a linear distance. The City's Draft MHCP Subarea plan (SAP) identifies a wildlife corridor planning zone. The eastern end of the project site along Oceanside Boulevard from Foussat Road to El Camino Real is within an area identified as a wildlife corridor planning zone (City 2010).

APPLICABLE REGULATIONS

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

Federal

Federal Endangered Species Act

The Federal ESA (7 United States Code [USC] 136; 16 USC 460 et seq. [1973]) extends legal protection to plants and animals, listed as endangered or threatened by the USFWS and gives authorization to the USFWS to review proposed federal actions to assess potential impacts to species listed as endangered or threatened. The ESA generally prohibits the "taking" of a federally listed species.

"Taking" of a threatened or endangered species is deemed to occur when an intentional or negligent act or omission results in any of the following actions: "to harass, harm, pursue, hunt, shoot, kill, trap, capture, or collect, or attempt to engage in any such conduct." Such acts may include significant habitat modification or degradation if it results in death or injury. Likewise, import, export, interstate, and foreign commerce of listed species are all prohibited. Sections 7 and 10 of the ESA permit "incidental take" of a listed species via a federal or private action, respectively, through formal consultation with the USFWS. In lieu of a separate Section 10a Permit, an applicant may be included in a local Habitat Conservation Plan.

Migratory Bird Treaty Act

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

Clean Water Act (Section 404) and Rivers and Harbors Act

Federal wetland regulation (non-marine issues) is guided by the Rivers and Harbors Act of 1899 and the CWA. The Rivers and Harbors Act deals primarily with discharges into navigable waters, while the purpose of the CWA is to restore and maintain the chemical, physical, and biological integrity of all waters of the U.S. Permitting for projects filling waters of the U.S. is overseen by the USACE under Section 404 of the CWA. Most development projects are permitted using Individual Permit or Nationwide Permit instruments.

Section 401 of the CWA requires that any applicant for a federal license or permit to conduct any activity that may result in a discharge to waters of the U.S. must obtain a Water Quality Certification, or a waiver thereof, from the state in which the discharge originates. In California, the RWQCB issues Water Quality Certifications.

State

California Environmental Quality Act

Primary environmental legislation in California is found in the CEQA and its implementing guidelines (State CEQA Guidelines), requiring that projects with potentially significant effects or impacts on the environment undergo environmental review. Significant impacts to the environment are typically mitigated during the environmental review process in accordance with laws and regulations.

Although threatened and endangered species are protected by specific federal and state statutes, CEQA Guidelines Section 15380(d) provides that a species not listed on the federal or state list of protected species may be considered rare or endangered if the species can be shown to meet certain specified criteria. These criteria have been modeled after the definition in ESA and the section of the CFG Code dealing with rare or endangered plants and animals. CEQA Guideline Section 15380(d) allows a public agency to undertake a review to determine whether a significant effect would occur on species that have not yet been listed by either the USFWS or CDFW (i.e., species of concern). Thus, if warranted

under special circumstances, CEQA provides an agency with the ability to protect a species from a project's potential impacts until the respective government agencies have an opportunity to designate the species as formally protected.

Pursuant to the requirements of CEQA, an agency reviewing a proposed project within its jurisdiction must determine whether any state-listed endangered or threatened species may be present in the project area and determine whether the proposed project will have a potentially significant impact on such species.

California Endangered Species Act

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

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

California Natural Community Conservation Planning Act of 1991

The Natural Community Conservation Planning (NCCP) Act is designed to conserve habitat-based natural communities at the ecosystem scale while accommodating compatible land uses in coordination with CESA. The CDFW is the principal state agency implementing the NCCP Program. The Act established a process to allow for comprehensive, long-term, regional, multi-species, and habitat-based planning in a manner that satisfies the requirements of the state and federal ESAs (through a companion regional habitat conservation plan). The NCCP program has provided the framework for innovative efforts by the state, local governments, and private interests to plan for the protection of regional biodiversity and the ecosystems upon which they depend. NCCPs seek to help safeguard the long-term conservation of

multiple species, while allowing for compatible and appropriate economic activity to proceed. The City is not a signatory agency to an adopted NCCP plan.

California Coastal Act

The CCC, through provisions of the California Coastal Act, is authorized to issue a Coastal Development Permit (CDP) for projects located within the Coastal Zone. In areas where a local entity has a certified Local Coastal Program (LCP), the local entity can issue a CDP only if it is consistent with the LCP. The CCC, however, has appeal authority for portions of LCPs and retains jurisdiction over certain public trust lands and in areas without an LCP. The western end of the project site is within the Coastal Zone (Figure 4) and project approval would require issuance of a CDP from the City in accordance with its LCP.

California Fish and Game Code

The CFG Code regulates the taking or possession of birds, mammals, fish, amphibians, and reptiles, as well as natural resources such as lakes and streams. Sections 1600 et seq. of CFG Code includes definitions and provisions for the protection of lake and streambed resources. The CDFW requires notification for any activity that could result in an alteration of lake or streambed resources. Pursuant to CFG Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by the code or any regulation made pursuant thereto. Raptors (birds of prey) and owls and their active nests are protected by CFG Code Section 3503.5, which states that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird unless authorized by the CDFW. In common practice, CDFW places timing restrictions on the clearing of potential nesting habitat (e.g., vegetation), as well as restrictions on disturbances allowed near active raptor nests.

Local

North County Multiple Habitat Conservation Program

The North County MHCP is a comprehensive, multiple jurisdictional planning program designed to develop an ecosystem preserve in northwestern San Diego County. The MHCP includes incorporated cities in northwestern San Diego County that will implement their respective portions of the MHCP through citywide “subarea” plans, which describe the specific implementing mechanisms each city will institute for the MHCP.

The Oceanside City Council abandoned pursuit of an adopted MHCP SAP in 2022. Instead, the SAP is being incorporated into the forthcoming General Plan Update (GUP). Since the SAP will be incorporated into the GUP, this report has been written to conform with the requirements of the City’s Draft SAP.

SIGNIFICANCE OF PROJECT IMPACTS AND PROPOSED MITIGATION

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

Issue 1: Special-Status Species

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

Issue 1 Impact Analysis

Less than Significant Impact with Mitigation. No special-status plant species have the potential to occur within the project site due to lack of suitable habitat and inappropriate soil conditions. Six special-status animal species have the potential to occur in habitat adjacent to the proposed project site. Project construction could result in potential significant indirect impacts on special-status animal species, including nesting birds, as described in further detail below. Impacts would be reduced to less than significant levels through the implementation of mitigation measures BIO-1, BIO-2, and BIO-3.

Ridgway's Rail

Ridgway's rail is listed as Federally and State Endangered. It is found in salt marshes traversed by tidal sloughs. Suitable habitat for nesting occurs directly adjacent to the south side of the LSWWTP. This species is not known to occur within the project site, but it has potential to nest in the wetland habitat to the south of, and directly adjacent to, the LSWWTP along Loma Alta Creek. The project would not result in direct impacts to Ridgway's rail, as no wetland habitat would be impacted, but the project could result in temporary indirect impacts to this species from construction noise or lighting. Implementation of mitigation measure BIO-1, below, would reduce potentially significant indirect impacts to this species to less than significant and no significant impacts would occur.

California Least Tern

California least tern is listed as Federally and State Endangered. This species is a colonial breeder found on bare, or sparsely vegetated, flat substrates such as beaches, alkali flats, landfills, or paved areas. Observations of this species have not been reported from within the project site, but it has potential to nest in the wetland habitat to the south of, and directly adjacent to, the LSWWTP. Additionally, there is potential this species could nest on paved areas within the LSWWTP. The project could result in direct or indirect impacts to California least tern, but temporary indirect impacts to this species would be due to construction noise or lighting. Direct impacts could occur should this species choose to nest in paved portions of the project area. Implementation of mitigation measure BIO-1, below, would reduce potentially significant direct and indirect impacts to this species, to less than significant and no significant impacts would occur.

Coastal California Gnatcatcher

The coastal California gnatcatcher is listed as Federally Threatened and a State Species of Special Concern. This species occurs in coastal sage scrub with California sagebrush (*Artemisia californica*) as a dominant or co-dominant species, at elevations below 2,500 feet. Critical habitat for the coastal California gnatcatcher is mapped adjacent to the east end of the project site, northeast of the intersection of Oceanside Boulevard and El Camino Real. This species has not been recorded within the project site, but it has potential to nest in the coastal sage scrub habitat outside of the project site to the

northeast of the end of the force main alignment at the intersection of Oceanside Bouvard and El Camino Real. The project would not result in direct impacts to coastal California gnatcatcher, as no coastal sage scrub habitat would be impacted, but the project could result in temporary indirect impacts to the species due to construction noise or lighting. Implementation of mitigation measures BIO-1 and BIO-2, below, would reduce potentially significant indirect impacts to this species, to less than significant, and no significant impacts would occur.

Belding's Savannah Sparrow

Belding's savannah sparrow is listed as State Endangered. This species inhabits coastal salt marshes, marsh, swamp, and wetland habitat. Suitable habitat for nesting occurs directly adjacent to the south side of the LSWWTP. This species has not been mapped within the project site, but it has potential to nest in the wetland habitat to the south of, and directly adjacent to, the LSWWTP. The project would not result in direct impacts to Belding's savannah sparrow, as no wetland habitat would be impacted, but the project could result in temporary indirect impacts to this species from construction noise or lighting. Implementation of mitigation measure BIO-1, below, would reduce potentially significant indirect impacts to this species to less than significant, and no significant impacts would occur.

Southern California Rufous-crowned Sparrow

Southern California rufous-crowned sparrow is listed as a CDFW Watch List species. Watch List species are bird taxa that are not on the current species of special concern list but were on previous lists. This species is a resident of southern California coastal sage scrub and sparse mixed chaparral habitats and frequents relatively steep, often rocky hillsides, with grass and forb patches. This species has not been recorded within the project site, but it has potential to nest in the coastal sage scrub habitat outside of the project site to the northeast of the intersection of Oceanside Boulevard and El Camino Real. The project would not result in direct impacts to southern California rufous-crowned sparrow as no sage scrub habitat would be impacted, but the project could result in temporary indirect impacts to this species due to construction noise or lighting. Implementation of mitigation measures BIO-1 and BIO-2, below, would reduce potentially significant indirect impacts to this species to less than significant, and no significant impacts would occur.

White-faced Ibis

White-faced ibis is on the CDFW Watch List. This species is found in shallow freshwater marsh, swamp, and wetland habitats. There are no historical sightings of this species within the project site, but it has potential to nest in the wetland habitat to the south of, and directly adjacent to, the LSWWTP. The project would not result in direct impacts to white-faced ibis, as no wetland habitat would be impacted, but the project could result in temporary indirect impacts to this species from construction noise. Implementation of mitigation measure BIO-1, below, would reduce potentially significant indirect impacts to this species to less than significant, and no significant impacts would occur.

Nesting Birds

The proposed project site contains trees, shrubs, and other vegetation that provide suitable nesting habitat for common birds, including raptors, protected under the MBTA and CFG Code. Construction of the proposed project could result in the removal or trimming of trees and other vegetation during the

general bird nesting season (February 15 through August 31) and raptor nesting season (January 15 through July 31) and, therefore, could result in impacts to nesting birds in conflict with the MBTA and CFG Code. Direct impacts could occur because of removal of vegetation supporting an active nest. Impacts would be considered significant. Implementation of mitigation measure BIO-3, below, would reduce potentially significant impacts to nesting birds and raptors to less than significant levels.

Issue 1 Mitigation Measures

Mitigation

BIO-1 **Sensitive Animal Species Monitoring**. Within 72 hours before the commencement of construction activities between February 15 and August 31 within 500 feet of the southern boundary of the LSWWTP site or within 500 feet of the northeastern intersection of Oceanside Boulevard and El Camino Real, pre-construction survey(s) shall be conducted by a USFWS-permitted biologist (as applicable). If an active nest of a sensitive animal species or species protected by the California Fish and Game Code 3503 is identified, then a qualified biologist shall monitor the nest daily until project activities are no longer occurring within a specific distance appropriate to the sensitivity of the species to be determined in consultation with the California Department of Fish and Wildlife (typically 300 feet for most species and up to 500 feet for raptors), or until the young have fledged and are independent of the adults or the nest is otherwise abandoned. Limits of construction around active nests shall be established in the field with flagging, fencing, or other appropriate barriers, and construction personnel shall be instructed on the sensitivity of active nest areas. The monitoring biologist shall halt construction activities if it is determined that the construction activities would disturb or disrupt nesting activities. The monitoring biologist shall make practicable recommendations to reduce the noise or disturbance in the vicinity of the active nests or birds. This may include recommendations such as (1) turning off vehicle engines and other equipment wherever possible to reduce noise; (2) working in other areas until the young have fledged; and (3) utilizing alternative construction methods and technologies to reduce the noise of construction equipment (such as noise attenuation barriers). The monitoring biologist shall review and certify compliance with these avoidance boundaries and shall verify that the nesting effort has finished in a written report. The results of the site survey and any follow-up construction avoidance measures shall be documented by the monitoring biologist and submitted to the City.

BIO-2 **Lighting and Noise Controls.** Before the issuance of nighttime construction permits for the Buccaneer Force Main within 500 feet of suitable habitat for the coastal California gnatcatcher or the southern California rufous-crowned sparrow as determined by a qualified biologist, the project contractor shall submit construction lighting plans to the City's Public Works Director that shall demonstrate that lighting would be shielded and directed away from off-site critical habitat located northeast of the intersection of El Camino Real and Oceanside Boulevard. Additionally, a noise mitigation plan shall be developed by the contractor, and upon approval by the City, implemented to demonstrate that construction noise levels will be reduced to acceptable noise levels at the nest site. The noise reduction can be achieved by establishing a buffer around the nest or the construction area and implementation of a noise barrier around construction equipment. All project grading permits, improvement plans, and final maps shall incorporate the above requirements.

BIO-3 **Nesting Bird and Raptor Avoidance.** Before initial grading and vegetation removal activities (i.e., earthwork, clearing, and grubbing) during the general bird breeding season for migratory birds and raptors (January 15 to August 31), the City shall retain a qualified biologist to perform a pre-construction survey of potential nesting habitat to confirm the absence of active nests belonging to migratory birds and raptors afforded protection under the MBTA and California FGC. The pre-construction survey shall be performed no more than five days before the commencement of the activities. If the qualified biologist determines that no active migratory bird or raptor nests occur, the activities shall be allowed to proceed without any further requirements. The survey will remain valid while active construction is occurring. If construction is suspended for more than one week during the general breeding bird season the survey shall be repeated before work activities can resume. If the qualified biologist determines that an active migratory bird or raptor nest is present, a buffer will be established, and no impacts shall occur within 300 feet of the nest (500 feet for raptors) until the young have fledged and the nest is confirmed to no longer be active, as determined by the qualified biologist. The monitoring biologist shall make practicable recommendations to reduce the noise or disturbance in the vicinity of the active nests or birds. This may include recommendations such as (1) turning off vehicle engines and other equipment wherever possible to reduce noise; (2) working in other areas until the young have fledged; and (3) utilizing alternative construction methods and technologies to reduce the noise of construction equipment (such as noise attenuation barriers).

Issue 2: Sensitive Natural Communities

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

Issue 2 Impact Analysis

No permanent impacts to sensitive natural communities would occur. Temporary impacts would occur to a single sensitive natural community, consisting of 0.5 acre of non-native grassland adjacent to Oceanside Boulevard. No other sensitive upland vegetation communities would be impacted, and no wetland vegetation communities would be impacted by the project.

Less than Significant. A total of approximately 0.5-acre of non-native grassland occurs along the northern edge of a portion of Oceanside Boulevard east of South Nevada Street, along the railroad tracks north of the LSWWTP site, and in the southeastern part of the LSWWTP site. While these areas would be impacted during construction, implementation of a project-specific SWPPP would require hydroseeding impacted natural areas after construction. The SWPPP would be obtained by the construction contractor for the proposed force main before construction and would require the construction contractor to perform erosion and sediment control measures, including hydroseeding areas with similar species of non-native grassland where removed. As such, approval of a SWPPP, which is a requirement that must be met before beginning project construction, would avoid potentially significant impacts to 0.5-acre of non-native grassland by hydroseeding these areas upon project completion. The City would review the SWPPP and would require that proposed hydroseed mix would include native grassland seed. As a result, impacts on sensitive natural communities would remain less than significant and no mitigation measures are required.

Issue 2 Mitigation Measures

No significant impact to sensitive natural communities would occur and no mitigation is required.

Issue 3: Wetlands

Substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?

Issue 3 Impact Analysis

No wetland impacts would occur. Permanent impacts would occur to 0.011 acre of ephemeral stream on the LSWWTP site, a potential non-wetland water of the State and CDFW stream (Table 4, *Impacts to Jurisdictional Resources*).

Table 4
IMPACTS TO JURISDICTIONAL RESOURCES

Aquatic Resource	Project Impacts[1]	
	RWQCB Waters of the State[1]	CDFW Stream
Non-wetland Waters		
Ephemeral Stream[2]	0.011 / 236	0.011 / 236
Total	**0.11 / 236**	**0.011 / 236**

1 Impacts rounded to the nearest 0.01 acre / linear foot; total reflects rounding.
2 Does not meet the current definition of USACE waters of the U.S. Does not meet the definition of coastal waters.

Less Than Significant Impact with Mitigation Incorporated. A total of 0.011-acre (236 linear feet) of non-vegetated, ephemeral streambed are present within the LSWWTP site near the southwestern project boundary. The project would permanently impact this 0.011-acre ephemeral drainage, which is considered non-wetland waters of the State and a potential CDFW stream. Impacts would be reduced to less than significant levels through the implementation of mitigation measure BIO-4.

Project improvements to the small boat ramp near Loma Alta Creek would occur adjacent but not within potential section 404 non-wetland Waters of the U.S., section 401 non-wetland Waters of the State, CCC jurisdictional areas, and CDFW jurisdictional areas. All impacts are restricted to the concrete lined boat ramp area and will therefore will not require mitigation. A construction dewatering permit from the RWQCB would be obtained to meet water quality standards and an adverse effect on state or federally protected wetlands would not occur. Impacts to non-wetland waters associated with repaving of the boat ramp may require the issuance of a CWA Section 404 permit from the USACE, a CWA Section 401 Water Quality Certification or State Porter-Cologne Water Quality Control Act WDRs from the RWQCB, and/or a Streambed Alteration Agreement from CDFW, and would also be included in the project's CDP. Only the USACE, RWQCB, CDFW, and CCC can make a final determination of jurisdictional boundaries.

Dewatering activities during construction of the underground load equalization tank and emergency storage tank would occur over a three- to five-month period and are expected to discharge directly into Loma Alta Creek (as no feasible alternative has been identified). Potential impacts on sensitive animal

species, including nesting birds and raptors, would be reduced to less than significant with the incorporation of mitigation measures MM BIO-1 through MM BIO-3. Further, a construction dewatering permit from the RWQCB would be obtained to meet water quality standards and an adverse effect on state or federally protected wetlands would not occur.

Issue 3 Mitigation Measures

BIO-4 **Regulatory Permitting.** Before any project impacts to potentially jurisdictional resources, the City shall demonstrate that regulatory permits from USACE, RWQCB, and/or CDFW have been issued or that no such permits are required. The City shall follow any required compensatory mitigation conditions contained within the permit(s) to offset impacts to the ephemeral drainage, as applicable. Final mitigation requirements shall be determined during the permitting process in coordination with the USACE, RWQCB, and/or CDFW, as appropriate.

Issue 4: Wildlife Movement and Nursery Sites

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

Issue 4 Impact Analysis

No Impact. The draft SAP identifies a wildlife corridor planning zone within the project boundary along portions of the force main; however, the current state of this area is a developed roadway and does not facilitate wildlife movement. No wildlife corridors or linkages currently occur within the project area, and the project site does not support habitat that would contribute substantially to the assembly and function of any local or regional wildlife corridors or linkages. The proposed project would not result in barriers to wildlife movement.

Issue 4 Mitigation Measures

No mitigation is required.

Issue 5: Local Policies and Ordinances

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

Issue 5 Impact Analysis

No Impact. The project would not conflict with any local policies or ordinances protecting biological resources. The City must approve the City of the LSWWTP Flow Diversion, Buccaneer Lift Station, Buccaneer Force Main Development Plans, and a Traffic Control Plan for construction of the Buccaneer Force Main. The project would not conflict with any City policies or ordinances related to biological resources, and no impact would occur.

Issue 5 Mitigation Measures

No mitigation is required.

Issue 6: Adopted Conservation Plans

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

Issue 6 Impact Analysis

No Impact. The project would not conflict with the provisions of the draft Oceanside MHCP SAP or the regional MHCP. The force main is within paved roadways, the LSWWTP does not support sensitive vegetation communities, and the staging area is entirely within disturbed lands. No portion of the force main or LSWWTP is within or adjacent to any hardline or softline preserve area in the draft SAP, or other area critical to the conservation of habitats or species. The staging area, while within a proposed hardline conservation area pursuant to the draft SAP, would be entirely within disturbed lands in an existing City staging area just north of Oceanside Boulevard. No conflict would occur.

Issue 6 Mitigation Measures

No mitigation is required.

FEDERAL CONFORMANCE ANALYSIS FOR BIOLOGICAL RESOURCES ISSUES

Federal Endangered Species Act

Does the project involve any direct effects from construction activities, or indirect effects such as growth inducement that may affect federally listed threatened or endangered species or their critical habitat that are known, or have a potential, to occur on site, in the surrounding area, or in the service area?

Portions of the project site occur adjacent to undeveloped areas characterized by native habitat that could support animal species listed under the federal ESA. Although no direct effects to federally listed animal species would be expected, potential indirect effects could occur during project construction. Further discussion is provided below regarding potential effects of the proposed action on federally listed species.

Federally Listed Plant Species

The project site lacks suitable habitat for listed plant species and is primarily characterized by developed land associated with Oceanside Boulevard and the LSWWTP. The limited vegetation that exists on site is either disturbed habitat, non-native grassland, or non-native vegetation. No listed plant species are expected to occur within the project boundary given the high level of disturbance and overall unsuitability of the existing soils, vegetation associations, and hydrology. Therefore, no direct or indirect effects on federally listed plant species are anticipated to occur as a result of the proposed project.

Federally Listed Animal Species

Although the proposed project site does not contain habitat suitable for federally listed species, habitat adjacent to the southern boundary of the existing LSWWTP, is suitable habitat for two federally listed endangered (FE) animal species: Ridgway's rail and California least tern.

Additionally, coastal sage scrub habitat northeast of the intersection of Oceanside Boulevard and El Camino Real is potentially suitable for one federally threatened species: coastal California gnatcatcher.

These species have not been reported as occupying habitat specifically located within the limits of work, and no listed animal species were observed or otherwise detected within the project site during the August 2017, March 2018,February 2019, and March 2024 general biological surveys.

Potentially suitable nesting habitat for listed bird species could be indirectly impacted by project construction. Potentially suitable nesting habitat for federally listed species could be subject to temporary indirect impacts due to construction noise or lighting.

Inadvertent intrusions of construction equipment and personnel into off-site habitat potentially supporting listed species are not expected because existing perimeter fencing is in place that restricts access to areas outside of the LSWWTP, and due to the proposed implementation of mitigation measure BIO-1.

Implementation of mitigation measures BIO-1, BIO-2, and BIO-3 would reduce potentially significant direct and indirect impacts on nesting federally listed species to a level less than significant during construction. With the implementation of these mitigation measures, the proposed action is not likely to significantly impact nesting federally listed species, and the project would be in conformance with the ESA.

Mitigation

With implementation of mitigation measures BIO-1, BIO-2, and BIO-3 the project would not directly or indirectly impact federally listed species.

Magnuson-Stevens Fishery Conservation and Management Act, Essential Fish Habitat

Does the project involve any direct effects from construction activities, or indirect effects such as growth inducement that may adversely affect essential fish habitat?

The proposed project would be constructed within areas that lack marine resources and Essential Fish Habitat regulated under the Magnuson-Stevens Fishery Conservation and Management Act. Essential Fish Habitat occurring in the Pacific Ocean would not be affected by project implementation. Therefore, the proposed project would not significantly impact Essential Fish Habitat and would be in conformance with the Magnuson-Stevens Fishery Conservation and Management Act.

Coastal Zone Management Act

Is any portion of the project site located within the coastal zone?

The western portion of the proposed project is within Coastal Zone boundaries and a CDP would be obtained from the City. The project would not significantly impact protected coastal resources, as no permanent or temporary impacts to coastal resources would occur.

Migratory Bird Treaty Act

Will the project affect protected migratory birds that are known, or have a potential, to occur on site, in the surrounding area, or in the service area?

Construction of the project may require vegetation removal during the general bird nesting season (February 15 through August 31) and/or raptor nesting season (January 15 through July 31), which could result in potentially significant impacts on nesting birds and raptors in violation of the MBTA. Indirect effects could occur as a result of construction noise in the immediate vicinity of undeveloped areas supporting an active bird nest, such that the disturbance results in nest abandonment or failure.

With the implementation of mitigation measures BIO-2 and BIO-3, above, the proposed action is not likely to significantly impact nesting birds, and the project would be in conformance with the MBTA.

Protection of Wetlands

Does any portion of the project boundaries contain areas that should be evaluated for wetland delineation or require a permit from the USACE?

A delineation was conducted for the project site in March 2024. No wetlands would be impacted by the proposed project. Permanent impacts within aquatic resource areas are limited to a small ephemeral drainage that does not meet the current definition of USACE waters of the U.S. Temporary impacts totaling 0.005 acre would occur to replace the concrete on an existing paved boat ramp within non-wetland waters of Loma Alta Creek. Impacts would not extend outside the existing concrete. Project impacts would be less than significant with the mitigation implemented as described in "Issue 3: Wetlands" above.

Wild and Scenic Rivers Act

Is any portion of the project located within a wild and scenic river?

None of the proposed project components are planned on or in the immediate vicinity of areas designated as a Wild and Scenic River. Therefore, the proposed project would not significantly impact any areas designated as Wild and Scenic River and would be in conformance with the Wild and Scenic Rivers Act.

CONCLUSION

This letter report summarizes the existing biological resources within and adjacent to the proposed project site, provides a focused assessment of water and wetland resources subject to regulatory agency jurisdiction, and provides an analysis of the proposed impacts in accordance with the California Environmental Quality Act (CEQA) and applicable federal, state, and local policy. The mitigation measures described above would reduce all potential impacts to less than significant. Impacts to non-wetland waters may require the issuance of a CWA Section 404 permit from the USACE, a CWA Section

401 Water Quality Certification or State Porter-Cologne Water Quality Control Act WDRs from the RWQCB, and/or a Streambed Alteration Agreement from CDFW. Work within the Coastal Zone requires issuance of a CDP. Only the USACE, RWQCB, CDFW and CCC can make a final determination of jurisdictional boundaries.

Sincerely,



Angelia Bottiani
Biologist

Attachments:

Figure 1:	Regional Location
Figure 2:	USGS Topography
Figure 3:	Aerial Photograph
Figure 4:	Regional Planning Context
Figure 5a-p:	Vegetation and Sensitive Biological Resources
Figure 6:	USACE Jurisdictional Areas
Figures 7:	RWQCB Jurisdictional Areas
Figure 8:	CDFW Jurisdictional Areas
Figure 9:	CCC Jurisdictional Areas
Attachment A:	Plant Species Observed
Attachment B:	Animal Species Observed or Detected
Attachment C:	Special-Status Plant Species with Potential to Occur
Attachment D:	Special-Status Animal Species with Potential to Occur
Attachment E:	Representative Site Photos

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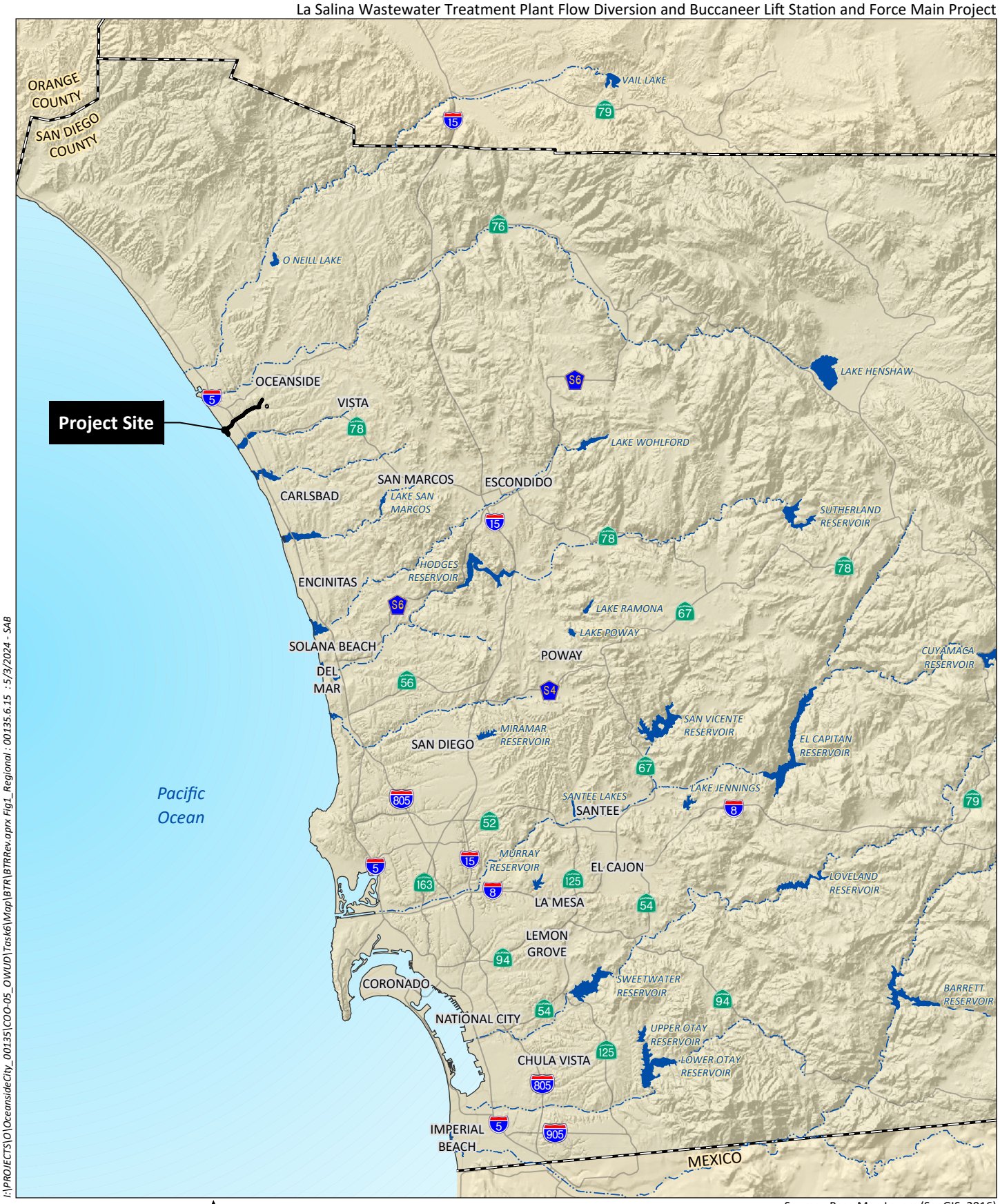

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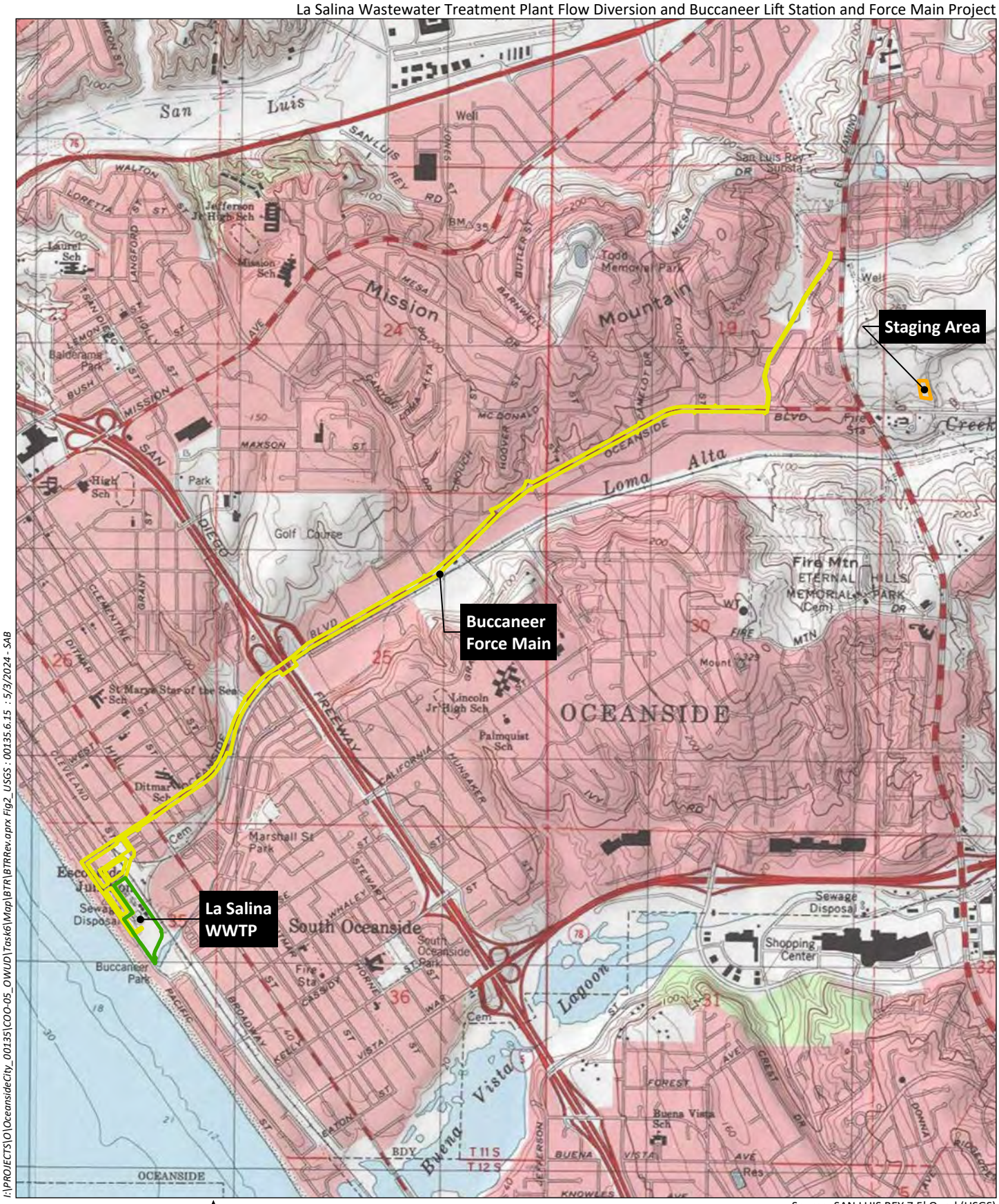
0 8 Miles

Source: Base Map Layers (SanGIS, 2016)

HELIX Environmental Planning

Regional Location

Figure 1



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0 2,000 Feet

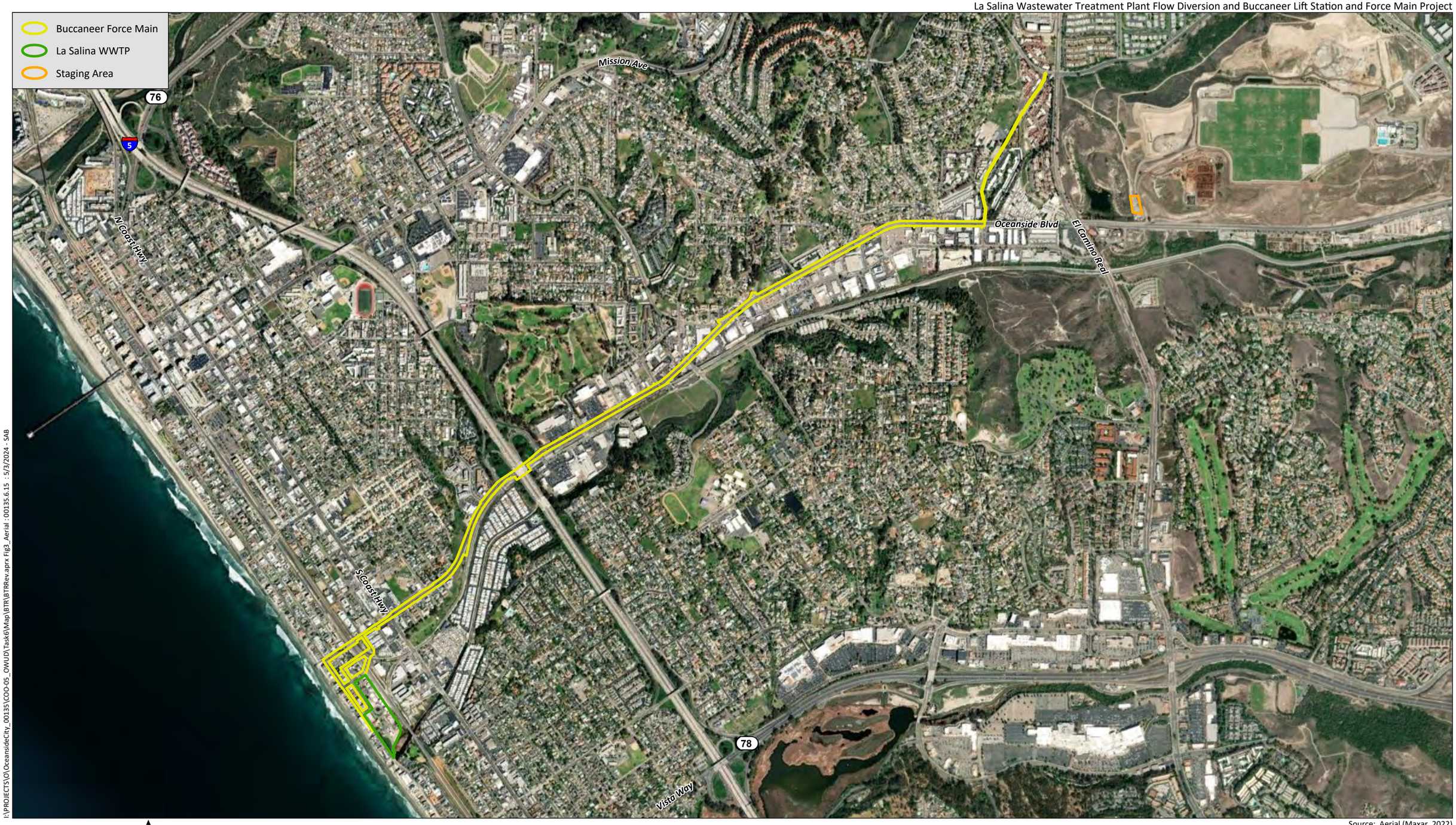
Source: SAN LUIS REY 7.5' Quad (USGS)

HELIX Environmental Planning

USGS Topography

Figure 2

La Salina Wastewater Treatment Plant Flow Diversion and Buccaneer Lift Station and Force Main Project



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0 1,500 Feet

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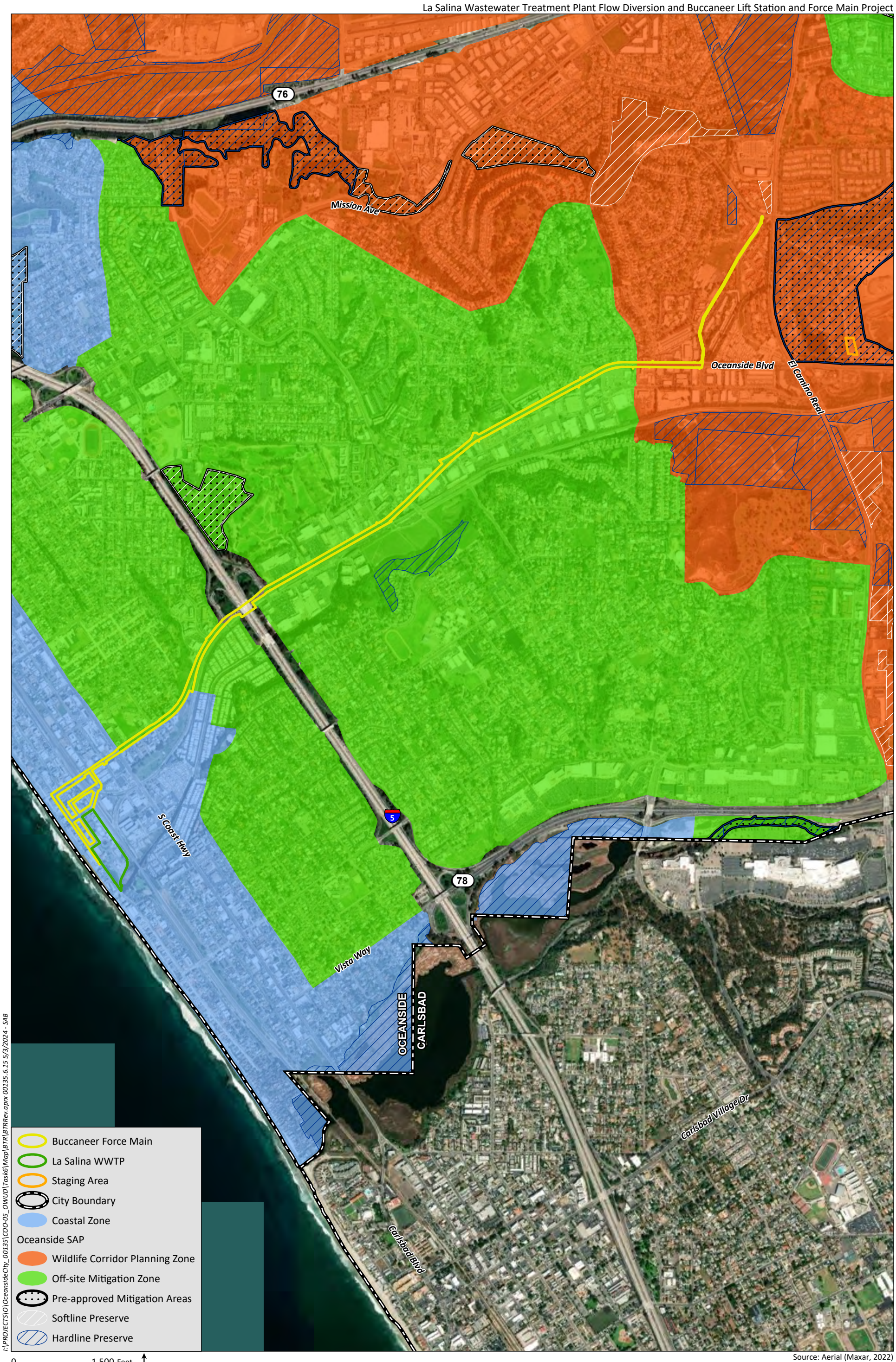
Source: Aerial (Maxar, 2022)

HELIX Environmental Planning

Aerial Photograph

Figure 3



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Source: Aerial (Maxar, 2022)

HELIX Environmental Planning

Regional Planning Context

Figure 4



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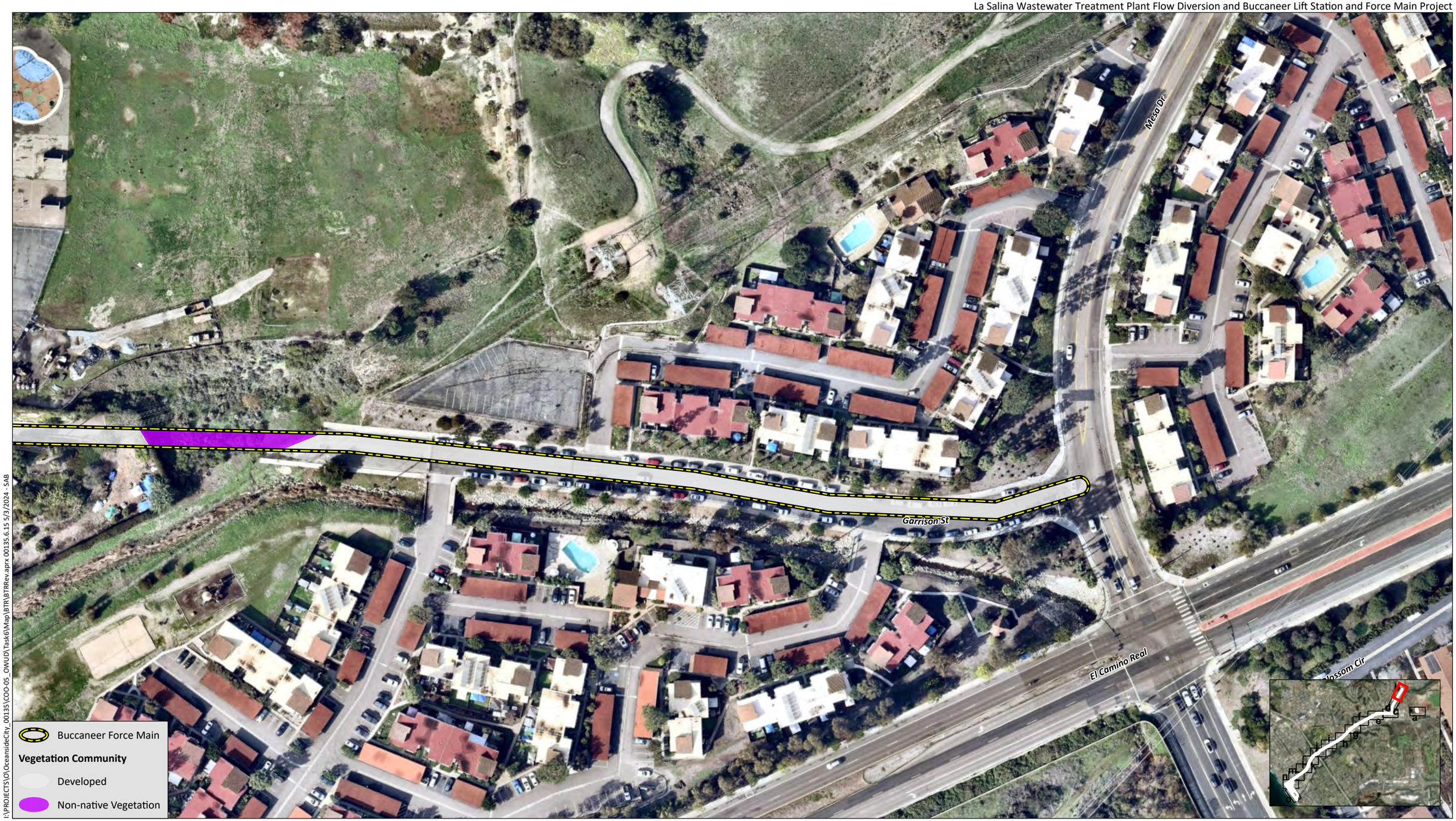
Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5a



I:\PROJECTS\OI\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5e



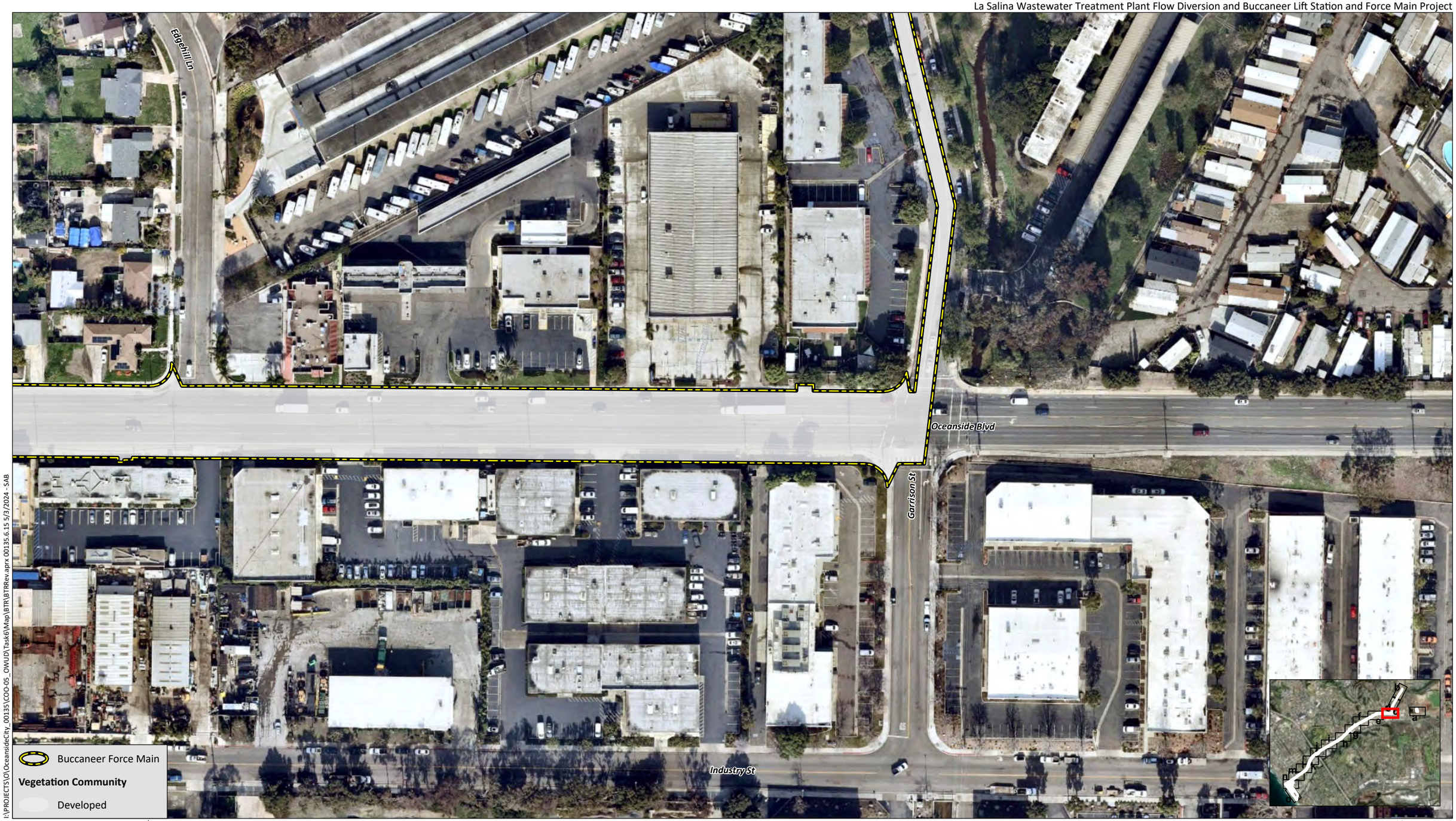
I:\PROJECTS\O\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5d



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Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5c



I:\PROJECTS\OI\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5f



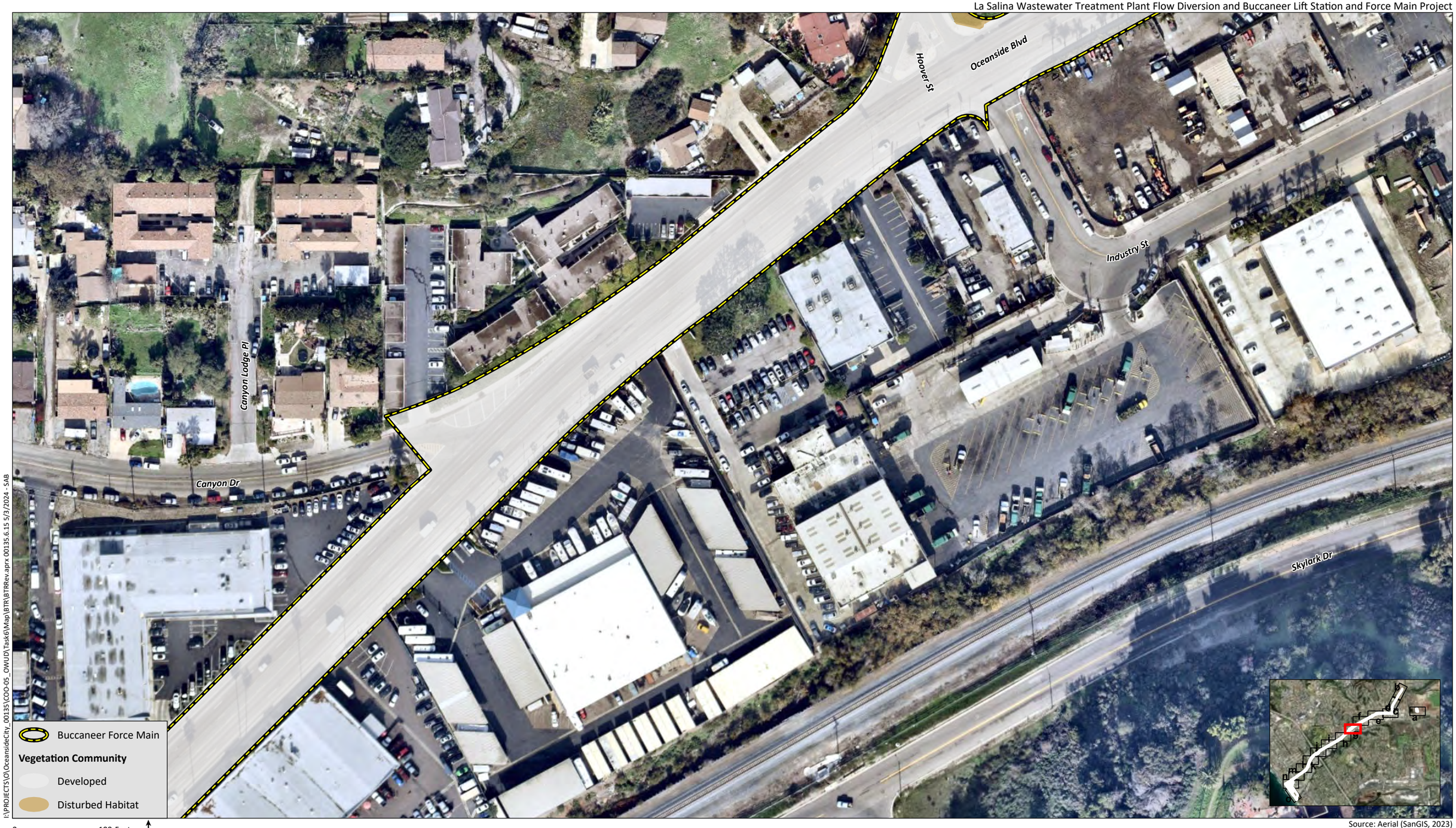
I:\PROJECTS\O\Oceansidecity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5g



Source: Aerial (SanGIS, 2023)

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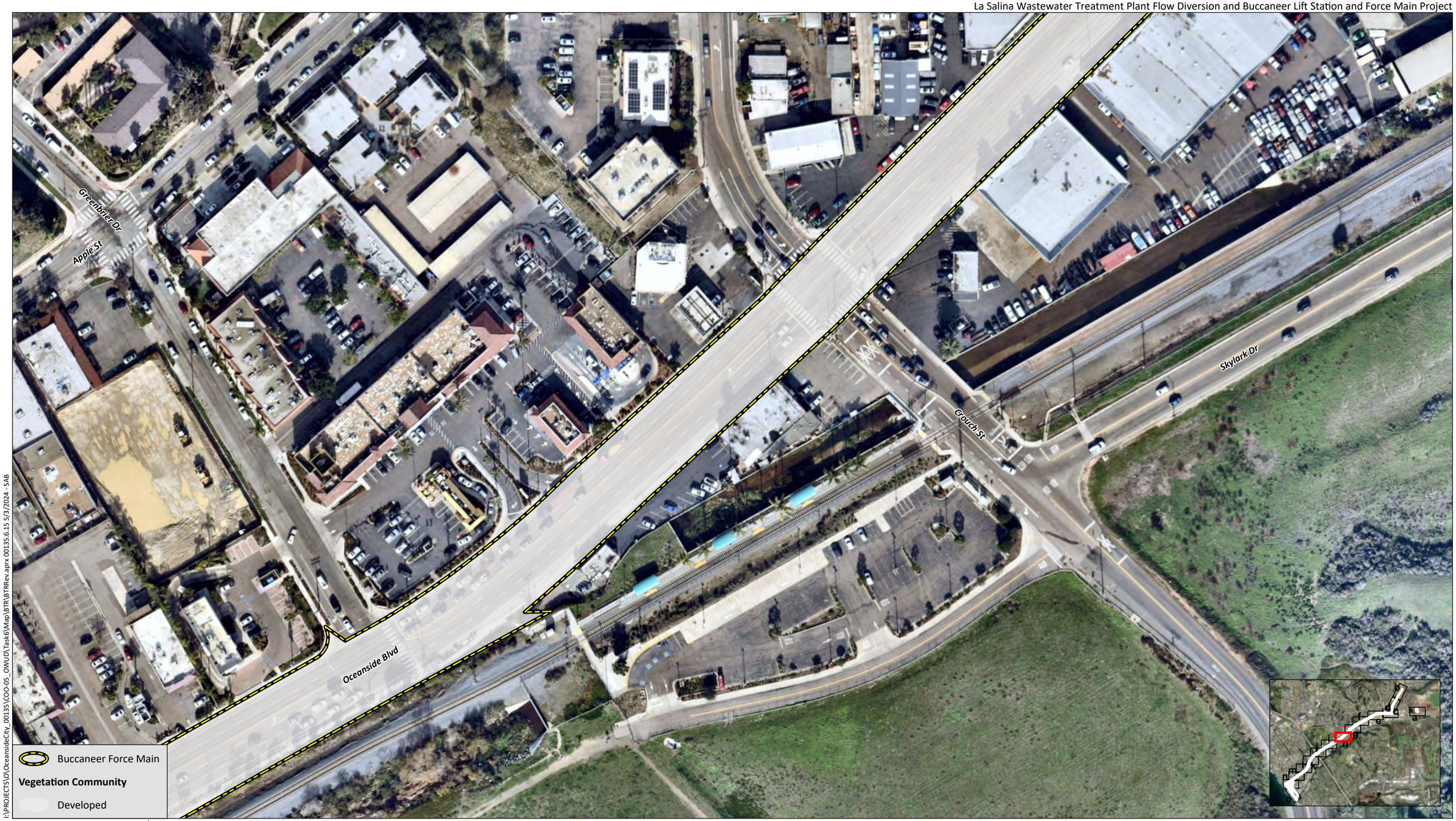
HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5h



Source: Aerial (SanGIS, 2023)

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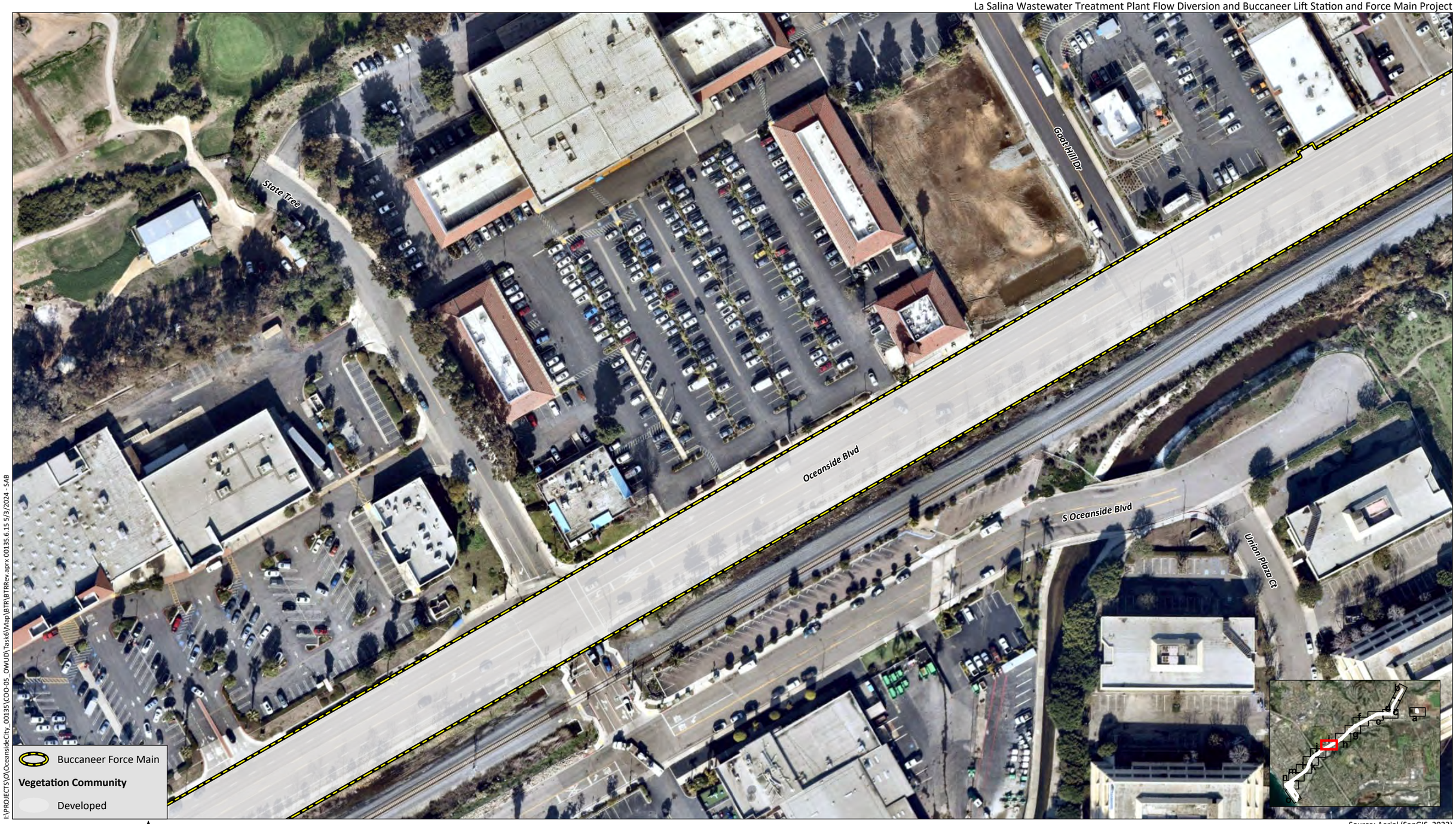
Vegetation and Sensitive Biological Resources

Figure 5i



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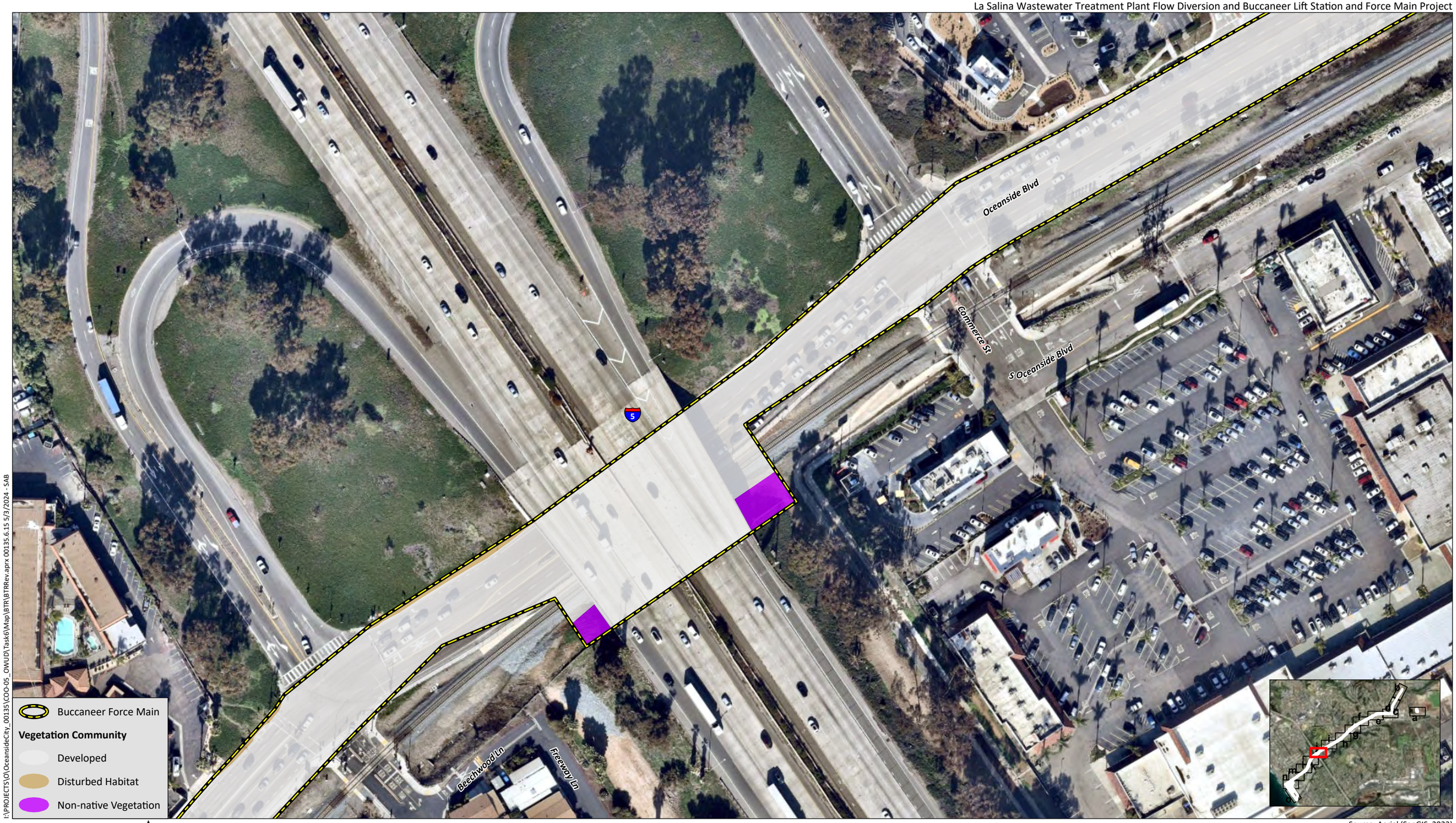
Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5j



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Source: Aerial (SanGIS, 2023)

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Vegetation and Sensitive Biological Resources

Figure 5k



Source: Aerial (SanGIS, 2023)

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Vegetation and Sensitive Biological Resources

Figure 5l



Source: Aerial (SanGIS, 2023)

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HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5m



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Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5n



I:\PROJECTS\OV\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5o



I:\PROJECTS\O\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

Vegetation and Sensitive Biological Resources

Figure 5p



I:\PROJECTS\O\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

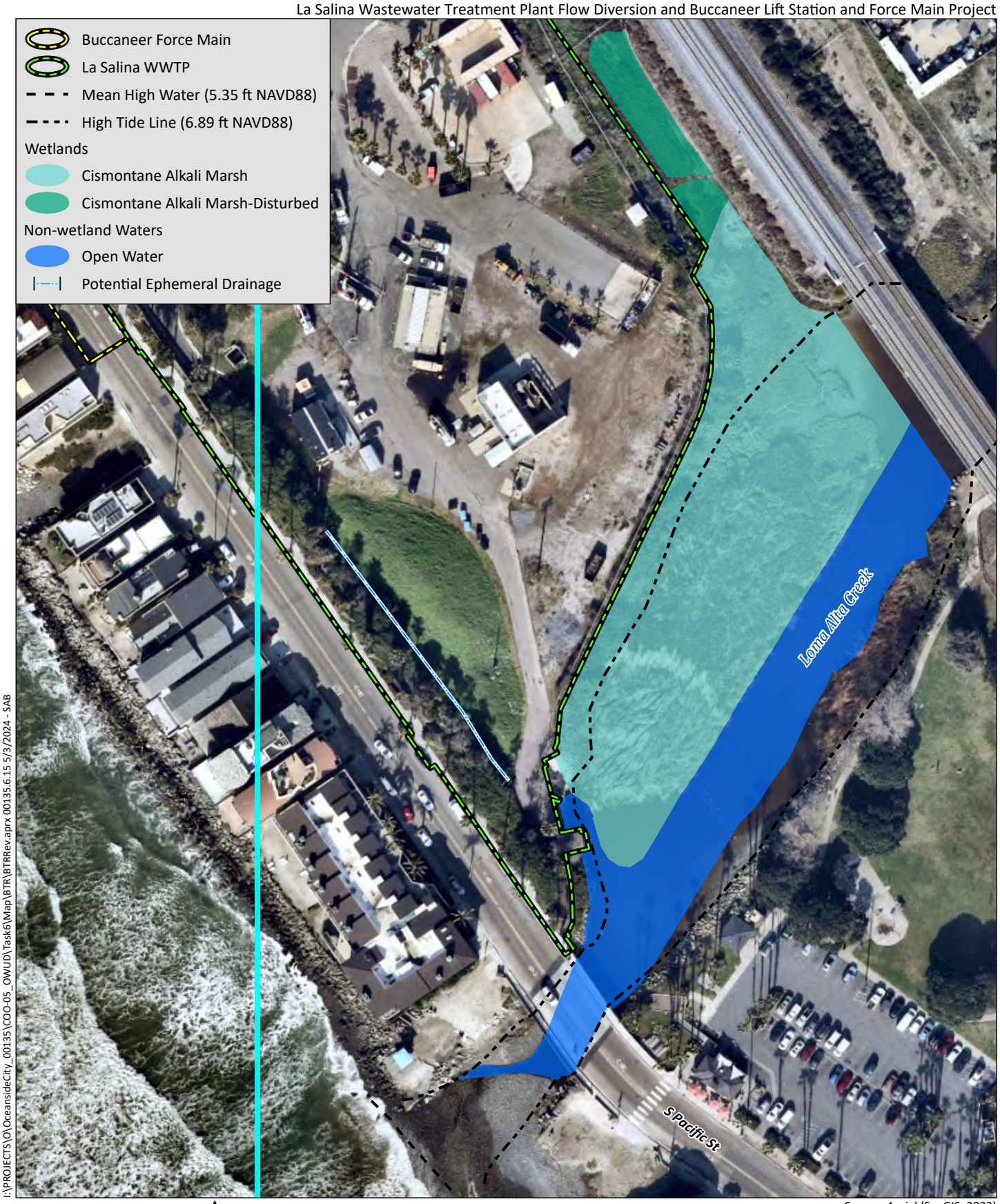
0 100 Feet

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

USACE Jurisdictional Areas

Figure 6



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Source: Aerial (SanGIS, 2023)

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RWQCB Jurisdictional Areas

Figure 7



I:\PROJECTS\O\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

0 100 Feet

N

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

CDFW Jurisdictional Areas

Figure 8



I:\PROJECTS\O\OceansideCity_00135\COO-05_OWUD\Task6\Map\BTR\BTRRev.aprx 00135.6.15 5/3/2024 - SAB

0 100 Feet

Source: Aerial (SanGIS, 2023)

HELIX Environmental Planning

CCC Jurisdictional Areas

Figure 9

Attachment A

Plant Species Observed

Family	Scientific Name*,†	Common Name	Habitat[1]
Dicots			
Aizoaceae	*Mesembryanthemum nodiflorum**	small flowered iceplant	NNG
Anacardiaceae	*Rhus integrifolia*	lemonade berry	NNG
Arecaceae	*Washingtonia robusta**	mexican fan palm	NNG
Asteraceae	*Glebionis coronaria**	crown daisy	NNG, DH
Asteraceae	*Ambrosia psilostachya*	ragweed	NNG
Asteraceae	*Erigeron bonariensis**	flax-leaved horseweed	NNG
Asteraceae	*Glebionis coronaria**	crown daisy	DH
Asteraceae	*Hazardia squarrosa*	saw toothed goldenbush	NNG, DH
Asteraceae	*Lactuca serriola**	prickly lettuce	NNG
Asteraceae	*Helminthotheca echioides**	bristly ox-tongue	NNG
Brassicaceae	*Raphanus sativus**	wild radish	NNG
Brassicaceae	*Brassica nigra**	black mustard	NNG
Chenopodiaceae	*Salsola tragus**	Russian thistle	NNG
Convolvulaceae	*Cressa truxillensis*	alkali weed	NNG
Crassulaceae	*Crassula connata*	sand pygmy weed	NNG
Fabaceae	*Medicago polymorpha**	California burclover	NNG
Fabaceae	*Trifolium sp.*	clover	NNG
Geraniaceae	*Erodium cicutarium**	coastal heron's bill	NNG
Malvaceae	*Malva nicaeensis**	bull mallow	NNG
Myrtaceae	*Eucalyptus sp.**	eucalyptus	NNG
Oxalidaceae	*Oxalis pes-caprae**	bermuda buttercup	NNG
Plantaginaceae	*Plantago lanceolata**	ribwort	NNG
Solanaceae	*Solanum douglasii*	douglas' nightshade	NNG
Urticaceae	*Urtica dioica*	stinging nettle	NNG
Monocots			
Poaceae	*Bromus diandrus**	ripgut brome	NNG
Poaceae	*Avena fatua**	wildoats	NNG
Poaceae	*Hordeum murinum**	foxtail barley	NNG
Poaceae	*Festuca perennis**	italian rye grass	NNG
Poaceae	*Ehrharta longiflora**	longflowered veldtgrass	NNG

* Non-native

† Sensitive

1 DH=Disturbed habitat; NNG=Non-native grassland

Attachment B

Animal Species Observed or Detected

Taxon Order	Taxon Family	Scientific Name	Common Name
INVERTEBRATES			
Hymenoptera	Apidae	*Apis mellifera*	western honey bee
Lepidoptera	Pieridae	--	unidentified sulphur
VERTEBRATES			
Birds			
Accipitriformes	Accipitridae	*Buteo lineatus*	Red-shouldered Hawk
Charadriiformes	Laridae	--	unidentified Gull
Gruiformes	Rallidae	*Fulica americana*	American Coot
Passeriformes	Aegithalidae	*Psaltriparus minimus*	Bushtit
Passeriformes	Corvidae	*Corvus brachyrhynchos*	American Crow
Passeriformes	Icteridae	*Agelaius phoeniceus*	Red-winged Blackbird
Passeriformes	Icteridae	*Icterus cucullatus*	Hooded Oriole
Passeriformes	Passeridae	*Passer domesticus*	House Sparrow
Passeriformes	Sturnidae	*Sturnus vulgaris*	European Starling
Passeriformes	Tyrannidae	*Tyrannus verticalis*	Western Kingbird
Passeriformes	Tyrannidae	*Sayornis nigricans*	Black Phoebe
Mammals			
Rodentia	Sciuridae	*Otospermophilus beecheyi*	California Ground Squirrel

† Sensitive

Attachment C

Special-Status Plant Species with Potential to Occur

Species Name	Common Name	Status1	Habit, Ecology and Life History	Potential to Occur
Acmispon prostratus	Nuttall's acmispon	--/-- CRPR 1B.1	Annual herb. Occurs on beaches and disturbed areas in coastal strand and coastal sage scrub communities. Elevation range 0 – 100 feet. Flowering period Mar – June.	**None.** Beaches and coastal strand areas do not occur within the proposed project boundary.
Ambrosia pumila	San Diego ambrosia	FE/-- CRPR 1B.1	Perennial herb. Found in a variety of habitats, including sage scrub, grasslands, wetlands, disturbed habitat, and sloped areas. Reiser (2001) states that preferred habitats are in creek beds, seasonally dry drainages, and floodplains, and the Federal Registry announcement for this species states that it is found in grasslands and valley bottoms. It is likely a function of soil and moisture rather than a specific habitat that determine the species' territory. Elevation range 165 – 1970 feet. Flowering period May – Oct.	**Low.** Although this species is found in many different communities, most of the proposed project site boundary is developed. Disturbed areas, and vegetation communities occurring within the proposed project boundary are marginal quality for this species, as they are not associated with moist vegetation communities, nor are wetter areas, or creeks present within the proposed project boundary.
Atriplex coulteri	Coulter's saltbush	--/-- CRPR 1B.2	Perennial herb. Coastal bluff scrub, coastal dunes, valley and foothill grasslands, and desert slopes. May be extirpated from San Diego County as well as nearing extirpation elsewhere in mainland California. Elevation range 0 – 1510 feet. Flowering period Mar – Oct.	**None.** Coastal bluff scrub, coastal dunes, valley and foothill grasslands and desert areas do not occur within the proposed project boundary.
Atriplex pacifica	south coast saltscale	--/-- CRPR 1B.2	Annual herb. Occurs in playas and along the coast within alkali sinks, coastal sage scrub, and riparian communities. Elevation range 0 – 985 feet. Flowering period Mar – Oct.	**None.** Playas, alkali sinks, coastal sage scrub, and riparian communities do not occur within the proposed project boundary.
Brodiaea filifolia	thread-leaved brodiaea	FT/SE CRPR 1B.1	Perennial herb. Clay soils in vernally moist grasslands and vernal pool periphery are typical locales. Elevation range 80 – 2821 feet. Flowering period Mar – June.	**None.** Proposed project site lacks clay soils.

Species Name	Common Name	Status1	Habit, Ecology and Life History	Potential to Occur
Centromadia pungens ssp. *laevis*	smooth tarplant	--/-- CRPR 1B.1	Annual herb. Valley and foothill grasslands, particularly near alkaline locales. Elevation range 295-1640 feet. Flowering period Apr – Sept.	**None.** Proposed project site is located below the typical elevation range associated with this species. Additionally, grassland vegetation communities within the proposed project site boundary are limited to small patches of non-native grassland surrounded by disturbed and/or developed areas. Last sighting of this species near the project site was in 1897.
Chaenactis glabriuscula var. *orcuttiana*	Orcutt's pincushion	--/-- CRPR 1B.1	Annual herb. Open Diegan coastal sage scrub, typically in proximity to moist ocean breezes. Elevation range 0 – 328 feet. Flowering period Jan – Aug.	**None.** Diegan coastal sage scrub does not occur within the proposed project boundary.
Dudleya blochmaniae ssp. *blochmaniae*	Blochman's dudleya	--/-- CRPR 1B.1	Perennial herb. Dry, stony places associated with coastal sage scrub or chaparral near the coast. Elevation range 0 – 1475 feet. Flowering period Apr – June.	**None.** Sage scrub and chaparral vegetation communities do not occur within the proposed project boundary.
Dudleya viscida	sticky dudleya	--/-- CRPR 1B.2	Perennial herb. Very steep north-facing slopes associated with coastal scrub, chaparral, and cismontane woodland habitats. Elevation range 0 – 1475 feet. Flowering period May – June.	**None.** Sage scrub, chaparral, and woodland vegetation communities do not occur within the proposed project boundary. Last observed in project vicinity in 1941.
Eryngium aristulatum var. *parishii*	San Diego button-celery	FE/SE CRPR 1B.1	Annual or perennial herb. Occurs in vernal pools or mima mound areas with vernally moist conditions. Elevation range 0 – 2315 feet. Flowering period Apr – June.	**None.** Vernal pool and mima mound habitat are not present within the proposed project boundary.
Euphorbia misera	cliff spurge	--/-- CRPR 2B.2	Perennial shrub. Sea bluffs in maritime sage scrub Elevation range 0 – 1640 feet. Flowering period Dec – Aug.	**None.** Sea bluffs and maritime sage scrub do not occur within the proposed project boundary. Shrub would have been observed if present.

Species Name	Common Name	Status1	Habit, Ecology and Life History	Potential to Occur
Ferocactus viridescens	San Diego barrel cactus	--/-- CRPR 2B.1	Perennial stem succulent. Occurs in chaparral, valley grassland and coastal sage scrub communities. Elevation range 30 – 495 feet. Flowering period May – June.	**None.** Chaparral and sage scrub communities are not present within the proposed project site boundary. Grassland vegetation communities within the proposed project site boundary is limited to non-native grassland. This species would have been detected during field survey if present.
Isocoma menziesii var. *decumbens*	decumbent goldenbush	--/-- CRPR 1B.2	Perennial shrub. Occurs in sandy soil and disturbed areas of hillsides, dunes and arroyos within coastal sage scrub and chaparral communities. Elevation range 0 – 655 feet. Flowering period Apr – Nov.	**None.** Sandy soil types are present within much of the proposed project site boundary. Most of these areas are developed, with some areas of disturbed habitat that could support this species. However, this species would have been detected during field survey if present.
Iva hayesiana	San Diego marsh-elder	--/-- CRPR 2B.2	Perennial herb. Occurs in playas within alkali sink and wetland-riparian habitats. Elevation range 0 – 985 feet. Flowering period Apr – Oct.	**None.** Wetland/riparian vegetation communities are not present within the proposed project site boundary.
Lepidium virginicum var. *robinsonii*	Robinson's pepper-grass	--/-- CRPR 4.3	Annual herb. Openings in chaparral and sage scrub at the coastal and foothill elevations. Typically observed in relatively dry, exposed locales rather than beneath a shrub canopy or along creeks. Elevation range 12 – 4710 feet. Flowering period Jan – July.	**None.** Chaparral and sage scrub vegetation communities are not present within the proposed project boundary.
Leptosyne maritima	sea dahlia	--/-- CRPR 2B.2	Perennial herb. Occurs on sea bluffs within coastal sage scrub. Elevation range 0 – 65 feet. Flowering period Mar – May.	**None.** Sea bluffs and sage scrub are not present within the proposed project boundary.
Nama stenocarpa	mud nama	--/-- CRPR 2B.2	Annual herb. Muddy lake edges. Elevation range 0 – 2660 feet. Flowering period Mar – Oct.	**None.** There are no muddy lake edges within the proposed project boundary.

Species Name	Common Name	Status1	Habit, Ecology and Life History	Potential to Occur
Nemacaulis denudata var. *denudata*	coast woolly-heads	--/-- CRPR 1B.2	Annual herb. Grows in sand along the coast and on dunes within coastal strand communities. Elevation range 0 – 330 ft. Flowering period Apr – Sep.	**Low.** Sandy soil types are present within much of the proposed project site boundary. Most of these areas are developed, with some areas of disturbed habitat that could function as marginal habitat for this species. Proposed project site boundary does not contain dunes, or coastal strand communities.
Nemacaulis denudata var. *gracilis*	slender cottonheads	--/-- CRPR 2B.2	Annual herb. Well-developed dunes whether on the desert or rarely along the coastal beaches. Elevation range 30 - 1640 feet. Flowering period Apr – May.	**None.** Dunes are not present within the proposed project boundary.
Sidalcea neomexicana	salt spring checkerbloom	--/-- CRPR 2B.2	Perennial herb. Alkaline, mesic soils within chaparral, coastal scrub, lower montane coniferous forest, desert scrub, or playa vegetation communities. Elevation range 0 – 492 0 feet. Flowering period Mar – June.	**None.** Chaparral, coastal sage scrub, and all other vegetation communities associated with this species do not occur within the proposed project boundary.

1Listing is as follows: F = Federal; S = State of California; E = Endangered; T = Threatened; CRPR = California Rare Plant Rank: 1A–presumed extinct; 1B–rare, threatened, or endangered in California and elsewhere; 2A–presumed extirpated in California but more common elsewhere; 2B–rare, threatened, or endangered in California but more common elsewhere; 3–more information needed; 4–watch list for species of limited distribution. Extension codes: .1–seriously endangered; .2–moderately endangered; .3–not very endangered

Attachment D

Special-Status Animal Species with Potential to Occur

Species	Common Name	Status[1]	Habitat Associations	Potential to Occur[2]
Invertebrates				
Bombus crotchii	Crotch bumble bee	--/--	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include *Antirrhinum*, *Phacelia*, *Clarkia*, *Dendromecon*, *Eschscholzia*, and *Eriogonum*.	**None.** None of the associated plant species were noted on the project site.
Danaus plexippus Pop. 1	monarch - California overwintering population	--/--	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress) with nectar and water sources nearby. Also found in closed-cone coniferous forest.	**None.** No groves of trees (eucalyptus, Monterey pine, cypress) are present on the project site.
Tryonia imitator	California brackishwater snail	--/--	Inhabits coastal lagoons, estuaries and salt marshes, from Sonoma County south to San Diego County. Found only in permanently submerged areas in a variety of sediment types; able to withstand a wide range of salinities. Also known from aquatic, brackish marsh, marsh, swamp, and wetland habitat.	**None.** No aquatic habitat is present on the project site.
Fish				
Eucyclogobius newberryi	tidewater goby	FE/--	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels. Also inhabit aquatic Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters, and South coast flowing waters.	**None.** No aquatic habitat is present on the project site.
Amphibians and Reptiles				
Arizona elegans occidentalis	California glossy snake	--/SSC	Patchily distributed from the eastern portion of San Francisco Bay, southern San Joaquin Valley, and the Coast, Transverse, and Peninsular ranges, south to Baja California. Generalist reported from a range of scrub and grassland habitats, often with loose or sandy soils.	**Low.** Grassland habitat and sandy soils are present on site however the project is highly disturbed and adjacent to development.

Species	Common Name	Status[1]	Habitat Associations	Potential to Occur[2]
Amphibians and Reptiles (cont.)				
Crotalus ruber	red-diamond rattlesnake	--/SSC	Found in chaparral, woodland, grassland, and desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas and dense vegetation. Needs rodent burrows, cracks in rocks, or surface cover objects.	**Low.** Non-native grassland is present, but site is highly disturbed and surrounded by development. Rodent burrows and surface cover on site were minimal.
Thamnophis sirtalis	south coast gartersnake	--/SSC	Found on the southern California coastal plain from Ventura County to San Diego County, and from sea level to about 850 meters. Prefers marsh and upland habitats near permanent water with good strips of riparian vegetation. Also known from artificial standing waters, swamp, riparian scrub, riparian woodland, south coast flowing waters, south coast standing waters, and wetlands.	**Low.** Upland habitat on site is adjacent to Loma Alta Creek, however surround habitat is highly developed and disturbed.
Birds				
Agelaius tricolor	tricolored blackbird	--/SSC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony. Known from freshwater marsh, swamp, and wetland habitats.	**None.** No suitable wetland habitat present on site.
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	--/WL	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	**Moderate.** No suitable sage scrub or chaparral habitat is present on site, however coastal sage scrub is located directly adjacent to the project site northeast of the intersection of Oceanside Boulevard and Camino Real.
Buteo swainsoni	Swainson's hawk	--/ST	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Occurs in coastal sage scrub and chaparral hillsides throughout southern California. Requires adjacent suitable foraging areas such as grasslands, alfalfa, or grain fields supporting rodent populations.	**Low.** Non-native grassland habitat is present on site but is small in area and adjacent to disturbed habitat, so unlikely to support this species' foraging or nesting requirements.

Species	Common Name	Status[1]	Habitat Associations	Potential to Occur[2]
Birds (cont.)				
Charadrius alexandrinus nivosus	western snowy plover	FT/SSC	Prefers sandy beaches, salt pond levees, and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	**None.** No suitable aquatic habitat is present on site.
Empidonax traillii extimus	southwestern willow flycatcher	FE/SE	Found in mature riparian woodlands in Southern California.	**None.** No suitable wetland habitat occurs on site.
Icteria virens	yellow-breasted chat	--/SSC	Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 feet of ground. Found in riparian forest, riparian scrub, and riparian woodland.	**None.** No suitable wetland habitat occurs on site.
Passerculus sandwichensis beldingi	Belding's savannah sparrow	--/SE	Inhabits coastal salt marshes, from Santa Barbara south through San Diego County. Nests in *Salicornia* on and about margins of tidal flats. Also known from marsh, swamp, and wetland habitat.	**Moderate.** No suitable wetland habitat occurs on site, however suitable habitat occurs directly adjacent to the site in Loma Alta Creek.
Polioptila californica	coastal California gnatcatcher	FT/SSC	Occurs in coastal sage scrub with California sagebrush (*Artemesia californcia*) as a dominant or co-dominant species, at elevations below 2,500 feet. Prefers low, coastal sage scrub in arid washes, on mesas and slopes. Not all areas classified as coastal sage scrub are occupied.	**Moderate.** No coastal sage scrub habitat occurs on site, however coastal sage scrub is located directly adjacent to the project site northeast of the intersection of Oceanside Boulevard and Camino Real.
Plegadis chihi	white-faced ibis	--/WL	Found in shallow freshwater marsh, swamp, and wetland. Dense tule thickets are required for nesting and should be interspersed with areas of shallow water for foraging.	**Moderate.** No freshwater wetlands habitats occur on site, however appropriate habitat is located directly adjacent to the site in Loma Alta Creek.
Rallus obsoletus [longirostris] levipes	light-footed Ridgway's (formerly clapper) rail	FE/SE	Found in salt marshes traversed by tidal sloughs. Requires dense growth of either Pacific pickleweed (*Salicornia pacifica*) or California cord grass (*Spartina foliosa*) for nesting or escape cover; feeds on molluscs and crustaceans.	**Moderate.** No suitable habitat occurs on the project site, however suitable habitat is located directly adjacent to the project site in Loma Alta Creek.

Species	Common Name	Status[1]	Habitat Associations	Potential to Occur[2]
Birds (cont.)				
Riparia riparia	bank swallow	--/ST	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks, cliffs with fine-textured, sandy soils near streams, rivers, lakes, ocean to dig nesting hole. Found in riparian scrub and riparian woodland.	**None.** No suitable riparian habitat occurs on site.
Sturnula antillarum browni	California least tern	FE/SE	Nests along the coast from the San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates such as beaches, alkali flats, landfills, or paved areas.	**Moderate.** Species will nest in paved areas which are present in the project site.
Setophaga petechia	yellow warbler	--/SSC	Found in riparian plant associations near water. Also nests in montane shrubbery in open conifer forests in Cascades and Sierra Nevada. Frequently found nesting and foraging in willow shrubs and thickets, and in other riparian plants including cottonwoods, sycamores, ash, and alders.	**None.** No suitable wetland habitat is present on the project site.
Vireo bellii pusillus	least Bell's vireo	FE/SE	Occurs in riparian thickets, usually containing willow and cottonwood. Nests are placed along margins of bushes or twigs projecting into pathways, usually in willow, baccharis, or mesquite.	**None.** No suitable wetland habitat is present on the project site.
Mammals				
Chaetodipus fallax	northwestern San Diego pocket mouse	--/SSC	Found in coastal scrub, chaparral, grasslands, and sagebrush in western San Diego County. Prefers sandy, herbaceous areas, usually in association with rocks or coarse gravel.	**Low.** Grassland habitat occurs on site however it is highly disturbed and surrounded by development.
Dipodomys stephensi	Stephens' kangaroo rat	FE/ST	Primarily in annual and perennial grasslands, but also occurs in coastal scrub and sagebrush with sparse canopy cover. Prefers buckwheat, chamise, brome grass, and filaree. Will burrow into firm soil. Known from coastal scrub, and valley and foothill grassland.	**None.** Brome and filaree are present on site however coastal scrub, valley, or foothill grassland are not present on site.

Species	Common Name	Status[1]	Habitat Associations	Potential to Occur[2]
Mammals (cont.)				
Lasiurus xanthinus	western yellow bat	--/SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees. Found in desert wash habitat.	**Low**. Palm trees are present in vicinity of project site however they are trimmed regularly and offer marginal roosting habitat.
Leptonycteris yerbabuenae	lesser long-nosed bat	FD/--	Arid regions such as desert grasslands and shrub land. Suitable day roosts (such as caves and mines) and suitable concentrations of food plants (columnar cacti and agaves) are critical resources. No maternity roosts known from California; may only be vagrant. Caves and mines are used as day roosts. Caves, mines, rock crevices, trees and shrubs, and abandoned buildings are used as night roosts for digesting meals. Nectar, pollen, and fruit eating bat; primarily feeding on agaves, saguaro, and organ pipe cactus. Known from Mojave Desert scrub, Sonoran Desert scrub, and upper Sonoran scrub.	**None.** Suitable roosting or foraging habitat is not present on site.
Lepus californicus bennettii	San Diego black-tailed jackrabbit	--/SSC	Inhabit includes intermediate canopy stages of shrub habitats, open shrub, herbaceous, tree, and herbaceous edges. Also known from coastal sage scrub habitats in southern California.	**Low.** No costal sage scrub habitat is present on site. Open herbaceous habitats present however areas is highly disturbed and surrounded by development.
Nyctinomops femorosaccus	pocketed free-tailed bat	--/SSC	Variety of arid areas in southern California including pine-juniper woodlands, desert scrub, palm oasis, desert wash, and desert riparian. Need rocky areas with high cliffs for roosting. Also known from Joshua tree woodland, riparian scrub, and Sonoran Desert scrub.	**None.** No suitable high cliffs and rocky areas for roosting occur on site.

[1] Listing is as follows: F = Federal; S = State of California; E = Endangered; T = Threatened; D = Delisted; SSC= Species of Special Concern; WL=Watch List

[2] Species are considered to have potential to occur when: (1) they were reported to the CNDDB within or near the project site (locations are not always specific); and/or (2) were included in the USFWS database for the area; and/or (3) potentially suitable habitat is present.

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Attachment E

Representative Site Photos



Photo 1. Looking east at disturbed habitat within the central portion of the BSA. Photo taken on: March 9, 2018.



Photo 2. Looking north at non-native grassland within the central portion of the BSA. Photo taken on: March 9, 2018.

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Photo 3. Looking north at disturbed habitat within the central portion of the BSA. Photo taken on: March 9, 2018.



Photo 4. Looking south at developed land within the western portion of the BSA, within the LSWWTP. Photo taken on: March 9, 2018.



Photo 5. Looking south at potential ephemeral drainage and non-wetland water of the State within the LSWWTP. Photo taken on: March 1, 2024.



Photo 6. Looking southeast at the boat ramp within the LSWWTP. The lower portion of the boat ramp is likely within USACE, RWQCB, CDFW, and CCC jurisdictional areas. Photo taken on: March 1, 2024.

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Photo 7. Looking west at Diegan coastal sage scrub habitat within the central portion of the BSA. Photo taken on: March 1, 2024.

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