2.2 Biological Resources

This section of the Environmental Impact Report (EIR) discusses and evaluates potential impacts to biological resources resulting from the implementation of the project. The analysis focuses on potential impacts resulting from project implementation on special-status species, riparian habitats and other sensitive natural communities, jurisdictional wetlands and waters, habitat connectivity and wildlife movement corridors, and consistency with applicable plans. The analysis is based on the review of existing resources, technical data, and applicable laws, regulations, and guidelines, as well as the following document prepared for the project, which was prepared in accordance with the *County Guidelines for Determining Significance – Biological Resources* (County of San Diego 2010a) and *County of San Diego Report Format and Content Requirements – Biological Resources* (County of San Diego 2010b):

- *Biological Resources Report for the Starlight Solar Project, Boulevard, San Diego County, California* (Biological Resources Report; SWCA Environmental Consultants [SWCA] 2025) (Appendix D to the EIR)
- *Groundwater Monitoring and Mitigation Plan for the Starlight Solar Project* (INTERA Incorporated [INTERA] 2025; Appendix G.2 of this EIR)

Comments received in response to the Notice of Preparation (NOP) include concerns regarding the Planning Agreement for the North County Multiple Species Conservation Program (MSCP) and East County MSCP (ECMSCP), impacts to sensitive and special-status wildlife and plant species, migratory birds, wetland resources, habitat fragmentation, wildlife corridors and movement within the area; and indirect impacts to biological resources in nearby public lands, local biodiversity, open space, adjacent natural habitats, and any designated reserve lands. These concerns are addressed in this section of the EIR where applicable and within the Biological Resources Report (see Appendix D). Copies of the NOP and comment letters received in response to the NOP are included in Appendix A, NOP, Initial Study, and Public Comments, of this EIR.

2.2.1 Existing Conditions

2.2.1.1 Environmental Setting

This section summarizes the existing biological resources documented during field surveys conducted between 2022 and 2025 within the project site and identifies those resources that could potentially be affected by the project. Biological resources include both organisms and the physical environment in which they occur. Biological resources are categorized in this section into vegetation communities, flora and fauna, special-status plant and animal species, jurisdictional wetlands and waters, and wildlife corridors within the project site.

The approximately 588-acre project site is situated within the Peninsular Range, in a transitional area between coastal and desert ecosystems. Typical climatic conditions are dry with average temperatures near the community of Boulevard ranging from approximately 34–94 degrees Fahrenheit, and average rainfall is less than 15 inches per year (Western Regional Climate Center 2024).

The site's elevation varies from approximately 3,450 feet above mean sea level (amsl) in the southern portion of the site to 3,650 feet amsl in the northeastern portion of the site. The project site supports a variety of habitats with the dominant vegetation being chaparral.

2.2.1.2 Regional Context

The approximately 588-acre project site is located within the Mountain Empire Subregion in southeastern unincorporated San Diego County. The Mountain Empire Subregion contains five subregional planning

areas. The project site is located in the Boulevard Subregional Planning Area. The project site is located south of Interstate 8 (I-8) and Old Highway 80, and east of Tierra Del Sol Road.

In San Diego County, several resource conservation planning efforts have been completed or are in progress with the goal of establishing a regional reserve system that will protect sensitive habitats and the species that depend on them. The goal is establishment of biological reserve areas in conformance with the State Natural Community Conservation Planning (NCCP) Act and contributing to the preserve system already established by the approved MSCP. The project site is within the draft ECMSCP area (Figure 2.2-1).

Projects within the ECMSCP planning region were governed by a 2014 Planning Agreement involving the County of San Diego (County), California Department of Fish and Wildlife (CDFW), and the U.S. Fish and Wildlife Service (USFWS). However, the Planning Agreement expired on February 1, 2020. In April 2021, the County executed a Restated and Amended Planning Agreement concerning the North County MSCP and ECMSCP with CDFW and USFWS. The current evaluation of the project is conducted in consideration of prospective plans for a future ECMSCP plan. All land on-site and surrounding the project site is planned for spaced rural residential.

2.2.1.3 Open Space Easement Areas

As shown in Figure 2.2-2, an off-site biological open space easement area (mitigation site) would be granted over an approximately 447.93-acre area that includes sensitive vegetation communities, special-status plant species, and habitat for special-status species to protect sensitive biological resources. This biological open space easement area would be granted to the County or other approved conservation entity. Granting of this open space would authorize the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. This easement area is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. The biological open space easement area would be unfenced. As the project is proposed in two phases, two separate open space easements would be dedicated within the 447.93-acre area. The recordation of each open space easement would occur prior to the issuance of a grading permit for each phase.

2.2.1.4 Habitat Types/Vegetation Communities

Vegetation communities and land cover types within the project site are described below. The acreages of each vegetation community and land cover type are presented in Table 2.2-1. An overview of the communities and land cover types on-site is provided in Figure 2.2-3 and detailed sheets are provided in Appendix B of the Biological Resources Report.

Fourteen natural communities and land cover types were identified within the survey area. The following natural communities were documented, listed in order of largest to smallest coverage: granitic northern mixed chaparral, redshank chaparral, granitic chamise chaparral, montane buckwheat scrub, field/pasture, big sagebrush scrub, open coast live oak woodland, non-native grassland, southern riparian scrub, freshwater, freshwater seep, coast live oak woodland, alkali marsh, and tamarisk scrub. In addition to the natural communities, three additional cover types within the category of disturbed or developed were also mapped, including urban/developed, bare ground, and disturbed areas.

CDFW evaluates natural communities at both the global (full natural range within and outside of California) and state (within California) levels resulting in a single G (global) and S (state) rank ranging from 1 (very rare and threatened) to 5 (demonstrably secure). Natural communities with ranks of S1–S3 are considered

Sensitive Natural Communities to be addressed in the environmental review processes of the California Environmental Quality Act (CEQA) and its equivalents (CDFW 2024a). The California Native Plant Society (CNPS) classification conversion tool (CNPS 2024a) was used to convert natural communities mapped under the Holland classification system to the classification system used in A Manual of California Vegetation Online (CNPS 2024b) to determine the global and state rarity ranks of Holland (1986) communities.

Table 2.2-1. Summary of Natural Communities and Cover Types Mapped in the Survey Area and Project Site

Natural Communities and Cover Types	Acres within Survey Area	Acres within Project Site
Granitic Northern Mixed Chaparral (37131)	339.05	236.49
Redshank Chaparral (37300)	238.27	146.2
Granitic Chamise Chaparral (37210)	92.95	65.07
Montane Buckwheat Scrub (37K00)	60.11	54.89
Field/Pasture (18310)	44.63	28.10
Big Sagebrush Scrub (35210)	27.80	15.38
Disturbed (11300)	18.34	10.01
Bare Ground	42.75	24.73
Urban/Developed (12000)	8.19	0.03
Open Coast Live Oak Woodland (71161)	19.51	4.64
Non-Native Grassland (42200)	5.32	2.49
Tamarisk Scrub (63810)	0.03	0.00
Freshwater Seep (45400)	0.29	0.04
Southern Riparian Scrub (63300)	0.80	0.00
Freshwater (64140)	0.54	0.00
Coast Live Oak Woodland (71160)	0.27	0.00
Alkali Marsh (52300)	0.12	0.00
Total	**898.97**	**588.07**

Granitic Northern Mixed Chaparral (37131)

Granitic northern mixed chaparral is composed of dense vegetation in granitic soils. Growth occurs primarily during the spring, slowing in the fall and winter. Regular fires stimulate growth of chaparral species, an adaptation which defines this habitat type. After fires, early successional species including annual herbs species re-establish first, succeeded by perennials and then small shrubs. Finally, after several years, the characteristic chaparral species dominate once again. Vegetation within this habitat type is distributed evenly, with gaps between individual species revealing the characteristic granitic soils. Within the granitic northern mixed chaparral, the major species observed included mountain mahogany (*Cercocarpus betuloides*), California buckwheat (*Eriogonum fasciculatum*), and chamise (*Adenostoma fasciculatum*). Within the survey area, this habitat is primarily north of Jewel Valley Road but does occur in patches south of Jewel Valley Road and the San Diego & Arizona Eastern Railway (SD&AE Railway).

The granitic northern mixed chaparral alliance is not officially ranked by CDFW (2024a); however, granitic northern mixed chaparral is considered special-status based on mitigation recommendations of the County (County of San Diego 2010a).

Redshank Chaparral (37300)

Redshank chaparral can be found mostly on slopes ranging from 300 to 6,000 feet amsl. It is a habitat type predominantly composed of red shank (*Adenostoma sparsifolium*). The vegetation within this habitat community is not as thick as chaparral, with taller growth creating larger gaps in the understory. Within the survey area, there are transition habitats between chaparral and granitic northern mixed chaparral, which formed a significant portion of the vegetation cover for the survey area. Within the redshank chaparral, chamise and California buckwheat were also present, but only made up approximately 15% of the understory.

The redshank chaparral alliance has a rank of G4S4 in CDFW (2024a), which means it is categorized as apparently secure both within the state and worldwide. This community is considered special-status based on mitigation recommendations of the County (County of San Diego 2010a).

Granitic Chamise Chaparral (37210)

Granitic chamise chaparral exists in areas with vegetation of 3–10 feet where chamise is the predominant species present and other species contribute to little of the overall cover. It is normally found in locations up to 3,000 feet amsl in elevation. Vegetative cover within this habitat is dense, with few gaps present between plants and little to no understory. This habitat community can be found in both shallow and xeric soils and at slightly lower elevations. The drier ridges and slopes favored by granitic chamise chaparral are often within the vicinity of areas with slightly wetter soils. Within the survey area, chamise chaparral occurred in both the north and south sections relative to Jewel Valley Road.

The granitic chamise chaparral alliance has a rank of G5S5 in CDFW (2024a), which means it is categorized as apparently secure both within the state and worldwide. This community is considered special-status based on mitigation recommendations of the County (County of San Diego 2010a).

Montane Buckwheat Scrub (37K00)

Montane buckwheat scrub is defined by its almost entirely homogeneous collection of California buckwheat. California buckwheat makes up approximately 50% of the cover. It often lies on the outskirts of chaparral or redshank chaparral, a part of primary succession following a large disturbance. Progressively, this habitat will give way to the development of larger shrubs and eventually transition into the habitat types that surrounded it initially. This habitat type can be found at higher elevations. Within the survey area, California buckwheat was found to be concurrent with other, less dominant species including big sagebrush (*Artemisia tridentata*) and cholla (*Cylindropuntia* spp.). Deerweed (*Acmispon glaber* [*Lotus scoparius*]) is another species often found within this habitat type. The largest areas of montane buckwheat scrub were mapped in the southernmost portion of the survey area, generally surrounded by redshank chaparral or granitic northern mixed chaparral, and in the northern section on the western edge of the survey area bordered by chamise, as well as redshank and granitic northern mixed chaparral.

The montane buckwheat scrub alliance has a rank of G5S5 in CDFW (2024a), which means it is categorized as apparently secure both within the state and worldwide. This community is considered special-status based on mitigation recommendations of the County (County of San Diego 2010a).

Field/Pasture (18310)

Field/pasture occur where humans have intentionally planted and plowed the land. These areas are characterized by dense cover (or during fallow seasons no cover). They are homogeneous and do not incorporate any diversity of native species. They are usually either maintained (planted and watered) by humans or have endured significant disturbances that have disallowed native vegetation from returning to

the area. In the latter case, nonnative species tend to dominate. These areas can be managed by grazing and may host cattle. Within the survey area, field/pasture habitats occur exclusively south of Jewel Valley Road.

The disturbed alliance is not considered a natural community and is therefore not officially ranked by CDFW (2024a), but this habitat does require mitigation per County guidelines (County of San Diego 2010a).

Big Sagebrush Scrub (35210)

This habitat community is distinguished by the presence of soft-wooded shrubs, with big sagebrush being the overriding species. The vegetation height reaches up to 6 feet, and is usually dense, with some patches of bare ground between and beneath the shrubbery. Flowers within this classification can be seen during the blooming period of late spring (e.g., antelope bush (*Purshia* spp.) to early autumn (e.g., sagebrush [Artemisia spp.], rabbitbrush [*Chrysothamnus* spp.]), with growth ceasing during the winter months (Oberbauer et al. 2008). Preferred elevation is between 4,000 and 9,000 feet and is distributed on the peripheries and encompassed by the Mojave and Sonoran deserts, as well as within the mountainous areas of Southern California. It is extensive between the mountain ranges of the west. Required soil type and temperature range is versatile. Occurs within rocky, granular, and fine soils both in depressed areas and hillsides withstanding varying temperatures and both moist and dry conditions. Within the survey area, the largest patches were seen directly south of Jewel Valley Road and south of SD&AE Railway at the north end of the central section, as well as in the southern section generally surrounding the line of the drainage running from northwest to the southeasternmost corner of the project site.

The big sagebrush scrub alliance has a rank of G4S4 in CDFW (2024a), which means it is categorized as apparently secure both within the state and worldwide. This community is considered special-status based on mitigation recommendations of the County (County of San Diego 2010a).

Disturbed (11300)

Disturbed habitat is distinguished by the dominance of nonnative plants, with obvious signs of human interference, or where the landscape has been obviously altered by construction or farming. In disturbed areas there is little to no evidence of native species. Most species have been removed or altered by human activities. Within the survey area, the fields just south of Jewel Valley Road, contained the most human disturbance. There, plowed fields were observed along with trash discarded throughout the habitat. Other disturbed sections of the project site included the area surrounding the SD&AE Railway. Here, plants were growing sparsely, and no vegetation was present within the developed area itself.

Disturbed habitat is not considered special-status by CDFW (2024a) or the County (County of San Diego 2010a).

Bare Ground

Sections within the survey area consisting of bare ground were primarily located near developed areas and within established access roads. Bare ground consists of unpaved access roads, graded roads and does not contain pavement or gravel. Aside from areas with increased development, bare ground areas tend to occur between patches of habitat, or in areas that have been disturbed. Within the survey area, bare ground habitat was observed all throughout the survey area. Bare ground was found alongside the SD&AE Railway where continued disturbance has prevented establishment of new growth. It was also observed within the boundaries of the developed property, as well as alongside the right-of-way along Live Oak Springs Road.

Bare ground areas are not considered special-status by CDFW (2024a) or the County (County of San Diego 2010a).

Urban/Developed (12000)

Developed areas incorporate any landscapes which have actively been changed by humans. This could involve construction, housing developments, paved roads, or any other areas where natural habitats have been made absent. This could also include gravel roads. Urban/Developed areas are found in the far northeastern corner of the survey area and includes Jewel Valley Road.

The urban/developed areas are not considered special-status by CDFW (2024a) or the County (County of San Diego 2010a).

Open Coast Live Oak Woodland (71161)

This habitat generally marks the transition into woodland habitat types, and often co-occurs with other habitat types including chaparral and riparian. Open coast live oak woodland is an evergreen forest dominated by coast live oak with gaps in the canopy creating a cover of less than 50% (Oberbauer et al. 2008). The canopy typically reaches a height between approximately 30 and 80 feet. The understory species range from condensed woody subshrubs to patchy herbaceous cover and can also contain grassland. In many cases the ground cover below the oaks was disturbed due to being plowed, or had clear signs of human disturbance, within an active field/pasture or development. Open coast live oak woodlands are often found along drainages on north-facing slopes. Within the south end of the project site, stands of coast live oak were found in the south moving northwest along an old riparian corridor. In the north, groups of coast live oak were found on the southeast edge, as well as east of Jewel Valley Road, mostly adjacent to the road but several stands were documented approximately 350 feet east of the road. Open coast live oak woodland was mapped according to Section 3.5.5 of the County guidelines (County of San Diego 2010b).

The open coast live oak woodland alliance is not officially ranked by CDFW (2024a). However, all coast live oak woodlands are considered special-status by the County (County of San Diego 2010a)

Non-Native Grassland (42200)

Non-native grasslands are defined as having a vegetative layer of annual grasses that ranges from minimal to dense. This habitat type may also contain herbaceous flowering species mixed in with the grasses. Species that fell within this habitat type inside the survey area were wildoat (*Avena* spp.), brome grasses (*Bromus* spp.), and storksbill (*Erodium* spp.). It can be correlated with previous disturbances such as grazing. Ratios of wildflowers to annual grasses are dependent upon precipitation; however, the distinguishing feature is the dominance of nonnative grasses, which will eventually preside over the landscape. Soils within these habitat types range from extremely saturated in the winter to dehydrated in the summer months. This habitat type was found directly north of Jewel Valley Road across from the entrance to Empire Ranch.

The non-native grassland alliance is not considered a natural community and is therefore not officially ranked by CDFW (2024a). However, non-native grasslands are recognized as a special-status community by the County (County of San Diego 2010a).

Tamarisk Scrub (63810)

Tamarisk scrub habitat can be found in areas of high salinity and sandy soils where water dissipates rapidly. The principal species in this habitat, tamarisk (*Tamarix* spp.), is highly accustomed to these dry and saline regions. Their adaptations to these conditions include a root system of great breadth and depth, allowing them to find water in areas containing little moisture. They are also extremely resourceful with the water they obtain. Within tamarisk scrub, other riparian species including salt grass (*Distichlis spicata*), willow (*Salix* spp.), and arrowweed (*Pluchea sericea*), can also be present although they were not observed within the survey area. In the far southeastern corner of the survey area, one small patch of tamarisk scrub was

found, adjacent to a former large waterbody where soils were looser and more granular than in the surrounding areas.

The tamarisk scrub alliance is not considered special-status by CDFW (2024a) but is considered a type of riparian scrub requiring mitigation by the County (County of San Diego 2010a).

Freshwater Seep (45400)

Freshwater seeps are defined as areas that contain soils that continuously hold moisture. They are normally located in proximity to grasslands or meadows. These are present within most areas of Southern California, and within San Diego County are contained within drainages that funnel water (Oberbauer et al. 2008). Within the survey area, this habitat type was associated with one drainage extending away from alkali marsh found between Jewel Valley Road and the SD&AE Railway between two existing bare ground access roads.

The freshwater seep alliance has a rank of G4S3 in CDFW (2024a), which means it is categorized as apparently secure globally and vulnerable at a state level. Also, the County considers this habitat to be special-status (County of San Diego 2010a).

Southern Riparian Scrub (63300)

Southern riparian scrub occurs in wetter areas where smaller trees and large shrubs are predominant. It is characterized by the absence of larger hydrophilic trees. This habitat mainly exists along rivers where flooding caused erosion. This habitat is distributed throughout San Diego County with multiple willow species and broom baccharis present. The only area within the survey area where southern riparian scrub was observed was a roughly 600-foot section associated with the existing freshwater pond in the southwestern corner of the survey area outside of the project site. Within this area, large stretches of yerba santa (*Eriodictyon californicum*) were observed.

The southern riparian scrub alliance is not officially ranked by CDFW (2024a). However, southern riparian scrub is recognized as a special-status community by the County (County of San Diego 2010a).

Fresh Water (64140)

Freshwater areas are defined as year-round bodies of fresh water (with low salinity) in the form of lakes, streams, ponds, and rivers. This includes these portions of water bodies that are usually covered by water and contain less than 10% vegetative cover (Oberbauer et al. 2008). The only body of fresh water is in the southwest corner of the survey area in the form of a pond outside of the project site.

The freshwater alliance is not considered a natural community and is therefore not officially ranked by CDFW (2024a) or the County (County of San Diego 2010a).

Coast Live Oak Woodland (71160)

Coast Live Oak Woodlands are evergreen woodlands dominated by coast live oaks that reach 10–25 meters tall and have a canopy cover greater than 50%. The understory species range from condensed woody subshrubs to patchy herbaceous cover and can also contain grassland. (Oberbauer et al. 2008). SWCA categorized coast live oak stands with this broad term if they met the canopy cover requirement and did not have recent evidence of disturbance. Within the survey area, a coast live oak woodland is located south of Jewel Valley Road outside of the project site. Coast live oak woodland was mapped according to Section 3.5.5 of the County guidelines (County of San Diego 2010b).

The coast live oak woodland alliance has a rank of G5S4 in CDFW (2024a), which means it is categorized as secure on a global scale and apparently secure on a state scale. In addition, this community is recognized as special-status by the County (County of San Diego 2010a).

Alkali Marsh (52300)

Alkali marshes consist of standing water or saturated soil present during most of the year or all year long. These marshes are somewhat salty due to the high evaporation versus input of fresh water and are found below 1,000 feet amsl (Oberbauer et al. 2008). There was only one alkali marsh found between Jewel Valley Road and the SD&AE Railway between two existing bare ground access roads outside of the project site. Characteristic species observed included cattail species (*Typha* spp.), rush species (*Juncus* spp.), sedge species (*Carex* spp.), yerba mansa (*Anemopsis californica*).

The alkali marsh alliance is not officially ranked by CDFW (2024a). However, this community is recognized as special-status by the County (2010a).

2.2.1.5 Flora

In total, 171 vascular plant taxa, consisting of 151 native taxa (88%) and 20 nonnative taxa (12%), have been documented on-site during initial surveys and spring rare plant surveys. Common species documented within each habitat are noted in Section 2.2.1.2 of the Biological Resources Report. A cumulative list of all plant species observed on-site is provided in Appendix C of the Biological Resources Report.

2.2.1.6 Fauna

Scrub, chaparral, grassland, woodland, and wetland habitats on-site provide foraging and nesting habitat for migratory and resident bird species and other wildlife. Large mammal use of the project site was documented, as mule deer (*Odocoileus hemionus*) scat was commonly observed throughout on-site habitats.

The County defines raptor foraging habitat as land that is a minimum of 5 acres (not limited to project boundaries) of fallow or open areas with any evidence of foraging potential (e.g., burrows, raptor nests). The project site meets this definition of raptor foraging habitat.

In total, 82 wildlife taxa (25 birds, five mammals, four reptiles, and 48 invertebrates), all of which are native, have been observed to date during field surveys, conducted primarily by SWCA and supplemented by protocol Quino checkerspot butterfly (QCB) surveys conducted by Rocks Biological Consulting (RBC). Additional species will be added as surveys continue. A cumulative list of all animal species observed on-site is provided in Appendix D of the Biological Resources Report.

2.2.1.7 Special-status Plant Species

A list of special-status plant species evaluated for potential to occur on-site is provided in Appendix E of the Biological Resources Report. There is no USFWS-designated critical habitat for plant species on-site (USFWS 2024a, 2024b). Special-status plants are those taxa in one or more of the following categories:

- Taxa listed or proposed for listing as threatened or endangered under the federal Endangered Species Act (ESA; 50 Code of Federal Regulations [CFR] 17.12 and various notices in the *Federal Register* [proposed species]).
- Taxa that are candidates for possible future listing as threatened or endangered under the ESA (67 *Federal Register* 40657, June 13, 2002).

- Taxa listed or proposed for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA) (14 California Code of Regulations 670.5).
- Taxa that meet the definitions of rare or endangered under the CEQA (State CEQA Guidelines Section 15380).
- Taxa listed as rare under the California Native Plant Protection Act (California Fish and Game Code Section 1900 et seq.).
- Taxa with a California Rare Plant Rank (CRPR) of 1 through 4
- Taxa included on the County of San Diego Sensitive Plant List, List A, B, C, or D

Nine sensitive plant species have been observed on the project site: Jacumba milkvetch, long-spined spineflower, Tecate tarplant, sticky geraea, desert beauty, Payson's jewelflower, Colorado desert larkspur, low bush monkeyflower, and pride-of-California. Each of these species is discussed below. County of San Diego List A and B species are discussed separately from List C and D species because they have different guidelines for determining significance (see Section 2.2.2.3).

Critical Habitat

There is no USFWS-designated critical habitat for plant species on-site (USFWS 2024a, 2024b).

County List A and B Species

Jacumba Milkvetch (*Astragalus douglasii* var. *perstrictus*)

Jacumba milkvetch is a CRPR 1B.2 and County List A species in the pea family (Fabaceae). This perennial herb blooms from April to June and grows in chaparral, cismontane woodland, pinyon and juniper woodland, riparian scrub, and valley and foothill grassland between 2,900 and 4,500 feet amsl. Approximately 1,351 Jacumba milkvetch individuals were observed on-site in granitic northern mixed chaparral, redshank chaparral, chamise chaparral, urban/developed, and field/pasture during spring rare plant surveys.

Long-spined Spineflower (*Chorizanthe polygonoides* var. *longispina*)

Long-spined spineflower, also known as knotweed spineflower, is a CRPR 1B.2 and County List A annual herb in the buckwheat family (Polygonaceae) with a blooming period of April to July. It occurs from the coast inland in San Diego County, in northern Baja California, Mexico, and also in chaparral, coastal scrub, meadows, seeps, valley and foothill grasslands, and vernal pools up to approximately 5,200 feet amsl. Approximately 595 individuals were observed on-site within chamise chaparral during spring rare plant surveys.

Tecate Tarplant (*Deinandra floribunda*)

Tecate tarplant is a CRPR 1B.2 and a County List A species. A member of the sunflower (Asteraceae) family, this species blooms from August through October in chaparral and coastal scrub habitats. Tecate tarplant is an annual herb that occurs at elevations of 200 to 4,000 feet amsl. In total, 1,171 individuals were observed within the survey area in redshank chaparral, granitic northern mixed chaparral, montane buckwheat scrub, big sagebrush scrub, field/pasture, and southern riparian scrub during summer rare plant surveys.

Sticky Geraea (*Geraea viscida*)

Sticky geraea is a CRPR 2.3 (CNPS 2024c) and a County List B species. A member of the sunflower (Asteraceae) family, this perennial herb blooms from May through June in chaparral habitats and occurs at elevations between 1,400 and 5,600 feet amsl. Approximately 2,536 sticky geraea individuals were observed on-site within granitic northern mixed chaparral, redshank chaparral, chamise chaparral, and montane buckwheat scrub during spring rare plant surveys.

Desert Beauty (*Linanthus bellus*)

Desert beauty is a CRPR 2.3 and a County List B species. A member of the phlox (Polemoniaceae) family, this annual herb blooms from April through May in chaparral habitats. This species typically occurs at elevations of 3,200 to 5,500 feet amsl. Approximately 2,105 desert beauty individuals were observed on-site within openings in redshank chaparral, granitic northern mixed chaparral, and chamise chaparral during spring rare plant surveys.

County List C and D Species

Payson's Jewelflower (*Caulanthus simulans*)

Payson's jewelflower is a CRPR 4.2 and County List D species in the mustard family (Brassicaceae). This annual herb typically blooms between March and May but may bloom as early as February and as late as June. This species typically inhabits sandy, granitic soils in burned areas, disturbed sites such as streambeds, and rocky, steep slopes within chaparral and coastal scrub at elevations between 300 and 7,300 feet amsl. Approximately six Payson's jewelflower individuals were observed on-site within redshank chaparral.

Colorado Desert Larkspur (*Delphinium parishii* subsp. *subglobosum*)

Colorado Desert larkspur is a CRPR 4.3 and a County List D species. A member of the buttercup family (Ranunculaceae), this perennial herb blooms from March through June in chaparral, cismontane woodland, pinyon and juniper woodland, and Sonoran desert scrub habitats. The species occurs at elevations between 2,000 feet and 6,000 feet amsl. Approximately 301 Colorado desert larkspur individuals were observed on-site within granitic northern mixed chaparral during spring rare plant surveys.

Low Bush Monkeyflower (*Diplacus aridus*)

Low bush monkeyflower is a CRPR 4.3 and a County List D species. Desert monkeyflower is a perennial evergreen shrub that blooms from April through July in rocky chaparral and Sonoran desert scrub at elevations of 2,400 to 4,000 feet amsl. Approximately eight low bush monkeyflower individuals were observed on-site growing on granitic outcrops within redshank chaparral during spring rare plant surveys.

Pride-of-California (*Lathyrus splendens*)

Pride-of-California is a CRPR 4.3 and a County List D species. A member of the Fabaceae family, this perennial herb blooms from March to June at elevations between 600 and 5,000 feet amsl. Approximately 31 pride-of-California individuals were observed on-site within redshank chaparral and chamise chaparral during spring rare plant surveys.

Oak Tree Survey

To protect the sensitive root systems of oak woodland, a 50-foot oak root protection zone, measured outward from the outside edge of the canopy, was mapped, as required by the County's report format and

content requirements (County of San Diego 2010b). The edge of the canopy defines the woodland boundary. All mature oak trees (measuring 15 centimeters [cm] [6 inches] diameter at breast height [DBH] or greater), identified within 100 feet of established oak woodland were mapped as part of oak woodland. The oak root protection zone typically consists of other habitat and is not part of the oak woodland. However, impacts from ground disturbance and compaction in the oak root protection zone would result in proportional impacts to the oak woodland. For example, 1 acre of impact to the oak root protection zone would equal 1 acre of impact to the oak woodland. Therefore, where a project results in ground disturbance or compaction within the mapped oak woodland or oak root protection zone, the impact must be mitigated at a 3:1 ratio with oak woodland habitat. For this project, individual oaks with a DBH of 15 centimeters (cm) or greater were conservatively mapped as part of oak woodland even if they were more than 100 feet from the nearest oak woodland.

In total, 200 individual oaks were mapped within the survey area, mostly in the far south end and just north and south of Jewel Valley Road (Figure 2.2-4). Of those 200 oaks, including the oak root protection zone, 96 individuals fell completely outside of Phase I or Phase II of the project site, nine individuals had avoidance buffers that partially fell within Phase I, 51 individuals had avoidance buffers partially within Phase II, no individuals were within Phase I, and 38 individuals were in Phase II. The oaks observed on-site typically had large crowns and high potential to provide nesting habitat for migratory bird species.

2.2.1.8 Special-status Animal Species

A list of special-status animal species evaluated for potential to occur on-site is provided in Appendix G of the Biological Resources Report. There is no USFWS-designated critical habitat for animal species on-site (USFWS 2024a, 2024b). Special-status animals are those taxa in one or more of the following categories:

- Taxa listed or proposed for listing as threatened or endangered under the federal ESA 50 CFR 17.11 and various notices in the *Federal Register* [proposed species]).
- Taxa that are candidates for possible future listing as threatened or endangered under the ESA (67 *Federal Register* 40657, June 13, 2002).
- Taxa listed or proposed for listing by the State of California as threatened or endangered under the CESA (14 California Code of Regulations 670.5).
- Taxa that meet the definitions of rare or endangered under the CEQA (State CEQA Guidelines Section 15380).
- Taxa fully protected in California (California Fish and Game Code Sections 3511 [birds], 4700 [mammals], 5050 [amphibians and reptiles], and 5515 [fish]).
- Taxa listed on the California Special Animals List such as Species of Special Concern (SSC), Fully Protected, and for invertebrates, all species regardless of the reason for inclusion (CDFW 2024b).
- Taxa included on the County of San Diego Sensitive Animal List, Group 1 or 2

Fourteen sensitive wildlife species have been detected on the project site: Cooper's hawk, sharp-shinned hawk, Bell's sage sparrow, turkey vulture, California horned lark, western bluebird, San Diego black-tailed jackrabbit, San Diego desert woodrat, mule deer, mountain lion, Southern California legless lizard, coastal whiptail, coast horned lizard, and western spadefoot. Each of these species is discussed below, as well as wildlife species with high potential to occur on-site. County of San Diego Group 1 and Group 2 species are discussed separately because they have different guidelines for determining significance (see Section 2.2.2.2).

Critical Habitat

There is no USFWS-designated critical habitat for animal species on-site (USFWS 2024a, 2024b).

County Group 1 Species

Birds

Cooper's hawk (Accipiter cooperi)

The Cooper's hawk is a CDFW Watch List (WL) and County Group 1 species. Cooper's hawks are found throughout California in wooded areas inhabiting live oak, riparian, deciduous, or other forest habitats near water. Nesting and foraging usually occurs near open water or riparian vegetation. Nests are built in dense stands with moderate crown depths, usually in second-growth conifer or deciduous riparian areas. Cooper's hawks use patchy woodlands and edges with snags for perching while they are hunting for prey such as small birds, small mammals, reptiles, and amphibians within broken woodland and habitat edges. Three Cooper's hawk individuals were incidentally detected on-site in granitic northern mixed chaparral and redshank chaparral. Suitable nesting habitat on-site includes red shank chaparral and coast live oak woodland. All on-site habitats could be potentially suitable foraging habitat for this species.

Sharp-shinned hawk (Accipiter striatus)

The sharp-shinned hawk is a County Group 1 species. During migration, they prefer open habitats or high in the sky, migrating along ridgelines but breed in deep forests. During the nonbreeding season they hunt small birds and mammals along forest edges and sometimes at backyard bird feeders. In San Diego, sharp-shinned hawks are generally present from mid-September to the first week of April, and there is little evidence that it breeds here (Unitt et al. 2004). All on-site habitats could be potentially suitable foraging habitat for this species. One sharp-shinned hawk individual was incidentally detected on-site in redshank chaparral.

Southern California rufous-crowned sparrow (Aimophila ruficeps canescens)

The Southern California rufous-crowned sparrow is a CDFW WL and County Group 1 Species. The Southern California rufous-crowned sparrow is a resident of the southwest region of the United States, this sparrow is considered a resident throughout its range. Occupying moderate to steep hillsides that are rocky, grassy, or covered by coastal sage scrub or chaparral. It is a secretive species, seeking cover in shrubs, rocks, grass, and forb patches. The species often occurs near the edges of desert scrub and chaparral associations, but usually does not occur within these associations. This species avoids flat valley floors and floodplains, impenetrable chaparral, woodland, and developed areas. This species has not been detected on-site but is documented in the project's vicinity (eBird 2024) and has high potential to occur in on-site granitic northern mixed chaparral, redshank chaparral, granitic chamise chaparral, montane buckwheat scrub, and big sagebrush scrub.

Bell's sage sparrow (Amphispiza belli belli)

The Bell's sage sparrow is a USFWS Bird of Conservation Concern (BCC), CDFW WL, and County Group 1 species. This species is uncommon to fairly common in dry chaparral and coastal sage scrub along the coastal lowlands, inland valleys, and lower foothills of the mountains within its range. On-site granitic northern mixed chaparral, redshank chaparral, granitic chamise chaparral, montane buckwheat scrub, and big sagebrush scrub would be suitable habitat for this species. Two Bell's sage sparrow individuals were incidentally detected on-site in granitic northern mixed chaparral.

Golden eagle (Aquila chrysaetos)

The golden eagle is a USFWS BCC, CDFW WL, CDFW Fully Protected, and County Group 1 species. Foraging habitat for this species is very broad and in California includes open habitats with scrub, grasslands, desert communities, and agricultural areas. This species nests on cliffs within canyons and escarpments and in large trees (generally occurring in open habitats) and is primarily restricted to rugged, mountainous country. Most nests are located on cliffs or trees near forest edges or in small stands near open fields. Nest locations tend to be more closely associated with topographic heterogeneity than with a particular vegetation type. Nest building can occur almost any time during the year but breeding typically begins in January with nest building and egg laying occurring in February to March. In San Diego, approximately 80% of nests are built on cliff ledges and 20% occur in trees on steep slopes (Unitt et al. 2004). This species has not been detected on-site but is documented in the vicinity of the project site and has high potential to occur on-site due to suitable foraging habitat on-site consisting of granitic northern mixed chaparral, granitic chamise chaparral, montane buckwheat scrub, field/pasture, big sagebrush scrub, disturbed, open coast live oak woodland, and non-native grassland. Additionally, oak trees within coast live oak woodland could serve as marginal nesting habitat.

Long-eared owl (Asio otus)

The long-eared owl is a CDFW SSC. The long-eared owl forages in a combination of grassland and other open country. They nest and roost in dense tall shrubs or trees. Pine stands and windbreaks or shelterbelts are favored winter roost habitat. In San Diego County, this species favors oak woodlands and riparian forests with a closed canopy in proximity to open habitats for foraging. This species has high potential to occur on-site because it is documented in the vicinity of the project (CDFW 2024b; eBird 2024) and on-site montane buckwheat scrub, field/pasture, disturbed, open coast live oak woodland, and non-native grassland are suitable for foraging and open coast live oak woodland is marginally suitable for nesting.

Red-shouldered hawk (Buteo lineatus)

The red-shouldered hawk is a County Group 1 species. In California, it is a yearlong resident along the coast, in the Central Valley woodlands west of the southern deserts, and occasionally in the western Sierra Nevada foothills. It nests in dense riparian areas below 5,000 feet amsl, and hunts in and along the edges of swamps, marshes, and wet meadows. In San Diego, oak trees are also used for nesting. This species has high potential to occur on-site because it is a relatively widespread species throughout San Diego County, open coast live oak woodland would be suitable for nesting, and montane buckwheat scrub, field/pasture, disturbed, open coast live oak woodland, and nonnative grassland are suitable for foraging.

Turkey vulture (Cathartes aura)

The turkey vulture is a County Group 1 species. In California, it is common during the breeding season and is a yearlong resident west of the Sierra Nevada, especially in coastal areas. It uses a variety of habitats while foraging on both wild and domestic carrion and prefers open stages of most habitats. Nest locations tend to be difficult to find and are usually located in a crevice among granite boulders. This species was observed flying over the project site. Suitable foraging habitat includes all habitats on-site and nesting could potentially occur in the rock outcrops on-site.

Northern harrier (Circus cyaneus)

The northern harrier is a CDFW SSC and a County Group 1 species. Northern harriers are found in open habitats, including deserts, coastal sand dunes, pasturelands, croplands, dry plains, grasslands, estuaries, floodplains, and marshes. Nesting areas are associated with marshes, pastures, grasslands, prairies,

croplands, desert shrub steppe, and riparian woodland. This species has high potential to occur on-site because it is documented in the project vicinity (CDFW 2024b; eBird 2024) and on-site nonnative grassland and field/pasture would be suitable nesting and foraging habitat for this species.

White-tailed kite (Elanus leucurus)

The white-tailed kite is a County Group 1 species. This species is found in savannas, open woodlands, marshes, desert grasslands, partially cleared lands, and cultivated fields. It tends to avoid heavily grazed areas. In San Diego, this species is widespread over the coastal slope and prefers riparian woodland, oak groves, or sycamore groves adjacent to grassland. This species has high potential to occur on-site because it is documented in the vicinity of the project (eBird 2024; Unitt 2004), the on-site oak woodland would be suitable for nesting, and on-site field/pasture and non-native grassland would be suitable for foraging.

Prairie falcon (Falco mexicanus)

The prairie falcon is a USFWS BCC, CDFW WL, and County Group 1 species. A permanent resident found throughout most of California. It prefers chaparral, desert grasslands, and creosote bush habitats for foraging, and nests on cliffs or bluffs near these open habitats. This species has high potential to occur on-site because it is documented in the project vicinity (CDFW 2024b; eBird 2024) and the entire site is suitable for foraging, with the site's rocky hills offering potentially suitable nest sites.

Loggerhead shrike (Lanius ludovicianus)

The loggerhead shrike is a USFWS BCC, CDFW SSC, and County Group 1 Species. Found in lowlands and foothills throughout California, and it remains in the southern portion of the state year-round. Preferred habitats for the loggerhead shrike are open areas that include scattered shrubs, trees, posts, fences, utility lines, or other structures that provide hunting perches with views of open ground, as well as nearby spiny vegetation or human-made structures (such as the top of chain-link fences or barbed wire) that provide means to skewer prey items. The species occurs most frequently in riparian areas along the woodland edge, grasslands with sufficient perch and butcher sites, scrublands, and open-canopied woodlands, although they can be quite common in agricultural and grazing areas; and they can sometimes be found in mowed roadsides, cemeteries, and golf courses, although they occur rarely in heavily urbanized areas. Loggerhead shrikes build nests in stable shrubs or trees requiring dense foliage for well-concealed nests. This species has high potential to occur on-site because it is documented in the project's vicinity (eBird 2024) and the entire site is suitable for foraging and nesting.

Lewis' woodpecker (Melanerpes lewis)

The Lewis' woodpecker is a County Group 1 species. Frequently breeds in open ponderosa pine forests and burned forests with a high density of standing dead trees (snags). They also breed in woodlands near streams, oak woodlands, orchards, and pinyon-juniper woodlands. During the nonbreeding season, they move about in nomadic fashion stopping off in cottonwoods near streams, orchards, and oak woodlands with plentiful resources. In San Diego, this species is an uncommon winter visitor to the mountains and foothills in areas with large trees and grassland. This species has high potential to occur on-site because it has been documented in the project's vicinity (eBird 2024; Unitt 2004) and the on-site coast live oak woodland, non-native grassland, and field/pasture would be suitable for foraging.

Invertebrates

Quino checkerspot butterfly (Euphydryas editha quino)

QCB is a federally endangered and County Group 1 species. This species is found on sparsely vegetated hilltops, ridgelines, and occasionally on rocky outcrops in open chaparral and coastal sage scrub habitat (typically less than 3,000 feet amsl). This species requires host plants within these vegetation communities for feeding and reproduction. The primary larval host plant is dwarf plantain (*Plantago erecta*); however, several other species have been documented as important larval host plants, including desert plantain, sometimes called woolly plantain (*P. patagonica*); thread-leaved bird's beak (*Cordylanthus rigidus*); white snapdragon (*Antirrhinum coulterianum*); owl's clover (*Castilleja exserta*); and Chinese houses (*Collinsia* spp.). A complete series of protocol surveys was conducted on-site; larval host plants consisting of owl's clover, Chinese houses, and California plantain were documented by RBC biologists, but QCB was not detected. The 2022 and 2024 QCB protocol survey reports are provided as Appendix H.1 and H.2, respectively, of the Biological Resources Report (Appendix D).

County Group 2 Species; Other

Birds

California horned lark (Eremophila alpestris actia)

The California horned lark is a CDFW WL, County Group 2 species. Occurs in grasslands along the coast and deserts near sea level to alpine dwarf-shrub habitat above the treeline. This species prefers open habitats, grassland, rangeland, shortgrass prairie, montane meadows, coastal plains, and fallow grain fields, and it nests on the ground in a hollow scrape. One California horned lark individual was incidentally detected on-site in an open area of big sagebrush scrub.

Mountain quail (Oreortyx pictus eremophilus)

The mountain quail is a County Group 2 species. Mountain quail are found in brushy habitats along streams and rivers and in coastal and shrub steppe regions. They frequent thickets that include plants such as willow, manzanita, chamise (greasewood), blue elderberry, California lilac (soapbush), big sagebrush, bitterbrush, and buckthorn species such as deer brush. In San Diego, this species is relatively common in the mountains and higher foothills where dense chaparral occurs. It also quickly recolonizes burned chaparral. This species has high potential to occur on-site because on-site chaparral is suitable for foraging and nesting, and it is documented in the project's vicinity (eBird 2024; Unitt 2004).

Western bluebird (Sialia mexicana)

The Western bluebird is a County Group 2 species. They are common resident birds in San Diego County, where they prefer montane coniferous and oak woodlands. This species was observed on-site.

Reptiles

Southern California legless lizard (Anniella stebbinsi)

The Southern California legless lizard is a CDFW SSC and County Group 2 species. This species occurs in moist warm loose soil with plant cover. Moisture is essential. Occurs in sparsely vegetated areas of beach dunes, chaparral, pine-oak woodlands, desert scrub, sandy washes, and stream terraces with sycamores, cottonwoods, or oaks. Leaf litter under trees and bushes in sunny areas and dunes stabilized with bush lupine and mock heather often indicate suitable habitat. This species can be found under surface objects

such as rocks, boards, driftwood, and logs, and is sometimes found in suburban gardens in Southern California. Two Southern California legless lizard individuals were incidentally observed on-site in granitic northern mixed chaparral.

California glossy snake (Arizona elegans occidentalis)

The California glossy snake is a CDFW SSC and is not included on the County of San Diego Sensitive Animal List (County of San Diego 2010a). It inhabits arid scrub, rocky washes, grasslands, chaparral. Appears to prefer microhabitats of open areas and areas with soil loose enough for easy burrowing. This species has high potential to occur on-site because most of the project site would be suitable habitat and there are multiple occurrences in the vicinity of the site (CDFW 2024b; iNaturalist 2024).

Coastal whiptail (Aspidoscelis tigris stejnegeri)

The coastal whiptail is a County Group 2 species. Found in a variety of habitats, primarily in areas where plants are sparse and there are open areas for running. The species ranges from deserts to montane pine forests where it prefers warmer and drier areas. The species is also found in woodland and streamside growth, and it avoids dense grassland and thick shrub growth. Six coastal whiptail individuals were incidentally observed on-site in bare ground adjacent to granitic northern mixed chaparral and redshank chaparral, and open coast live oak woodland.

Rosy boa (Charina trivirgata)

The rosy boa is a County Group 2 species. It inhabits rocky shrubland and desert habitats, and is attracted to oases and streams, but does not require permanent water. In the desert it occurs on scrub flats with good cover. The species is known in a variety of desert and semi-desert habitats and may occur in oak woodlands intergrading with scrub or chaparral habitats, but is absent from grasslands. This species has high potential to occur on-site because the site supports suitable habitat for this species, there are recent occurrences documented near the project site (iNaturalist 2024), and rosy boas are rarely active during the day and would likely not be incidentally detectable during surveys.

Red-diamond rattlesnake (Crotalus ruber)

The red-diamond rattlesnake is a CDFW SSC and County Group 2 species. Found in a variety of habitats from the coast to the deserts, from San Bernardino County into Baja California, Mexico (below 5,000 feet amsl). It commonly occurs in rocky areas within coastal sage scrub, chaparral, juniper woodlands, and desert habitats, but can also be found in areas devoid of rocks. This species has high potential to occur on-site because most of the habitats on-site are suitable for this species and the project site is within this species' range (San Diego Natural History Museum 2024).

San Diego ringneck snake (Diadophis punctatus similis)

The San Diego ringneck snake is a County Group 2 species. Found in moist habitats, including woodlands, hardwood and conifer forest, grassland, sage scrub, chaparral, croplands/hedgerows, and gardens. In arid regions, they occur in forests, woodlands, sage scrub, chaparral, and riparian corridors. This species has high potential to occur on-site because suitable chaparral and woodland habitat occurs on-site and there is a recent occurrence documented near the project site (iNaturalist 2024).

Coast horned lizard (Phrynosoma blainvillii)

The coast horned lizard is a CDFW SSC and County Group 2 species. It has historically been found in California extending inland into the Sierra Nevada and along the coast, from Baja to the Bay Area. Its

known inland extent to the north is Shasta Reservoir. It is often associated with coastal sage scrub, especially areas of level to gently sloping ground with well-drained loose or sandy soil, but it can also be found in annual grasslands, chaparral, oak woodland, riparian woodland, and coniferous forest between 30 and 7,030 feet amsl. This reptile typically avoids dense vegetation, preferring 20% to 40% bare ground in its habitat. Up to 90% of its diet consists of native harvester ants (*Pogonomyrmex* spp.). Nine coast horned lizard individuals were incidentally observed on-site in granitic northern mixed chaparral, montane buckwheat scrub, chamise chaparral, field/pasture, and redshank chaparral.

Amphibians

Western spadefoot (Spea hammondii)

The western spadefoot is classified as a Federally Proposed Threatened Species, CDFW SSC, and County Group 2 species. This species is endemic to California and northern Baja California, with its range extending from near Redding southward through the Great Valley and its associated foothills, across the South Coast Ranges, and into coastal Southern California south of the Transverse Ranges and west of the Peninsular Ranges, extending into northwestern Baja California. It favors open habitats with sandy or gravelly substrates, including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washes, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountainous areas. Successful breeding requires rainpools that are devoid of bullfrogs, fish, or crayfish. Although the species was not detected on-site, USFWS and the U.S. Geological Survey (USGS) indicate that a historic breeding pool supporting western spadefoot has been recorded in the southern portion of the project site, with additional observations documented in proximity to the project.

Mammals

Pallid bat (Antrozous pallidus)

The pallid bat is a CDFW SSC and San Diego Group 2 species. This species is most common in open, dry habitats such as deserts, grasslands, shrublands, woodlands, and forests with rocky areas for roosting that protect individuals from high temperatures. This species is very sensitive to disturbance of roosting sites. This species has high potential to occur on-site because much of the project site would be suitable foraging habitat for this species, there is potential for roosting on-site, there are California Natural Diversity Database (CNDDB) records in Jacumba and Campo (CDFW 2024c), and bats are unlikely to be detected incidentally during surveys.

Ringtail (Bassariscus astutus)

The ringtail is a CDFW Fully Protected and County Group 2 species. Typically occurs at elevations ranging from sea level to 4,500 feet amsl but may occur at elevations ranging from 6,500 to 9,500 feet amsl. Their primary habitat is oak, pinyon pine, and juniper woodlands, but they also occur in conifer forests, chaparral, desert, and dry tropical habitats if rocky outcroppings, canyons, boulder piles, or talus slopes are present. They are dependent on open water and usually do not occur more than 0.6 mile from a permanent water source. This species has high potential to occur on-site because the on-site freshwater pond and alkali marsh would provide suitable water sources for this species and the ringtail is a secretive, nocturnal species that would be unlikely to be detected incidentally during surveys.

Dulzura pocket mouse (Chaetodipus californicus femoralis)

The Dulzura pocket mouse is a CDFW SSC and County Group 2 species. It is associated with open habitat in coastal sage scrub, chaparral, oak woodland, and mixed conifer habitats up to 3,000 feet amsl. Small mammals are expected to be underrepresented in CNDDB data and are thus conservatively designated as

having high potential to occur on-site despite there being only one CNDDB occurrence from 1958 in the vicinity of the project (CDFW 2024b).

Northwestern San Diego pocket mouse (Chaetodipus fallax fallax) and pallid San Diego pocket mouse (C. f. pallidus)

Both the northwestern and pallid San Diego pocket mouse are CDFW SSC and County Group 2 taxa. Both subspecies prefer sandy, herbaceous areas, usually in association with rocks or coarse gravel. Northwestern San Diego pocket mouse occurs within coastal scrub, chaparral, grasslands, sagebrush, etc. in western San Diego County while pallid San Diego pocket mouse occurs in desert border areas in eastern San Diego County in desert wash, desert scrub, desert succulent scrub, pinyon-juniper, etc. These species have potential to occur in a variety of habitats in the project site, including coastal sagebrush scrub, chaparral, and non-native grassland where there are sandy soils. The project site is also generally located in the boundary zone between the ranges of the two subspecies. Small mammals are expected to be underrepresented in CNDDB data and are thus conservatively designated as having high potential to occur on-site despite the nearest occurrence of northwestern San Diego pocket mouse being 37 miles to the northwest and the nearest occurrence of pallid San Diego pocket mouse being over 9 miles east of the site.

Greater western mastiff bat (Eumops perotis californicus)

The greater western mastiff bat is a CDFW SSC and County Group 2 species. This species occurs in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral, and roosts in crevices in cliff faces, high buildings, trees, and tunnels. This species has high potential to occur on-site because this species may forage throughout the project site and may roost in coast live oak woodland on-site. The project site is southeast of most CNDDB records, but bats are likely to be underrepresented in CNDDB data and are unlikely to be detected incidentally during surveys.

Western red bat (Lasiurus blossevillii)

The western red bat is a County Group 2 species. This species prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging. The western red bat roosts primarily in trees, 2 to 40 feet above ground, from sea level up through mixed conifer forests. This species has high potential to occur on-site because it may forage throughout the project site and may roost in coast live oak woodland on-site. The project site is southeast of most CNDDB records, but bats are likely to be underrepresented in CNDDB data and are unlikely to be detected incidentally during surveys.

San Diego black-tailed jackrabbit (Lepus californicus bennettii)

San Diego black-tailed jackrabbit is a CDFW SSC and County Group 2 species. Jackrabbits typically are not found in high grass or dense brush where it is difficult for them to move quickly, and the openness of open scrub habitat likely is preferred over dense chaparral. Jackrabbits are common in grasslands that are overgrazed by cattle, and they are well adapted to using low-intensity agricultural habitats. Twelve San Diego black-tailed jackrabbit individuals were incidentally observed on-site in granitic northern mixed chaparral, bare ground adjacent to montane buckwheat scrub and chamise chaparral, and montane buckwheat scrub.

Small-footed myotis (Myotis ciliolabrum)

The small-footed myotis is a County Group 2 species. They are found in a wide range of habitats, but mostly inhabit arid wooded and brushy uplands near water and prefer open stands in forests and woodlands. Cliff faces, significant deviations in rock faces, old buildings, overpasses, caves, and mines are typically required

for roosting. The project site is southeast of most CNDDB records but has high potential to occur on-site because the on-site coast live oak woodland would be suitable for this species and drinking water is available from freshwater ponds on-site. Additionally, bats are unlikely to be detected incidentally during surveys and are expected to be underrepresented in CNDDB data.

Long-eared myotis (Myotis evotis)

The long-eared myotis is a County Group 2 species. This species is found in all brush, woodland, and forest habitats from sea level to about 9,000 feet amsl, but prefers coniferous woodlands and forests. Nursery colonies occur in buildings, crevices, spaces under bark, and snags. Caves are used primarily as night roosts. This species has high potential to occur on-site because this species may forage throughout the project site and may roost in coast live oak woodland on-site. The project site is southeast of most CNDDB records, but bats are likely to be underrepresented in CNDDB data and are unlikely to be detected incidentally during surveys.

San Diego desert woodrat (Neotoma lepida intermedia)

The San Diego desert woodrat is a CDFW SSC and County Group 2 species. Desert woodrats are found in a variety of shrub and desert habitats and are primarily associated with rock outcroppings, boulders, cacti, or areas of dense undergrowth. Moderate to dense canopy cover is preferred and this species is particularly abundant in rock outcrops, rocky cliffs, and slopes. The stick houses/middens of this species were observed throughout the project site near rock outcrops.

Mule deer (Odocoileus hemionus)

The mule deer is a County Group 2 species. It occurs throughout most of California, except in deserts and intensively farmed areas without cover. Throughout its range, mule deer uses coniferous and deciduous forests, riparian habitats, desert shrub, coastal scrub, chaparral, and grasslands with shrubs. It is often associated with successional vegetation, especially near agricultural lands. Deer scat was commonly observed throughout brushy habitats on-site.

Southern grasshopper mouse (Onychomys torridus ramona)

The southern grasshopper mouse is a County Group 2 species and a CDFW SSC. This species inhabits desert areas, especially scrub habitats with friable soils for digging, and prefers low to moderate shrub cover. This species nests in small burrows dug into the ground, often which have been deserted by other rodents or were taken by the grasshopper mouse through force. This species has high potential to occur on-site because on-site montane buckwheat scrub would be suitable for this species and there are multiple occurrences documented in the project vicinity (CDFW 2024b).

Mountain lion (Puma concolor)

The mountain lion is a specially protected mammal under California Fish and Game Code Section 4800 and a County Group 2 species. Mountain lions are most abundant in habitats that support their primary prey—mule deer—and their seasonal movements tend to follow migrating deer herds. They prefer habitats that provide cover, such as thickets in brush and timber in woodland vegetation. They also use caves and other natural cavities for cover and breeding. They require extensive areas of riparian vegetation and brushy stages of various habitats, with interspersions of irregular terrain, rocky outcrops, and tree-brush edges. Fresh paw prints and scat were observed around on-site alkali marsh and the south half of the project site.

Invertebrates

Crotch's bumblebee (Bombus crotchii)

The Crotch's bumblebee is a state Candidate Species. Crotch's bumblebee can be found in a variety of habitats including open grasslands, shrublands, chaparral, desert margins including Joshua tree and creosote scrub, and semi-urban settings. It is near endemic to California, with only a few records from Nevada and Mexico. The project falls within the mapped Crotch's bumblebee range. Preferred food plants include milkweed (*Asclepias* spp.) and other species such as sage (*Salvia* spp.), lupine (*Lupinus* spp.), vetch (*Vicia* spp.), deerweed (*Acmispon* sp.), phacelia (*Phacelia* sp.), and poppy (*Eschscholzia* sp.). Habitat suitability assessments were performed to evaluate the project site's potential to support this species. Protocol surveys were not conducted.

Monarch butterfly (Danaus plexippus)

The monarch butterfly is a federal Candidate Species and County Group 2 species. Monarchs are found in a variety of habitats including conifer forests, grasslands, old fields, dune habitat, scrublands, chaparral, orchards, woodlands, and herbaceous and shrub wetlands. Host plants are milkweeds. This species has high potential to occur on-site, although milkweed was not observed on-site, there are suitable nectar plants to support foraging during migration.

2.2.1.9 Wetlands/Jurisdictional Waters

Wetlands, open water features, and drainages in general are considered special-status biological resources and may be under the jurisdiction of the U.S. Army Corps of Engineers (USACE) as wetlands or non-wetland waters of the United States (WOTUS); CDFW lakes, streambeds, or associated riparian habitat; the California Water Quality Control Board and its Regional Water Quality Control Boards (RWQCB) as wetlands or non-wetland waters of the state (WOS); or the County of San Diego as a Resource Protection Ordinance (RPO) wetland.

The County's RPO (County of San Diego 2012) identifies environmental resources, including wetlands, present within the County, and provides measures to preserve these resources. The RPO defines wetlands as lands that have one or more of the following attributes: 1) lands that periodically support a predominance of hydrophytes (plants whose habitat is water or very wet places); 2) lands in which the substratum is predominantly undrained hydric soil; or 3) lands where an ephemeral or perennial stream is present and whose substratum is predominately non-soil, and where such lands contribute substantially to the biological functions or values of wetlands in the drainage system. County-regulated wetlands were identified where a predominance of hydrophytic vegetation was observed. State wetlands were present where an area supported three wetlands indicators (i.e., hydrology, hydric soils, or hydrophytic vegetation).

RPO Determination

The County of San Diego RPO provides the following definition of wetlands (County of San Diego 2012):

(1) Lands having one or more of the following attributes are "wetlands":

(aa) At least periodically, the land supports a predominance of hydrophytes (plants whose habitat is water or very wet places);

(bb) The substratum is predominantly undrained hydric soil; or

(cc) An ephemeral or perennial stream is present, whose substratum is predominately non-soil and such lands contribute substantially to the biological functions or values of wetlands in the drainage system.

(2) Notwithstanding paragraph (1) above, the following shall not be considered "Wetlands":

(aa) Lands which have attribute(s) specified in paragraph (1) solely due to man-made structures (e.g., culverts, ditches, road crossings, or agricultural ponds), provided that the Director of Planning and Development Services determines that they:

(i) Have negligible biological function or value as wetlands;

(ii) Are small and geographically isolated from other wetland systems;

(iii) Are not vernal pools; and,

(iv) Do not have substantial or locally important populations of wetland dependent sensitive species.

(bb) Lands that have been degraded by past legal land disturbance activities, to the point that they meet the following criteria as determined by the Director of Planning and Development Services:

(i) Have negligible biological function or value as wetlands even if restored to the extent feasible; and,

(ii) Do not have substantial or locally important populations of wetland dependent sensitive species.

All drainage features within the survey area support a predominantly soil substratum and support non-relatively permanent flow. A single wetland meeting the County's RPO wetland definition was identified within the survey area but outside the project site. The wetland consists of a hillside freshwater seep (see Figures A4d, A7d, and A8k in Appendix I of the Biological Resources Report). Groundwater rises into a shallow depression which supports a dominance of hydrophytic species. No additional surface hydrology inputs were identified. Flow is conveyed away from the wetland in a southerly direction vial two short-lived discontinuous drainage features which dissipate into overland flow outside of the survey area.

Two additional areas exhibiting RPO wetland parameters were observed within the survey area; however, they correspond with human-made basins which may be considered exempt from the County's RPO. Both basins are in the southern portion of the project site. One basin supporting potential wetland characteristics was observed outside of and partially within the survey area but completely outside of the project site. The basin receives flow from an off-site drainage. Historical aerial imagery suggests that the construction of the basin occurred sometime between 1953 and 1989 (University of California, Santa Barbara 2024). This basin supports open water, potential hydric soils, and a narrow margin of hydrophytic vegetation. During overflow periods, the northeast corner of the basin is breached, and flow is conveyed to a second catchment basin via a drainage. This second basin is entirely within the project site and supports a narrow area (0.02 acre) of hydric soils. The basin abuts a berm supporting a dirt access road which functionally creates a terminus for the flow of both basins. Although hydric soils were observed, the basin is dominated by invasive upland mustards and annual grasses. No other hydrology indicators were observed. Due to the anthropogenic origin of these basins that meet criteria (2)(aa)(i–iv), these basins are not RPO wetlands.

Fifty-two drainages were observed within the project site. An additional 15 drainages were observed outside the project site but within the survey area. These drainages do not support a predominance of hydrophytic vegetation and consist primarily of unvegetated mineral soils. Drainages on-site are largely discontinuous within the project site and do not provide hydrologic connectivity within wetland complexes. Substrates within the drainages do not support hydric soils and do not support substratum that is "predominately non-

soil and such lands contribute substantially to the biological functions or values of wetlands in the drainage system." Therefore, ephemeral drainages within the project site do not meet the definition of an RPO wetland.

USACE/CDFW/RWQCB Determination

Sixty-seven potentially jurisdictional drainage features, five freshwater ponds—three of which are potentially jurisdictional—and one potentially jurisdictional freshwater seep were observed within the survey area. Of these potentially jurisdictional resources, 15 drainages, two freshwater ponds, and the freshwater seep are entirely outside of the project site. Impacts to the remaining jurisdictional features are anticipated to result from project-related activities.

All features exhibiting an ordinary high-water mark (OHWM) were determined to convey potentially jurisdictional WOS along with all observed wetlands (wetland waters of the State [WWOS]). WWOS were identified present in all areas exhibiting wetland hydrology, a dominance of hydrophytic vegetation, and the presence of hydric soils, or in areas where one of these indicators was problematic but presumed present following USACE's guidance for determining problematic wetlands. Several of these features reached a discernible terminus within the survey area, while other conveyed flow away from the survey area. Due to a lack of evidence of relatively permanent flow and the discontinuity of most drainages, WOTUS and adjacent wetland WOTUS (WWOUS) were determined absent from the survey area. For features that convey flow away from the survey area, their terminus could not be ascertained in the field, but these appear to dissipate as sheet-flow and loose aerial indicators of flow (Google Earth 2024) by the time they reach the adjacent residential developments approximately 500 meters east of the survey area. While the features conveying flow outside of the survey area may be isolated by impoundments or other anthropogenic structures downslope, hydrologic continuity was not examined at the necessary fine scale beyond the survey area. All wetlands were determined as being isolated within the survey area and were assumed to be WWOS. CDFW jurisdiction was determined to include all previously discussed features, as well as streambeds beyond the OHWM and associated riparian habitat.

Aquatic resources identified in the survey area largely support upland vegetation. Problematic vegetation in the form of upland annual grasses and mustards was associated with some defunct freshwater ponds. Hydrophytic vegetation was limited to a few sections within the survey area but outside the project site. Hydrophytic vegetation indicator status was determined by the USACE 2024 National Wetland Plant List (USACE 2024).

2.2.1.10 Habitat Connectivity and Wildlife Corridors

Wildlife corridors and habitat linkages are features that promote habitat connectivity. Wildlife corridors are typically discrete linear features within a landscape that are constrained by development or other non-habitat areas. Habitat linkages are networks of corridors through and between larger natural open space that facilitate movement of wildlife, thus providing long-term resilience of ecosystems against the detrimental effects of habitat fragmentation. Regional connection between high-quality open space habitats is critical to ongoing interchange of genetic material between populations, wildlife movement to escape natural disasters (fires, floods), colonization and expansion of populations, and plant propagation.

Per Attachment A of the County guidelines (County of San Diego 2010a), a corridor is "A specific route that is used for movement and migration of species. A corridor may be different from a 'Linkage' because it represents a smaller or narrower avenue for movement." A linkage is defined as "An area of land which supports or contributes to the long-term movement of wildlife and genetic exchange by providing live-in habitat that connects to other habitat areas."

The project site currently provides unrestricted wildlife movement for animals of all sizes within the property and serves as a linkage to surrounding undeveloped areas. The project site is not a corridor because wildlife movement is not constrained or directed through the area. In consultation with the USGS, the project includes a survey plan to analyze current wildlife movement and use that data to facilitate adequate passage for movement through and around the solar arrays.

2.2.2 Regulatory Setting

The following section summarizes federal, state, and local laws, regulations, and policies relating to plants, wildlife, and special-status habitats. Only those regulations potentially applicable to the proposed project are included herein.

2.2.2.1 Federal Regulations

Federal Endangered Species Act

The U.S. Congress passed the ESA in 1973 to protect endangered species and species threatened with extinction (federally listed species). The ESA operates in conjunction with the National Environmental Policy Act to help protect the ecosystems upon which endangered and threatened species depend.

Section 9 of the ESA prohibits the "take" of endangered or threatened wildlife species. The legal definition of "take" is to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct" (16 United States Code [USC] 1532 [19]). Harm is further defined to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing behavioral patterns (50 CFR 17.3). Harassment is defined as actions that create the likelihood of injury to listed species to such an extent as to significantly disrupt normal behavior patterns (50 CFR 17.3). Actions that result in take can result in civil or criminal penalties.

The USFWS is authorized to issue permits under Sections 7 and 10 of the ESA. Section 7 mandates that all federal agencies consult with the USFWS for terrestrial species and/or National Marine Fisheries Service for marine species to ensure that federal agency actions do not jeopardize the continued existence of a listed species or adversely modify critical habitat for listed species. Any anticipated adverse effects require preparation of a biological assessment to determine potential effects of the project on listed species and critical habitat. If the project adversely affects a listed species or its habitat, the USFWS or National Marine Fisheries Service prepares a Biological Opinion. The Biological Opinion may recommend "reasonable and prudent alternatives" to the project to avoid jeopardizing or adversely modifying habitat including "take" limits.

The ESA defines critical habitat as habitat deemed essential to the survival of a federally listed species. The ESA requires the federal government to designate "critical habitat" for any species it lists under the ESA. Under Section 7, all federal agencies must ensure that any actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of a listed species or destroy or adversely modify its designated critical habitat. These complementary requirements apply only to federal agency actions, and the latter apply only to specifically designated habitat. A critical habitat designation does not set up a preserve or refuge, and applies only when federal funding, permits, or projects are involved (i.e., a federal nexus). Critical habitat requirements do not apply to activities on private land that do not involve a federal nexus.

Section 10 of the ESA includes provisions to authorize take that is incidental to, but not the purpose of, activities that are otherwise lawful. Under Section 10(a)(1)(B), the USFWS may issue permits (incidental take permits) for take of ESA-listed species if the take is incidental and does not jeopardize the survival

and recovery of the species. To obtain an incidental take permit, an applicant must submit a habitat conservation plan outlining steps to minimize and mitigate permitted take impacts to listed species.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits any person, unless permitted by regulations, to

> …pursue, hunt, take, capture, kill, attempt to take, capture or kill, possess, offer for sale, sell, offer to purchase, purchase, deliver for shipment, ship, cause to be shipped, deliver for transportation, transport, cause to be transported, carry, or cause to be carried by any means whatsoever, receive for shipment, transportation or carriage, or export, at any time, or in any manner, any migratory bird, included in the terms of this Convention … for the protection of migratory birds ... or any part, nest, or egg of any such bird. (16 USC 703)

The list of migratory birds includes nearly all bird species native to the United States. The statute was extended in 1974 to include parts of birds, as well as eggs and nests. The Migratory Bird Treaty Reform Act of 2004 further defined species protected under the MBTA and excluded all nonnative species. Thus, it is illegal under the MBTA to directly kill or destroy a nest of nearly any native bird species.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (BGEPA) (16 USC 668–668c) prohibits anyone from "taking" bald eagles (*Haliaeetus leucocephalus*), including their parts, nests, or eggs, without a permit issued by the Secretary of the Interior. In 1962, Congress amended the act to cover golden eagles (*Aquila chrysaetos*). The BGEPA provides criminal penalties for persons who "take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof." The BGEPA defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." The 1962 amendments included a specific exemption for possession of eagles for religious purposes of Native American tribes; however, an Indian Religious Permit is required.

On November 10, 2009, the USFWS implemented new rules under the existing BGEPA, requiring USFWS permits for all activities that may disturb or incidentally take an eagle or its nest as a result of an otherwise legal activity. Under USFWS rules (16 USC 22.3; 72 Federal Register 31,132, June 5, 2007), "disturb" means "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits and causes injury, death, or nest abandonment.

Federal Water Pollution Control Act (Clean Water Act)

The Federal Water Pollution Control Act was first passed by Congress in 1948. It was later amended and became known as the Clean Water Act. The act establishes the basic structure for regulating discharges of pollutants into WOTUS. It gives the U.S. Environmental Protection Agency the authority to implement pollution control programs, including setting wastewater standards for industry and water quality standards for contaminants in surface waters. The act makes it unlawful for any person to discharge any pollutant from a point source into navigable waters, without a permit under its provisions. Clean Water Act 404 permits are issued by the USACE for dredge/fill activities within wetlands or non-wetland WOTUS. Clean

Water Act 401 certifications are issued by the RWQCB for activities requiring a federal permit or license which may result in discharge of pollutants into WOTUS.

2.2.2.2 State Regulations

California Endangered Species Act

The CDFW administers the CESA, which prohibits the "taking" of listed species except as otherwise provided in state law. Section 86 of the California Fish and Game Code defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Under certain circumstances, the CESA applies these take prohibitions to species petitioned for listing (state candidates). Pursuant to the requirements of the CESA, state lead agencies (as defined under CEQA Public Resources Code Section 21067) are required to consult with the CDFW to ensure that any action or project is not likely to jeopardize the continued existence of any endangered or threatened species or result in destruction or adverse modification of essential habitat. Additionally, the CDFW encourages informal consultation on any proposed project that may impact a candidate species. The CESA requires the CDFW to maintain a list of threatened and endangered species. The CDFW also maintains a list of candidates for listing under the CESA and of SSC (or WL species).

California Environmental Quality Act

The CEQA was adopted in 1970 and applies to discretionary actions directly undertaken, financed, or permitted by state or local government lead agencies. CEQA requires that a project's effects on environmental resources must be analyzed and assessed using criteria determined by the lead agency. CEQA defines a rare species in a broader sense than the definitions of threatened, endangered, or California species of concern. Under this definition, the CDFW can request additional consideration of species not otherwise protected.

Fully Protected Species

The California Fish and Game Code provides protection from take for a variety of species, referred to as fully protected species. Section 5050 lists protected amphibians and reptiles, and Section 3515 prohibits take of fully protected fish species. Eggs and nests of fully protected birds are protected under Section 3511. Migratory non-game birds are protected under Section 3800, and mammals are protected under Section 4700. Except for take related to scientific research, all take of fully protected species is prohibited.

Porter-Cologne Water Quality Control Act

This act provides for statewide coordination of water quality regulations. The act established the California State Water Resources Control Board as the statewide authority and nine separate RWQCBs to oversee water quality on a day-to-day basis at the regional/local level.

Nesting Birds, Raptors, and Migratory Bird Protection

Section 3503 of the California Fish and Game Code states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto. Section 3503.5 provides protection for all birds of prey, including their eggs and nests. Take or possession of any migratory non-game bird as designated in the MBTA is prohibited by Section 3513 of the Fish and Game Code.

Natural Community Conservation Planning Act

The NCCP Act of 1991, amended in 2003, is designed to conserve natural communities at the ecosystem scale while accommodating compatible land use. The CDFW is the principal state agency implementing the NCCP program. NCCP plans developed in accordance with the act provide for comprehensive management and conservation of multiple wildlife species and identify and provide for the regional or area-wide protection and perpetuation of natural wildlife diversity while allowing compatible and appropriate development and growth.

California Oak Woodland Conservation Act

In 2001, the California Legislature passed the California Oak Woodland Conservation Act. This act established the Oak Woodland Conservation Program, administered by the Wildlife Conservation Board, which was designed to provide $10 million to help local jurisdictions protect and enhance their oak woodland resources. It offers landowners, conservation organizations, and cities and counties an opportunity to obtain funding for projects designed to conserve and restore California's oak woodlands. It authorizes the Wildlife Conservation Board to purchase oak woodland conservation easements and provide grants for land improvements and oak restoration efforts. While the program is statewide in nature, it is designed to address oak woodland issues on a regional priority basis. The program provides a mechanism to achieve sustainable ranching and farming operations, along with healthy oak woodlands.

California Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (California Fish and Game Code Section 1900-1913) directed the CDFW to carry out the Legislature's intent to "preserve, protect and enhance rare and endangered plants in this State." The NPPA gave the California Fish and Game Commission the power to designate native plants as "endangered" or "rare" and protected endangered and rare plants from take. The NPPA thus includes measures to preserve, protect, and enhance rare and endangered native plants.

The CESA has largely superseded the NPPA for all plants designated as endangered by the NPPA. The NPPA nevertheless provides limitations on take of rare and endangered species as follows: "...no person will import into this state, or take, possess, or sell within this State" any rare or endangered native plant, except in compliance with provisions of the CESA. Individual landowners are required to notify the CDFW at least 10 days in advance of changing land uses to allow the CDFW to salvage any rare or endangered native plant material.

California Desert Native Plants Act

The California Desert Native Plants Act protects non-listed California desert native plants from unlawful harvesting on public and private lands in the counties of Riverside, San Bernardino, Imperial, Inyo, Kern, Los Angeles, Mono, and San Diego (California Food and Agriculture Code, Sections 80001-80006, Division 23). A wide range of desert plants is protected under this act, including all species in the agave and cactus families. Harvest, transport, sale, or possession of specific native desert plants is prohibited without a valid permit or wood receipt and the required tags and seals. Species listed as rare, endangered, or threatened under federal or state law or regulations are excluded from this provision.

2.2.2.3 Local Regulations

San Diego County General Plan – Conservation and Open Space Element, and Community and Subregional Plans

The Conservation and Open Space Element of the *San Diego County General Plan: A Plan for Growth, Conservation, and Sustainability* (General Plan; County of San Diego 2011a) provides guiding principles for the conservation of biological resources. The Conservation and Open Space Element (County of San Diego 2011b) outlines the goals and policies pertaining to each type of open space, not all of which are for the preservation of biological resources and addresses County policies relating to water, vegetation, and wildlife habitat. The County's Resource Conservation Areas (RCAs) are described and delineated in each of the community and subregional plans. Each RCA has been designated as such for a purpose specific to that area. When a site is located within a mapped RCA, the project must comply with the relevant policies for that RCA (e.g., avoidance of oaks). See Section 3.1.6, Land Use and Planning of this EIR for a full list of applicable policies from the County's General Plan.

County of San Diego Zoning Ordinance

Land may also have a zoning designation or Special Area Regulation with certain restrictions pursuant to the Zoning Ordinance. For instance, lands may have a zoning designation of S81 Ecological Resource Area Regulations. The few uses allowed on lands with this designation are subject to strict provisions and limitations. The Zoning Ordinance also applies other Special Area Regulations with specific restrictions and provisions, including designator G (Sensitive Resource), R (Coastal Resource Protection Area) and/or V (Vernal Pool Area).

Resource Protection Ordinance

The RPO was adopted in 1989 and amended in 1991 and 2007. The RPO restricts to varying degrees impacts to various natural resources including wetlands, wetland buffers, floodplains, steep slopes, sensitive habitat lands and historical sites. Certain permit types are subject to the requirement to prepare Resource Protection Studies under the RPO.

The RPO restricts uses in wetlands as defined by the ordinance. Aquaculture, scientific research, wetland restoration projects, limited removal of diseased or invasive plant species, and limited road-, driveway-, or trail-crossings may be allowed when specific findings are made for these uses. In addition, the ordinance requires that a wetland buffer be provided to further protect the wetland resources. Improvements necessary to protect the adjacent wetlands and those uses allowed within the actual wetland are the only allowed uses within the buffer. For more explicit information on these requirements refer to the RPO.

The RPO also limits impacts to sensitive habitat lands. Sensitive habitat lands include unique vegetation communities and/or the habitat that is either necessary to support a viable population of sensitive species, is critical to the proper functioning of a balanced natural ecosystem, or which serves as a functioning wildlife corridor. Habitats considered sensitive or significant under CEQA are not necessarily considered RPO sensitive habitat lands. Examples of RPO sensitive habitat lands include, but are not limited to:

- Lands that include populations of sensitive species (such as County Group A plants, Group I wildlife species, state-listed and federally listed species).
- Lands that contain unique vegetation communities, such as maritime succulent scrub, southern coastal bluff scrub, coastal and desert dunes, calcicolous scrub, maritime chaparral, valley sacaton grassland, hardpan and claypan vernal pools, montane meadows, mesquite bosque, native grassland, and Torrey pine forest.

Examples of lands that would not be considered RPO sensitive habitat lands include, but are not limited to, Coastal sage scrub, oak woodland, chaparral, and non-native grasslands, provided that these habitats: (a) do not include populations of sensitive species (such as Group A plants, Group I wildlife species, state-listed and federally listed species); (b) are not critical to a balanced ecosystem; or (c) are not part of a functioning wildlife corridor.

Impacts to RPO sensitive habitat lands shall only be allowed when: (a) all feasible measures have been applied to reduce impacts; and (b) mitigation provides an equal or greater benefit to the affected species.

The ordinance includes the provision that when "the extent of environmentally sensitive lands on a particular legal lot is such that no reasonable economic use of such lot would be permitted by these regulations, then an encroachment into such environmentally sensitive lands to the minimum extent necessary to provide for such reasonable use may be allowed".

East County Multiple Species Conservation Plan

The ECMSCP is still in process (County of San Diego 2021). The ECMSCP Planning Area covers approximately 1.55 million acres in San Diego County. The ECMSCP Planning Area is bounded on the west generally by the western boundary of the Cleveland National Forest, on the north by Riverside County, and on the east predominantly by Imperial County, and the south by Mexico. The ECMSCP includes the backcountry communities of Central Mountain, Cuyamaca, Descanso, Pine Valley, Desert/Borrego Springs, Julian, Mountain Empire, Boulevard, Jacumba, Lake Morena/ Campo, Potrero, Tecate, portions of Dulzura, and Palomar/North Mountain, all of which are within the jurisdictional boundary of the unincorporated San Diego County. The County has land use authority over private parcels and County-owned land in the unincorporated county, which is approximately 25% (382,000 acres) of the ECMSCP Planning Area. The other 75% of the planning area includes land subject to the land use jurisdiction of other public agencies. An executed NCCP Planning Agreement requires that the County consult with the wildlife agencies to ensure that projects do not conflict with preserve planning guidelines.

2.2.3 Analysis of Project Effects and Determination as to Significance

2.2.3.1 Methodology

Guidelines for the Determination of Significance

This section analyzes potential direct, indirect, and cumulative impacts to biological resources that could result from implementation of the proposed project. The analysis evaluates effects on sensitive natural communities, special-status plant and wildlife species, jurisdictional waters and wetlands, and wildlife movement corridors within the project site and surrounding buffer zones. The assessment is based on biological surveys, database records, technical studies, and current regulatory frameworks at local, state, and federal levels. Significance thresholds derived from County of San Diego Guidelines for Determining Significance are used to determine the level of impacts to biological resources (County of San Diego 2010a).

Survey Methodology

Biological resource data for the proposed project site were gathered through a combination of literature review and field surveys. A comprehensive review of pertinent literature was conducted in 2021 to identify special-status biological resources documented or potentially occurring within the project site. An additional desktop review for Crotch's bumble bee occurrence records (*Bombus crotchii*) was conducted in

2025. Field surveys were conducted to verify the presence of these resources and to supplement findings from the literature review.

Literature Review

The literature review consisted of analyzing publicly available spatial data from a variety of public agencies, geospatial data warehouses, and previously prepared reports from the vicinity of the project and surrounding quadrangles to ensure that current and accurate biological data were integrated into the review. The USGS 7.5-minute topographic quadrangles queried in this search were Jacumba, Sweeney Pass, Sombrero Peak, Mount Laguna, Cameron Corners, Live Oak Springs, Campo, and Tierra Del Sol.

Field Surveys

Field surveys for the 588-acre project site were conducted by SWCA between 2022 and 2024. The surveys included vegetation mapping, special-status plant surveys, jurisdictional wetlands/waters delineation, and protocol surveys for QCB. All field surveys were completed according to County requirements, and the entire survey area, which includes the project site and a 100-foot buffer, was surveyed by personnel on the ground over multiple field days. Sensitive environmental resources identified during these surveys were mapped and analyzed in coordination with the project's engineering plans to ensure biological resource considerations were incorporated into the project design. To verify and categorize habitat types within the site, SWCA biologists conducted vegetation mapping in the proposed off-site mitigation site parcels from June 6 to June 8, 2022. Figure 2.2-2 shows the off-site mitigation site parcel map. All habitat types within the mitigation site were field-verified, vegetation community boundaries were mapped, and habitat quality was recorded using a tablet and GPS unit. Table 2.2-2 summarizes the field surveys conducted on-site.

Table 2.2-2. Summary of Site Surveys

Date	Time	Temperature (°F)	Sky Conditions	Wind (mph)	Survey Type	Surveyor(s)
01/10/2022	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar and Lauren Strong
01/11/2022	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar and Lauren Strong
01/12/2022	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar and Lauren Strong
01/13/2022	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar and Lauren Strong
01/14/2022	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar and Lauren Strong
01/24/2022	1000–1615	60–66	Clear, dry, sunny skies	5–15	Aquatic Resources Delineation, Vegetation Mapping	Tamara Kramer, Shirley Innecken, Luis Aguilar, and Lauren Strong
01/25/2022	0730–1330	40-61	Dry, sunny, partially cloudy skies, 0%–40% cloud cover	0-10	Aquatic Resources Delineation, Vegetation Mapping	Tamara Kramer, Luis Aguilar, and Lauren Strong
01/26/2022	0730-1330	40-57	Clear, dry, sunny skies, 5% cloud cover	0-5	Aquatic Resources Delineation, Vegetation Mapping	Tamara Kramer, Luis Aguilar, and Lauren Strong
01/27/2022	0730-1330	44-60	Clear, dry, sunny skies	0-5	Vegetation Mapping	Tamara Kramer and Lauren Strong

Date	Time	Temperature (°F)	Sky Conditions	Wind (mph)	Survey Type	Surveyor(s)
01/28/2022	0730-1330	39-53	Dry, 50% cloud cover	5-10	Vegetation Mapping	Tamara Kramer and Lauren Strong
04/05/2022	0730-1445	62-81	Dry, clear	3-5	Rare Plants 1	Tamara Kramer, Lee BenVau, and Ryan Myers
04/06/2022	0730-1400	66-78	Dry, clear	1-8	Rare Plants 1	Tamara Kramer, Lee BenVau, and Ryan Myers
04/07/2022	0730-1350	63-73	Dry, clear	5-20	Rare Plants 1	Tamara Kramer, Lee BenVau, Ryan Myers, and Lauren Strong
04/08/2022	0730-1200	64-75	Dry, clear	5-10	Rare Plants 1	Tamara Kramer and Ryan Myers
04/11/2022	0730-1330	56-64	Dry, 40%–60% cloud cover	15-25	Rare Plants 1	Tamara Kramer and Shirley Innecken
04/12/2022	0730-1430	37-52	50%–100% cloud cover	1-4	Rare Plants 1	Tamara Kramer and Lee BenVau
04/13/2022	0730-1330	40-65	Clear	0-3	Rare Plants 1	Tamara Kramer and Lee BenVau
04/14/2022	0730-1500	47-68	Clear	0-1	Rare Plants 1	Tamara Kramer and Lee BenVau
04/19/2022	0730-1400	58-70	Clear	0-10	Rare Plants 1	Tamara Kramer and Lee BenVau
04/20/2022	0730-1545	46-63	Clear	5-10	Rare Plants 1	Tamara Kramer and Lee BenVau
06/07/2022	0700-1400	73-88	Clear	2-5	Rare Plants 2	Tamara Kramer and Lee BenVau
06/08/2022	0700-1205	75-89	Clear	1-3	Rare Plants 2	Tamara Kramer and Lee BenVau
08/25/2022	0630–1300	70–92	Clear	5–10	Rare Plants 3	Tamara Kramer and Lee BenVau
08/22/2023	0700–1400	65–88	Clear	0–5	Vegetation Mapping, Rare Plants 4	Tamara Kramer and Lee BenVau
08/30/2023	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar, Lauren Strong, and Omar Moquit
08/31/2023	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar, Lauren Strong, and Omar Moquit
09/01/2023	–	–	–	–	Aquatic Resources Delineation	Luis Aguilar, Lauren Strong, and Omar Moquit
02/28/2022	–	–	–	–	QCB Survey	Paul Lemons
04/16/2024	7:30-15:00	56-68	0-5% cloud cover	0-1	Rare Plants 4	Lauren Strong and Danielle Parsons
04/28/2025	--	--	--	--	Crotch's Bumble Bee Habitat Verification Surveys	Sharif Durzi and Parker Richardson
04/29/2025	--	--	--	--	Crotch's Bumble Bee Habitat Verification Surveys	Sharif Durzi and Parker Richardson

Notes: – = not recorded

Dust Control Measures

The project would implement the following best management practices (BMPs):

- Prior to the County's approval of any grading permits and during proposed project construction, a Fugitive Dust Control Plan will be prepared demonstrating compliance with San Diego Air Pollution Control District (SDAPCD) Rule 55 and County Code Section 87.428 (Grading Ordinance), to the satisfaction of the County. The project applicant or its designee will require implementation of the following fugitive dust measures to minimize PM_{10} emissions as part of the Fugitive Dust Control Plan. All measures will be designated on Grading and Improvement Plans.
    - Prior to construction activities, the project applicant will employ a construction relations officer who will address community concerns regarding on-site construction activity. The project applicant will provide public notification in the form of a visible sign containing the contact information of the construction relations officer who will document complaints and concerns regarding on-site construction activity. The sign will be placed in easily accessible locations and noted on Grading and Improvement Plans.
    - Grading areas will be watered at least three times daily, or another SDAPCD-approved dust control non-toxic agent will be used, to minimize fugitive dust only where chemical stabilizers are not used.
    - All permanent roads and the paved access roadway improvements will be constructed and paved as early as possible in the construction process to reduce construction vehicle travel on unpaved roads. Foundations will be finalized as soon as possible following site preparation and grading activities to reduce fugitive dust from earthmoving operations.
    - Grading areas will be stabilized as quickly as possible to minimize fugitive dust.
    - Wheel washers, grates, rock, or road washers will be installed adjacent to the site access points for tire inspection and washing prior to vehicle entry on public roads.
    - Visible track-out into traveled public streets will be removed with the use of sweepers, water trucks, or similar method within 30 minutes of occurrence.
    - Haul trucks will be covered or at least 2 feet of freeboard will be maintained to reduce blow-off during hauling.
    - A 15-mile-per-hour speed limit on unpaved surfaces will be enforced.
    - Haul truck staging areas will be provided for loading and unloading of soil and materials and will be located away from sensitive receptors at the farthest feasible distance.
- All architectural coatings used during construction will be SDAPCD Rule 67–compliant.
- Paved roads will be cleaned regularly during construction.
- During blasting activities, the construction contractor will implement all feasible engineering controls to control fugitive dust including exhaust ventilation, blasting cabinets and enclosures, vacuum blasters, drapes, water curtains, or wet blasting. Watering methods, such as water sprays and water applications, also will be implemented during blasting, rock crushing, cutting, chipping, sawing, or any activity that will release dust particles to reduce fugitive dust emissions.
- All internal access road surfaces will be consistent with the Caltrans Class II standard construction specifications, and will be composed of permeable decomposed granite, and permeable in order to reduce fugitive dust and erosion in accordance with County Code Section 87.428, Dust Control Measures, and with San Diego Air Pollution Control District Rule 55, which regulates fugitive dust emissions from any commercial construction or demolition activity capable of generating fugitive dust emissions.

2.2.3.2 Candidate, Sensitive, or Special-status Species

Guidelines for the Determination of Significance

For the purpose of this EIR, the County's *Guidelines for Determining Significance, Report Format and Content Requirements – Biological Resources* (County of San Diego 2010a) was used to establish significance thresholds. As stated in the County guidelines, a significant impact would result if:

- The project would have a substantial adverse effect, either directly or through habitat modifications, on a candidate, sensitive, or special status species listed in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- The following information should be evaluated to provide evidence to support a determination of impact significance.

    A. The project would impact one or more individuals of a species listed as federally or state endangered or threatened.

    B. The project would impact an on-site population of a County List A or B plant species, or a County Group I animal species, or a species listed as a state Species of Special Concern. Impacts to these species are considered significant; however, impacts of less than 5 percent of the individual plants or of the sensitive species' habitat on a project site may be considered less than significant if a biologically-based determination can be made that the project would not have a substantial adverse effect on the local long-term survival of that plant or animal taxon.

    C. The project would impact the local long-term survival of a County List C or D plant species or a County Group II animal species.

    D. The project may impact arroyo toad aestivation, foraging or breeding habitat. Any alteration of suitable habitat within 1 kilometer (3,280 feet) in any direction of occupied breeding habitat or suitable stream segments (unless very steep slopes or other barriers constrain movement) could only be considered less than significant if a biologically-based determination can be made that the project would not impact the aestivation or breeding behavior of arroyo toads.

    E. The project would impact golden eagle habitat. Any alteration of habitat within 4,000 feet of an active golden eagle nest could only be considered less than significant if a biologically-based determination can be made that the project would not have a substantially adverse effect on the long-term survival of the identified pair of golden eagles.

    F. The project would result in the loss of functional foraging habitat for raptors. Impacts to raptor foraging habitat is considered significant; however, impacts of less than 5 percent of the raptor foraging habitat on a project site may be considered less than significant if a biologically-based determination can be made that the project would not have a substantial adverse effect on the local long-term survival of any raptor species.

    G. The project would impact the viability of a core wildlife area, defined as a large block of habitat (typically 500 acres or more not limited to project boundaries, though smaller areas with particularly valuable resources may also be considered a core wildlife area) that supports a viable population of a sensitive wildlife species or supports multiple wildlife species. Alteration of any portion of a core habitat could only be considered less than significant if a biologically-based determination can be made that the project would not have a substantially adverse effect on the core area and the species it supports.

H. The project would cause indirect impacts, particularly at the edge of proposed development adjacent to proposed or existing open space or other natural habitat areas, to levels that would likely harm sensitive species over the long term. The following issues should be addressed in determining the significance of indirect impacts: increasing human access; increasing predation or competition from domestic animals, pests or exotic species; altering natural drainage; and increasing noise and/or nighttime lighting to a level above ambient that has been shown to adversely affect sensitive species.

I. The project would impact occupied burrowing owl habitat.

J. The project would impact occupied cactus wren habitat, or formerly occupied coastal cactus wren habitat that has been burned by wildfire.

K. The project would impact occupied Hermes copper habitat.

L. The project would impact nesting success of the following sensitive bird species through grading, clearing, fire fuel modification, and/or other noise generating activities such as construction.

   a. Coastal cactus wren (Breeding Season February 15 to August 15)
   b. Coastal California gnatcatcher (Breeding Season February 15 to August 31)
   c. Least Bell's vireo (Breeding Season March 15 to September 15)
   d. Southwestern willow flycatcher (Breeding Season May 1 to September 1)
   e. Tree-nesting raptors (Breeding Season January 15 to July 15)
   f. Golden eagle (Breeding Season January 1 to July 31)
   g. Light-footed clapper rail (Breeding Season February 15 to September 30)

Analysis

Special-status species are those species that have been given special recognition by federal, state, or local conservation agencies and organizations due to limited, declining, or threatened population sizes. Candidate species are eligible for listing as federal or state threatened or endangered species. Surveys for special-status flora and fauna were completed at the project site between 2022 and 2025.

Project Effects Relevant to Guideline A

No federally or state-listed endangered or threatened species have been detected on-site or have high potential to occur on-site.

The western spadefoot (*Spea hammondii*), classified as a County of San Diego Group 2 species and a federally proposed species for listing as threatened, is identified as present as documented in historical records within the project site according to USGS data. According to USGS occurrence data and communications with USFWS, the project may affect potentially suitable breeding and upland habitats for this species. The loss of western spadefoot (federally proposed threatened [FPT], County Group 2, and state SSC) due to construction-related activities would constitute a **potentially significant impact** (**Impact BI-W-1**). The loss of suitable western spadefoot toad habitat could adversely affect the long-term viability of the local population and would constitute a **potentially significant impact** (**Impact BI-W-5**).

No state-listed endangered or threatened species have been detected on-site, nor is there a high potential for their occurrence. Portions of the project site may have potential habitat to support the state candidate for listing, the Crotch's bumble bee (*Bombus crotchii*) and the project falls within the mapped Crotch's bumble bee range. Following a desktop habitat assessment, qualified SWCA biologists conducted field habitat

suitability verification surveys during late April. Surveys were conducted on April 28 and 29, 2025. The biologists compared on-the-ground habitat conditions with the results of the desktop habitat assessment by visiting a subset of likely nesting and foraging habitat. The focused verification surveys occurred during the spring blooming period on approximately 25% of the suitable habitat identified through the desktop habitat assessment. Loss of Crotch's bumble bee due to construction-related activities would be **potentially significant** (**Impact BI-B-1**). Loss of suitable Crotch's bumble bee habitat would affect the local long-term survival of this species and would be a **potentially significant impact** (**Impact BI-W-5**).

Project Effects Relevant to Guideline B

County List A Species

Short-term direct impacts to County List A plant species would primarily result from construction activities (e.g., clearing, trampling, and grading outside the limits of work) without avoidance and mitigation measures. These impacts would be **potentially significant** (**Impact BI-SP-1**).

Three County List A species would have long-term direct impacts from the proposed project: Jacumba milkvetch, long-spined spineflower, and Tecate tarplant. Approximately 149 (Phase I) and 1,052 (Phase II) Jacumba milkvetch individuals of the 1,351 observed within the survey area would be directly impacted by the project. Approximately 50 (Phase II) long-spined spineflower individuals of the 595 observed within the survey area would be directly impacted by the project. Approximately 328 (Phase II) Tecate tarplant individuals of the 1,171 observed within the survey area would be directly impacted by the project. These impacts would be **potentially significant** (**Impact BI-SP-2**).

County List B Species

Short-term direct impacts to County List B plant species would primarily result from construction activities (e.g., clearing, trampling, and grading outside the limits of work) without avoidance and mitigation measures. These impacts would be **potentially significant** (**Impact BI-SP-1**).

Two County List B species would have long-term direct impacts from the proposed project: sticky geraea and desert beauty. Approximately 336 (Phase I) and 1,046 (Phase II) of the 2,536 sticky geraea individuals observed within the survey area would be directly impacted by the project. Approximately 769 (Phase I) and 74 (Phase II) of the 2,105 desert beauty individuals observed within the survey area would be directly impacted by the project. These impacts would be **potentially significant** (**Impact BI-SP-2**).

County Group 1 or SSC Species

Loss of special-status wildlife species (County Group 1 or state SSC animals), including individual reptiles and small mammals, from construction-related activities would be **potentially significant** (**Impact BI-W-1**).

Eight County Group 1 and/or SSC animal species were detected within the survey area: Cooper's hawk, sharp-shinned hawk, Bell's sage sparrow, turkey vulture, Southern California legless lizard, coast horned lizard, San Diego black-tailed jackrabbit, and San Diego desert woodrat. An additional 16 County Group 1 and/or SSC animal species have high potential to occur on-site: southern California rufous-crowned sparrow, golden eagle, long-eared owl, red-shouldered hawk, northern harrier, white-tailed kite, prairie falcon, loggerhead shrike, Lewis' woodpecker, California glossy snake, red-diamond rattlesnake, pallid bat, Dulzura pocket mouse, northwestern San Diego pocket mouse and, pallid San Diego pocket mouse, greater western mastiff bat, and southern grasshopper mouse. Protocol QCB surveys conducted in 2022 and 2024 determined QCB to be absent on the site.

If any active nests or the young of nesting special-status bird species (County Group 1 or SSC) are directly impacted through project construction, these impacts would be considered **potentially significant**, based on the MBTA (**Impact BI-W-2**). Loss of suitable nesting/foraging habitat would be a **potentially significant impact** (**Impact BI-W-3**).

Project Effects Relevant to Guideline C

County List C and D Species

There will be no direct impacts to County List C species resulting from implementation of this project. Two County List D species would have long-term direct impacts resulting from the project: Colorado Desert larkspur and pride-of-California. Approximately 186 (Phase I) of the 301 Colorado desert larkspur individuals, and 1 (Phase I) and 14 (Phase II) of the 31 pride-of-California individuals observed within the survey area would be directly impacted by the project. These impacts would be **potentially significant** (**Impact BI-SP-3**).

Payson's jewel flower and low bush monkeyflower occur within the survey area but would not be directly impacted by the project. These proposed impacts to County List D species would not be significant because all species are CRPR 4.3, indicating that these plants are of limited distribution or infrequent throughout California and their vulnerability or susceptibility to threat is low. Project impacts would not substantially affect the long-term survival of these species, and impacts would be **less than significant**.

County Group 2 Species

Direct loss of other County Group 2 species individuals that are not SSC would be less than significant because these species have a relatively widespread regional distribution, and the project would not impact their local long-term survival. These species occur in a variety of habitats at various elevations and topographies that are available throughout the region. However, if active nests or young of nesting County Group 2 bird species are directly impacted, these impacts would be **potentially significant** based on the MBTA (**Impact BI-W-4**).

Six County Group 2 species were detected within the survey area: western spadefoot, California horned lark, western bluebird, mule deer, and mountain lion. An additional eight County Group 2 species have high potential to occur on-site: mountain quail, rosy boa, San Diego ringneck snake, ringtail, western red bat, small-footed myotis, long-eared myotis, and monarch butterfly. Eleven additional Group 2 species were analyzed above because they are SSC animals: Southern California legless lizard, California glossy snake, red-diamond rattlesnake, coast horned lizard, pallid bat, Dulzura pocket mouse, northwestern San Diego pocket mouse, pallid San Diego pocket mouse, greater western mastiff bat, San Diego black-tailed jackrabbit, and San Diego desert woodrat. Impacts related to the loss of suitable habitat would affect the local long-term survival of County Group 2 species and would be a **potentially significant** (**Impact BI-W-5**).

Project Effects Relevant to Guideline D

The project would not impact arroyo toad (*Anaxyrus californicus*) aestivation, foraging, or breeding habitat because the project site is approximately 15 miles southeast of the nearest documented arroyo toad occurrence (CDFW 2024a) and suitable habitat does not occur on-site. No arroyo toads have been detected in the project site. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline E

Golden eagles have high potential to occur on-site but were not observed during surveys. The project would not impact golden eagle habitat as no active nests or territories are known to occur within 4,000 feet of the project site. A USGS mapping effort for golden eagles has identified a telemetry-tracked individual utilizing portions of Empire Ranch near the U.S.-Mexico border, further indicating the species' likelihood of high potential to occur within the broader project site. The nearest documented CNDDB occurrence is approximately 8 miles east of the project site. Long-term direct impacts to 4.7 acres of marginally suitable nesting habitat and 591.9 acres of suitable foraging habitat would be **potentially significant** (**Impact BI-W-6**).

Project Effects Relevant to Guideline F

Foraging habitat for raptors is present throughout the project site. The entirety of the 588-acre project site (124.91 acres in Phase I and 438.68 acres in Phase II) would be impacted—greater than 5% of on-site raptor foraging habitat. Therefore, this impact would be **potentially significant** (**Impact BI-W-5**).

Project Effects Relevant to Guideline G

The project site is greater than 500 acres and supports multiple wildlife species, meeting the definition of a core wildlife area. As such, the project would impact the viability of a core wildlife area. Therefore, this impact would be **potentially significant** (**Impact BI-W-6**).

Project Effects Relevant to Guideline H

Short-term indirect impacts to special-status plant species include generation of fugitive dust, altered hydrology, and introduction of chemical pollutants. These impacts would be **potentially significant** (**Impact BI-SP-3**). Potential long-term indirect impacts include generation of fugitive dust, habitat fragmentation, introduction of chemical pollutants, increased or introduction of nonnative invasive species, increased human access/activity, and alteration of the natural fire regime. These impacts would be **potentially significant** (**Impact BI-SP-4**).

Short-term indirect impacts to special-status animal species include generation of fugitive dust, noise, chemical pollutants, increased human access/activity, and introduction of nonnative species. These impacts would be **potentially significant** (**Impact BI-W-7**).

Long-term indirect impacts to special-status animal species include generation of fugitive dust, introduction of nonnative invasive species, habitat fragmentation, increased human access/activity, noise, altered hydrology, and altered fire regime. These long-term indirect impacts to special-status wildlife species would be **potentially significant** (**Impact BI-W-8**).

Project Effects Relevant to Guideline I

The nearest documented burrowing owl (*Athene cunicularia*) occurrence is approximately 7 miles east of the project site, last documented in 2010, with the next nearest occurrences approximately 36 miles west of the project site in Otay Mesa and northeast near Anza Borrego Desert State Park (CDFW 2024a). This species has not been observed on or adjacent to the project site and does not have high potential to occur on-site, thus the project is unlikely to impact occupied burrowing owl habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline J

The project does not support suitable coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*) habitat on-site and is approximately 40 miles east of the nearest known occurrence (CDFW 2022a); thus, the project would not impact occupied or formerly occupied coastal cactus wren habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline K

The nearest documented Hermes copper (*Lycaena hermes*) occurrence is approximately 24 miles northwest of the project (CDFW 2024a) and the project does not contain spiny redberry (*Rhamnus crocea*), the larval hostplant of Hermes copper, rendering the project unsuitable for this species. Thus, there would be no impact to occupied Hermes copper habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline L

The two utility poles associated with the gen-tie alignment would provide perches from which birds could forage, which may increase the risk of fatality from collisions and electrocutions. The project will incorporate Avian Power Line Interaction Committee (APLIC) standards (APLIC 2006) to reduce the potential for impacts to avian species (**PDF-BI-1**).

Coastal cactus wren, coastal California gnatcatcher (*Polioptila californica californica*), least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), golden eagle, and light-footed clapper rail (*Rallus longirostris levipes*) are not expected to nest on-site due to lack of suitable habitat; therefore, there would be no impacts to the nesting success of those species as a result of the proposed project. No ground-nesting raptors (e.g., northern harrier) are expected to nest on-site. Therefore, no impacts to the nesting success of those species as a result of the project are anticipated. However, the project could potentially affect the nesting success of tree-nesting raptors on-site via habitat removal and noise impacts. Therefore, this impact would be **potentially significant** (**Impact BI-W-2**).

2.2.3.3 Riparian Habitat or Sensitive Natural Community

Guidelines for the Determination of Significance

For the purpose of this EIR, the County's *Guidelines for Determining Significance, Report Format and Content Requirements – Biological Resources* (County of San Diego 2010a) was used to establish significance thresholds. As stated in the County guidelines, a significant impact would result if:

- The project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- The following information should be evaluated to provide evidence to support a determination of impact significance.
    A. Project-related grading, clearing, construction or other activities would temporarily or permanently remove sensitive native or naturalized habitat (as listed in Table 5 [County of San Diego 2010b], excluding those without a mitigation ratio) on or off the project site. This Guideline would not apply to small remnant pockets of habitat that have a demonstrated limited biological value. No de minimus standard is specified under which an impact would not be significant, however; minor impacts to native or naturalized habitat that is providing essentially no biological habitat or wildlife value can be evaluated on a case-by-case basis to determine whether the projected impact may be less than significant.

For example, an impact to native or naturalized upland habitat under 0.1 acre in an existing urban setting may be considered less than significant (depending on a number of factors). An evaluation of this type should consider factors including, but not limited to, type of habitat, relative presence of habitat type in project vicinity, its condition and size, presence or potential for sensitive species, relative connectivity with other native habitat, wildlife species and activity in project vicinity, and current degree of urbanization and edge effects in project vicinity, etc. Just because a particular habitat area is isolated, for example, does not necessarily mean that impacts to the area would not be significant (e.g. vernal pools). An area that is disturbed or partially developed may provide a habitat "island" that would serve as a functional refuge area "stepping stone" or "archipelago" for migratory species.

B. Any of the following will occur to or within jurisdictional wetlands and/or riparian habitats as defined by U.S. Army Corps of Engineers (ACOE), California Department of Fish and Game (CDFG) and the County of San Diego: removal of vegetation; grading; obstruction or diversion of water flow; adverse change in velocity, siltation, volume of flow, or runoff rate; placement of fill; placement of structures; construction of a road crossing; placement of culverts or other underground piping; any disturbance of the substratum; and/or any activity that may cause an adverse change in native species composition, diversity and abundance.

C. The project would draw down the groundwater table to the detriment of groundwater-dependent habitat, typically a drop of 3 feet or more from historical low groundwater levels.

D. The project would cause indirect impacts, particularly at the edge of proposed development adjacent to proposed or existing open space or other natural habitat areas, to levels that would likely harm sensitive habitats over the long term. The following issues should be addressed in determining the significance of indirect impacts: increasing human access; increasing predation or competition from domestic animals, pests or exotic species; altering natural drainage; and increasing noise and/or nighttime lighting to a level above ambient that has been shown by the best available science to adversely affect the functioning of sensitive habitats.

E. The project does not include a wetland buffer adequate to protect the functions and values of existing wetlands. If the project is subject to the Resource Protection Ordinance, buffers of a minimum of 50 feet and a maximum of 200 feet to protect wetlands are required based on the best available science available to the County at the time of adoption of the ordinance. The following examples provide guidance on determining appropriate buffer widths.

   – A 50-foot wetland buffer would be appropriate for lower quality RPO wetlands where the wetland has been assessed to have low physical and chemical functions, vegetation is not dominated by hydrophytes, soils are not highly erosive and slopes do not exceed 25%.
   – A wetland buffer of 50-100 feet is appropriate for moderate to high quality RPO wetlands which support a predominance of hydrophytic vegetation or wetlands within steep slope areas (greater than 25%) with highly erosive soils. Within the 50-100-foot range, wider buffers are appropriate where wetlands connect upstream and downstream, where the wetlands serve as a local wildlife corridor, or where the adjacent land use(s) would result in substantial edge effects that could not be mitigated.
   – Wetland buffers of 100-200 feet are appropriate for RPO wetlands within regional wildlife corridors or wetlands that support significant populations of wetland-

associated sensitive species or where stream meander, erosion, or other physical factors indicate a wider buffer is necessary to preserve wildlife habitat.

– Buffering of greater than 200 feet may be necessary when an RPO wetland is within a regional corridor or supports significant populations of wetland associated sensitive species and lies adjacent to land use(s) which could result in a high degree of edge effects within the buffer. Although the RPO stipulates a maximum of 200 feet for RPO wetland buffers, actions may be subject to other laws and regulations (such as the Endangered Species Act) that require greater wetland buffer widths.

Analysis

Project Effects Relevant to Guideline A

Short-term direct impacts to special-status upland vegetation communities would primarily result from construction activities. Clearing, trampling, or grading of special-status vegetation communities beyond the limits of work could occur without implementation of avoidance and mitigation measures. These impacts would be **potentially significant** (**Impact BI-V-1**).

Long-term direct impacts to special-status upland vegetation communities would occur as a result of project implementation (Table 2.2-3). Impacts to all habitats, except for those to disturbed, bare ground, and developed land within the project site, would be **potentially significant** (**Impact BI-V-2**).

Table 2.2-3. Habitat/Vegetation Communities and Impacts

Habitat / Vegetation Community	Existing (acres)	Impacts (acres)	Off-Site Impacts (acres)	Impact Neutral (acres)	Total Impacts (acres)
Phase I					
Granitic Northern Mixed Chaparral (37131)	99.58	92.54	0	7.04	92.54
Redshank Chaparral (37300)	24.53	24.53	0	0	24.53
Granitic Chamise Chaparral (37210)	3.03	3.03	0	0	3.03
Montane Buckwheat Scrub (37K00)	1.97	1.97	0	0	1.97
Field/Pasture (18310)	0	0	0	0	0
Big Sagebrush Scrub (35210)	0	0	0	0	0
Disturbed (11300)	0	0	0	0	0
Bare Ground	2.56	2.52	0	0.04	2.52
Urban/ Developed (12000)	0	0	0	0	0
Open Coast Live Oak Woodland (71161)	0.32	0.32	0	0	0.32
Non-native Grassland (42200)	0	0	0	0	0
Tamarisk Scrub (63810)	0	0	0	0	0
Freshwater Seep (45400)	0	0	0	0	0
Southern Riparian Scrub (63300)	0	0	0	0	0
Freshwater (64140)	0	0	0	0	0
Coast Live Oak Woodland (71160)	0	0	0	0	0
Alkali Marsh (52300)	0	0	0	0	0
Oak Root Zone*	0.91	0.91	0	0	0.94

Habitat / Vegetation Community	Existing (acres)	Impacts (acres)	Off-Site Impacts (acres)	Impact Neutral (acres)	Total Impacts (acres)
Total	**131.99**	**124.91**	**0**	**7.08**	**124.91**
Phase II					
Granitic Northern Mixed Chaparral (37131)	136.91	126.33	0	49.68	126.33
Redshank Chaparral (37300)	121.67	119.35	0	2.71	119.35
Granitic Chamise Chaparral (37210)	62.04	61.56	0	7.41	61.56
Montane Buckwheat Scrub (37K00)	52.92	51.14	0	0.07	51.14
Field/Pasture (18310)	28.10	27.98	0	0	27.98
Big Sagebrush Scrub (35210)	15.38	15.38	0	0	15.38
Disturbed (11300)	10.01	10.01	0	0	10.01
Bare Ground	22.17	21.53	0	0.47	21.53
Urban/ Developed (12000)	0.03	0	0	0	0
Open Coast Live Oak Woodland (71161)	4.32	4.31	0	0	4.31
Non-Native Grassland (42200)	2.49	1.05	0	0	1.05
Tamarisk Scrub (63810)	0	0	0	0	0
Freshwater Seep (45400)	0.04	0.04	0	0	0.04
Southern Riparian Scrub (63300)	0	0	0	0	0
Freshwater (64140)	0	0	0	0	0
Coast Live Oak Woodland (71160)	0	0	0	0	0
Alkali Marsh (52300)	0	0	0	0.0	0
Oak Root Zone*	12.47	12.47	0	0	12.47
Total	**456.08**	**438.68**	**0**	**60.34**	**438.68**

*This is an overlay to the vegetation community layer and is not counted toward the total acreage of on-site habitats; it is only used in determining required mitigation.

Project Effects Relevant to Guideline B

Total impacts of a temporary nature and potential permanent impacts to aquatic resources may result in a cumulative total of 0.81 acre (16,320 linear feet) to Water Board non-wetland WOS, 0.01 acre (25 linear feet) to Water Board WWOS, and 2.35 acres (16,505 linear feet) to CDFW Jurisdictional Resources (Figures A8a–A8p; Table 3 in Appendix I in the Biological Resources Report). An approved jurisdictional determination (AJD) of no jurisdiction could result in zero impacts to USACE-regulated resources, and it is anticipated that an AJD would result in a no WOTUS determination. Table 2.2-4 summarizes aquatic resources and project impacts.

Table 2.2-4. Summary of Aquatic Resources and Project Impacts

Aquatic Resource	Survey Area (Acres)	Survey Area (Linear Feet)	Temporary Impacts (Acres)	Temporary Impacts (Linear Feet)	Permanent Impacts (Acres)	Permanent Impacts (Linear Feet)	Cumulative Temporary and Permanent Impacts (Acres)	Cumulative Temporary and Permanent Impacts (Linear Feet)
Water Board WOS	1.40	27,342	0.64	12,507	0.17	3,813	0.81	16,320
Water Board WWOS	0.26	124	0	0	0.01	25	0.01	25
WWOUS	0	0	0	0	0	0	0	0
WOTUS	0	0	0	0	0	0	0	0
CDFW Jurisdictional Resources	3.74	27,709	1.75	12,540	0.60	3,965	2.35	16,505

Short-term direct impacts to jurisdictional resources may include brushing and grubbing associated with construction preparation and establishment of fuel modification zones. Temporary impacts to aquatic resources may include 0.64 acre (12,507 linear feet) to WOS and 1.75 acres (12,540 linear feet) to CDFW jurisdictional resources. No temporary impacts to WWOS are anticipated to result from project-related activities. These impacts would be **potentially significant** (**Impact BI-JR-1**).

Permanent impacts are anticipated to result in approximately 0.17 acre (3,813 linear feet) to WOS, 0.01 acre (25 linear feet) to WWOS, and 0.6 acre (3,965 linear feet) to CDFW jurisdictional resources. While certain project components such as the battery energy storage system (BESS), inverter pads and the substation do not impact aquatic resources, permanent impacts are anticipated to result from grading and the installation of service roads. These long-term direct impacts would be **potentially significant** (**Impact BI-JR-2**).

Short-term indirect impacts to these resources would result from construction activities and could include generation of fugitive dust, changes in hydrology, and the introduction of chemical pollutants. These impacts would be **potentially significant** (**Impact BI-JR-3**).

Long-term indirect impacts to these resources would result from impacts related to operation and maintenance activities, including chemical pollutants, altered hydrology, introduction of nonnative species, increased human activity, and alteration of the natural fire regime. These impacts would be **potentially significant** (**Impact BI-JR-4**).

Project Effects Relevant to Guideline C

Water used during project construction and operation would be supplied by the Jacumba Community Services District (JCSD), located in Jacumba Hot Springs, California. Water would be trucked to the project site from two JCSD wells: the Highland Center Well and the Park Well. The groundwater resources investigation report for the project prepared an updated estimate of groundwater in storage, including methodology, calculations, and results (see Appendix G.5).

During construction activities, the project would primarily use water for dust control during earthwork and grading. Project operation would require water for nonpotable use, dust control, panel washing, and fire protection. No landscaping irrigation is proposed for the operation and maintenance (O&M) of the proposed project. During operation, the project would require water for panel washing up to one time per year.

Activities associated with decommissioning would not include substantial earthmoving. It is estimated that the amount of water necessary to dismantle the solar facility would be less than that required for construction because there would be no need to use water to hydrate and compact on-site fills. The activities associated with decommissioning would not include grading. Refer to Sections 2.4 Hydrology and Water Quality and 3.1.10 Utilities and Service System for additional information regarding the project's water demand.

As discussed in the groundwater resource investigation report, the project's water demand is not anticipated to adversely impact nearby groundwater-dependent vegetation or cause well interference (see Appendix G.5). The analysis assumed no rainfall recharge to occur over the time periods tested. As such, the analysis followed a conservative approach, since it likely overestimated predicted drawdown. Recharge would offset groundwater-level decline related to groundwater extraction during periods of above-average annual rainfall (non-drought conditions).

Additionally, since actual conditions during groundwater extraction may vary from theoretical analysis, a groundwater monitoring and mitigation plan (GMMP) is a typical condition of approval for by the County for utility-scale renewable projects that are groundwater-dependent and ensures that pumping does not significantly impact existing well users or groundwater-dependent vegetation. Thus, a GMMP has been prepared for the proposed project (see Appendix G.2). Incorporation of **PDF-HY-2** would ensure that the project would implement the GMMP (see Section 2.4, Hydrology and Water Quality). With the implementation of **PDF-HY-2**, the total volume and rate of groundwater extracted from Highland Center Well and Park Wells would be monitored and documented throughout the duration of the project pumping. The implementation of **PDF-HY-2** would also provide for monitoring of the overall groundwater level in the project site. Therefore, impacts related to drawdown detrimental to groundwater-dependent habitat would be **less than significant.**

Project Effects Relevant to Guideline D

Short-term indirect impacts to special-status upland vegetation communities as a result of project implementation include generation of fugitive dust, changes in hydrology, and the introduction of chemical pollutants. These impacts would be **potentially significant** (**Impact BI-V-3**).

Long-term indirect impacts to special-status upland vegetation communities include habitat fragmentation, altered hydrology, generation of fugitive dust, introduction of chemical pollutants, introduction of nonnative species, altered fire regime, and increased human activity. These impacts would be **potentially significant** (**Impact BI-V-4**).

Project Effects Relevant to Guideline E

The RPO wetland identified within the survey area but outside of the project site is isolated and does not provide connectivity with other wetland resources. The soils where the RPO wetland occurs are not highly erosive and the slopes do not exceed 25%. However, the hillside seep does support a predominance of hydrophytic vegetation. A 50-foot wetland buffer would be adequate to protect the functions and values of this wetland. No direct impacts to RPO wetlands or their wetland protection buffers will occur. One RPO wetland buffer, a 50-foot protection buffer around an observed RPO wetland located outside of the project footprint but within the survey area buffer, was observed within the survey area but would be flagged for avoidance. Impacts to aquatic resources, including WOS and WWOS but excluding RPO wetlands and wetland buffers may result from grading, excavation, and other ground-disturbing activities necessary to facilitate the installation of solar arrays as well as their supporting infrastructure, but this is considered Impact Neutral. There are no proposed impacts to this wetland or the wetland buffer; therefore, the project adheres to this guideline and **no impacts** are anticipated.

2.2.3.4 Jurisdictional Wetlands and Waterways

Guidelines for the Determination of Significance

For the purpose of this EIR, the County's *Guidelines for Determining Significance, Report Format and Content Requirements – Biological Resources* (County of San Diego 2010a) was used to establish significance thresholds. As stated in the County guidelines, a significant impact would result if:

- The project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means.
- This Guideline refers only to federally protected wetlands. The significance of impacts shall be determined under B, C, and E in Section 2.2.3.1 (Candidate, Sensitive, or Special-status Species).

Additionally, the following guiding question from Appendix G of the State CEQA Guidelines (14 CCR 15000 et seq.) applies to both the direct impact analysis and the cumulative impact analysis. A significant impact would result if the effects exceed the significance criteria described below:

- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means

As such, both state and federally protected wetlands are addressed in this section.

Analysis

No federal wetlands were identified in the survey area. Subject to USACE concurrence, the project will not result in impacts to federal wetlands. Three state wetlands were identified within the survey area. One of these wetlands was observed within the project site while the other two occur within the survey area and beyond but are outside of the project site.

No temporary impacts to WWOS are anticipated to result from project-related activities. The project would permanently impact 0.01 acre (25 linear feet) of WWOS as a result of project implementation. While certain project components such as the BESS, inverter pads and the substation do not impact aquatic resources, permanent impacts are anticipated to result from grading and the installation of service roads. These long-term direct impacts would be **potentially significant** (**Impact BI-JR-2**).

Long-term indirect impacts to these resources would result from impacts related to O&M activities, including chemical pollutants, altered hydrology, introduction of nonnative species, increased human activity, and alteration of the natural fire regime. These impacts would be **potentially significant** (**Impact BI-JR-4**).

2.2.3.5 Wildlife Movement and Nursery Sites

Guidelines for the Determination of Significance

For the purpose of this EIR, the County's *Guidelines for Determining Significance, Report Format and Content Requirements – Biological Resources* (County of San Diego 2010a) was used to establish significance thresholds. As stated in the County guidelines, a significant impact would result if:

- The project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- The following information should be evaluated to provide evidence to support a determination of impact significance.

    A. The project would impede wildlife access to foraging habitat, breeding habitat, water sources, or other areas necessary for their reproduction.

    B. The project would substantially interfere with connectivity between blocks of habitat, or would potentially block or substantially interfere with a local or regional wildlife corridor or linkage. For example, if the project proposes roads that cross corridors, fencing that channels wildlife to underpasses located away from interchanges will be required to provide connectivity. Wildlife underpasses shall have dimensions (length, width, height) suitable for passage by the affected species based on a site-specific analysis of wildlife movement. Another example is increased traffic on an existing road that would result in significant road-kill or interference with an existing wildlife corridor/linkage.

    C. The project would create artificial wildlife corridors that do not follow natural movement patterns. For example, constraining a corridor for mule deer or mountain lion to an area that is not well-vegetated or that runs along the face of a steep slope instead of through the valley or along the ridgeline.

    D. The project would increase noise and/or nighttime lighting in a wildlife corridor or linkage to levels likely to affect the behavior of the animals identified in a site-specific analysis of wildlife movement.

    E. The project does not maintain an adequate width for an existing wildlife corridor or linkage and/or would further constrain an already narrow corridor through activities such as (but not limited to) reduction of corridor width, removal of available vegetative cover, placement of incompatible uses adjacent to it, and placement of barriers in the movement path. The adequacy of the width shall be based on the biological information for the target species, the quality of the habitat within and adjacent to the corridor, topography and adjacent land uses. Where there is limited topographic relief, the corridor should be well-vegetated and adequately buffered from adjacent development. Corridors for bobcats, deer and other large animals should reach rim-to-rim along drainages.

    F. The project does not maintain adequate visual continuity (i.e., long lines-of-site) within wildlife corridors or linkage. For example, development (such as homes or structures) sited along the rim of a corridor could present a visual barrier to wildlife movement. For stepping-stone/archipelago corridors, a project does not maintain visual continuity between habitat patches.

Analysis

Project Effects Relevant to Guideline A

Short-term direct impacts to suitable foraging and breeding habitat for species that use the project site would result from construction activities such as clearing, trampling, or grading outside designated limits of work in the absence of avoidance and mitigation measures. These impacts would be **potentially significant** (**Impact BI-WM-1**). Long-term direct impacts to suitable foraging and breeding habitat would occur as a result of project implementation. These impacts would be **potentially significant** (**Impact BI-WM-2**).

Short-term and long-term indirect impacts to wildlife access to foraging and breeding habitat would be **potentially significant** (**Impact BI-WM-3**).

The project site currently allows for unrestricted wildlife movement and does not qualify as a corridor but is broadly modeled as occurring within an "Essential Connectivity Area," of which the project would occupy approximately 2% (Appendix D; Sections 1.4.8 and 2.6). Existing dirt roads on and adjacent to the project site already divide the habitat into smaller blocks and serve as part of a network of wildlife movement paths. The proposed project would be located in discontinuous areas with relatively undisturbed habitat that would allow for wildlife passage between the developed areas given the lack of fencing along the access roads. Figure 2.2-5 illustrates potential wildlife movement on the project site. The wall along the U.S.–Mexico border also prevents the passage of most terrestrial wildlife. Additionally, finer-scale habitat movement modeling suggests wildlife movement is not expected where development is proposed. The project's northern portion would result in fragmentation within the focused conservation area (FCA), potentially minimizing connectivity across the east-west section of the ECMSCP FCA parcels north of Tule Jim Road (as illustrated in Figure 2.2-1), resulting in **potentially significant impacts** to wildlife connectivity (**Impact BI-WM-4**).

Project Effects Relevant to Guideline B

As discussed above, the project site currently allows for unrestricted wildlife movement and does not qualify as a corridor. Existing dirt roads on and adjacent to the project site already divide the habitat into smaller blocks. The proposed project would be located in discontinuous areas with relatively undisturbed habitat that would allow for wildlife passage between the developed areas. The wall along the U.S. –Mexico border also prevents the passage of most terrestrial wildlife. Therefore, the project would not substantially interfere with a local regional wildlife corridor or linkage, and impacts would be **less than significant.**

Project Effects Relevant to Guideline C

As described above, the project site is not considered to be a significant local or regional wildlife corridor or linkage. Therefore, the project would not create any artificial wildlife corridors and would have a **less-than-significant impact**.

Project Effects Relevant to Guideline D

As described above, the project site is not considered to be a significant local or regional wildlife corridor or linkage. Therefore, the project would have a **less-than-significant impact** on a wildlife corridor or linkage to levels likely to affect the behavior of wildlife.

Project Effects Relevant to Guideline E

As described above, the project site is not considered to be a significant local or regional wildlife corridor or linkage. Therefore, the project would have a **less-than-significant impact** on the width of an existing wildlife corridor or linkage.

Project Effects Relevant to Guideline F

As described above, the project site is not considered to be a significant local or regional wildlife corridor or linkage. Therefore, the project would have a **less-than-significant impac**t on the visual continuity of an existing wildlife corridor or linkage.

2.2.3.6 Local Policies, Ordinances, and Adopted Plans

Guidelines for the Determination of Significance

For the purpose of this EIR, the County's *Guidelines for Determining Significance, Report Format and Content Requirements – Biological Resources* (County of San Diego 2010a) was used to establish significance thresholds. As stated in the County guidelines, a significant impact would result if:

- The project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and/or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.
- The following information should be evaluated to provide evidence to support a determination of impact significance.
    A. For lands outside of the MSCP, the project would impact coastal sage scrub (CSS) vegetation in excess of the County's 5% habitat loss threshold as defined by the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines.
    B. The project would preclude or prevent the preparation of the subregional Natural Communities Conservation Planning Process (NCCP). For example, the project proposes development within areas that have been identified by the County or resource agencies as critical to future habitat preserves.
    C. The project will impact any amount of wetlands or sensitive habitat lands as outlined in the Resource Protection Ordinance (RPO).
    D. The project would not minimize and/or mitigate coastal sage scrub habitat loss in accordance with Section 4.3 of the Natural Communities Conservation Planning Process (NCCP) Guidelines.
    E. The project does not conform to the goals and requirements as outlined in any applicable Habitat Conservation Plan (HCP), Habitat Management Plan (HMP), Special Area Management Plan (SAMP), Watershed Plan, or similar regional planning effort.
    F. For lands within the Multiple Species Conservation Program (MSCP), the project would not minimize impacts to Biological Resource Core Areas (BRCAs), as defined in the Biological Mitigation Ordinance (BMO).
    G. The project would preclude connectivity between areas of high habitat values, as defined by the Southern California Coastal Sage Scrub Natural Communities Conservation Planning Process (NCCP) Guidelines.
    H. The project does not maintain existing movement corridors and/or habitat linkages as defined by the Biological Mitigation Ordinance (BMO).
    I. The project does not avoid impacts to MSCP narrow endemic species and would impact core populations of narrow endemics.
    J. The project would reduce the likelihood of survival and recovery of listed species in the wild.
    K. The project would result in the killing of migratory birds or destruction of active migratory bird nests and/or eggs (Migratory Bird Treaty Act).

L. The project would result in the take of eagles, eagle eggs or any part of an eagle (Bald and Golden Eagle Protection Act).

Analysis

Project Effects Relevant to Guideline A

The project site does not support CSS habitat and would not impact CSS habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline B

The project would not preclude or prevent the preparation of the subregional NCCP, because the project has been planned in accordance with the MSCP and in-process ECMSCP subarea plan. The project design has been evaluated according to the Preliminary Conservation Objectives provided in the Planning Agreement for the ECMSCP (County of San Diego 2021) as shown in Table 2.2-5. Impacts would be **less than significant**.

Table 2.2-5. ECMSCP Planning Agreement Conservation Objectives

Conservation Objective	Applicability/Compliance
Provide for the protection of species, natural communities, and ecosystems on a landscape level.	The project, with mitigation, will provide for protection and conservation of special-status species and natural communities.
Preserve the diversity of plant and animal communities throughout the Planning Area.	The project, with mitigation, will provide for protection and conservation of plant and animal communities in the project site, thereby contributing to the preservation of habitat diversity within the Planning Area.
Protect threatened, endangered, or other special-status plant and animal species, and minimize and mitigate the take or loss of proposed Covered Species.	The project, with mitigation, will provide for protection and conservation of special-status species and natural communities.
Identify and designate biologically sensitive habitat areas.	Biological studies have been conducted for the site to determine sensitive habitat areas.
Preserve habitat and contribute to the recovery of Covered Species.	The project, with mitigation, will provide for protection and conservation of special-status species and natural communities.
Reduce the need to list additional species.	Not applicable. Further listing of species occurs through regulatory processes governed by the relevant natural resources agencies.
Set forth species-specific goals and objectives.	Not applicable. The County and relevant agencies are responsible for defining ECMSCP species-specific goals and objectives.
Set forth specific habitat-based goals and objectives expressed in terms of amount, quality, and connectivity of habitat.	Not applicable. The County and relevant agencies are responsible for defining habitat-based goals and objectives in the ECMSCP.
Provide an effective adaptive management and monitoring strategy for Covered Species and natural communities.	The project, with mitigation, will provide effective adaptive management and monitoring strategies for impacted Covered Species and natural communities in the project site.
Provide a secured funding source to implement the Plans.	Not applicable. The County and relevant agencies are responsible for providing secured funding to implement the ECMSCP.

Project Effects Relevant to Guideline C

The project would not impact any RPO wetlands, as the only RPO wetland within the survey area is a hillside seep outside of the project site that will have a 50-foot wetland buffer. However, the project would impact sensitive habitat lands as defined by the RPO because the project site supports populations of County List A species: Jacumba milkvetch, Tecate tarplant and long-spined spineflower. Impacts to sensitive habitat lands would be **potentially significant** (**Impacts BI-P-1, BI-P-2, BI-P-3, and BI-P-4**).

Project Effects Relevant to Guideline D

The project site does not support CSS habitat and would not impact CSS habitat. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline E

The project conforms to the goals and requirements as outlined in all applicable regional planning efforts. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline F

The project is not within the approved South County MSCP; rather, it is within the in-process ECMSCP, and the BMO is also not applicable. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline G

CDFW (formerly CDFG) and the California Resources Agency provide a flowchart that identifies whether CSS habitat should be designated as higher, intermediate, or lower potential value (CDFG and California Resources Agency 1993). Higher potential value coastal sage scrub must be large in size and the densest CSS in the subregion. The project does not support CSS, and thus the project could not preclude connectivity between areas of high habitat values as defined by the CSS NCCP guidelines. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline H

The project is not within the approved South County MSCP; rather, it is within the in-process ECMSCP, and the BMO is also not applicable. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline I

Narrow endemic species are evaluated under the County Guidelines for Determining Significance for Biological Resources. No narrow endemic species have been observed on-site or have high potential to occur on-site. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline J

No federally or state-listed plant or animal species have been observed on the project site. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline K

Long-term direct impacts to migratory birds and active migratory bird nests and/or eggs protected under the MBTA resulting from project construction would be **potentially significant** (**Impact BI-P-5**).

Project Effects Relevant to Guideline L

Impacts to 0.3 acre (Phase I) and 4.3 acre (Phase II) of marginally suitable golden eagle nesting habitat and 97.9 acres (Phase I) and 297.8 acres (Phase II) of foraging habitat would be **potentially significant** (**Impact BI-P-6**).

2.2.4 Cumulative Impact Analysis

Cumulative impacts for a project would be significant if the incremental effects of the individual project are considerable when combined with the effects of past projects, other current projects, and probable future projects. Table 1-4 in Chapter 1.0, Project Description, Location, and Environmental Setting, provides a list of cumulative projects. These projects include other solar projects, a wind project, and a public facilities improvement project. Some of these projects involve related improvements such as electrical substations and subsurface or overhead generation-tie lines. Several of those that have been analyzed under CEQA have the potential to impact biological resources. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period. The cumulative study boundary includes anticipated projects within 7.7 miles of the project site. The projects included in Table 1-4 total approximately 1,970 acres. These projects are likely to result in potential impacts to biological resources within a similar elevational range and vegetation community assemblage that provide habitat for in-kind candidate, sensitive, and special-status plants and wildlife.

2.2.4.1 Cumulative, Candidate, Sensitive, or Special-Status Species

For a significant cumulative impact to special-status plant or wildlife species to occur, the cumulative projects would need to result in the loss of the same special-status species and/or their habitat to such an extent that the species become more limited in their distribution, population size, or available suitable habitat within the cumulative analysis area.

Some of the special-status plant species observed on-site are limited in distribution and require specific habitat conditions. In the absence of the proposed mitigation, the project, combined with reasonably foreseeable cumulative projects, would have the potential to reduce the distribution and/or overall population size of one or more of these special-status plant species.

In general, the cumulative projects, in conjunction with the project, have the potential to result in significant cumulative impacts to candidate, sensitive, and special-status species. However, through implementation of the following mitigation measures (MMs), **the project would not contribute to cumulatively considerable impacts** related to Candidate, Sensitive, or Special-Status Species**:**

- **M-BI-1 Biological Monitoring**
- **M-BI-2 Temporary Construction Fencing**
- **M-BI-3 Habitat Preservation**
- **M-BI-4 Resource Management Plan (RMP)**
- **M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance**
- **M-BI-6 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP)**
- **M-BI-7 Prevention of Chemical Pollutants**
- **M-BI-8 Prevention of Invasive Plant Species**

- **M-BI-9 Operations and Maintenance Signage**
- **M-BI-10 Noise Reduction**
- **M-WF-1 Fire Protection Plan**

2.2.4.2 Cumulative, Riparian Habitat or Sensitive Natural Community

For cumulative effects to occur, cumulative projects would have to result in the loss of the same vegetation communities as the project to such an extent that the vegetation communities become limited in acreage or extent within the cumulative analysis area. A cumulative impact to native vegetation communities could occur if the cumulative projects use all available land for mitigation, resulting in any further impacts to special-status vegetation communities not being able to be adequately mitigated within the cumulative analysis study area.

In the absence of mitigation, the project, combined with the reasonably foreseeable cumulative projects in the biological cumulative analysis study area would contribute to adverse impacts on sensitive vegetation communities. In general, the cumulative projects, in conjunction with the project, have the potential to result in significant cumulative impacts to candidate, sensitive, and special-status species. However, through implementation of the following MMs, **the project would not contribute to cumulatively considerable impacts** related to Riparian Habitat or Sensitive Natural Communities**:**

- **M-BI-1 Biological Monitoring**
- **M-BI-2 Temporary Construction Fencing**
- **M-BI-3 Habitat Preservation**
- **M-BI-4 Resource Management Plan (RMP)**
- **M-BI-6 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP)**
- **M-BI-7 Prevention of Chemical Pollutants**
- **M-BI-8 Prevention of Invasive Plant Species**
- **M-BI-9 Operations and Maintenance Signage**
- **M-BI-11 Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways**
- **M-WF-1 Fire Protection Plan**

2.2.4.3 Cumulative, Jurisdictional Wetlands and Waterways

For cumulative effects to occur, cumulative projects would have to result in the loss of aquatic resources to such an extent that aquatic resources within the watershed become limited in acreage or extent within the cumulative analysis area. A cumulative impact to aquatic resources could occur if the cumulative projects developed impermeable surfaces, resulting in any further impacts to aquatic resource not being able to be adequately mitigated within the shared watershed.

In addition to the proposed project, ongoing and prospective projects within the cumulative study boundary are at various stages of development. Each of these projects increase the potential for temporary and permanent impacts to aquatic resources, due to staging within aquatic resources during construction, routine maintenance of structures within aquatic resources, grading, or development of impermeable surfaces.

Aquatic resources on-site are typical and consistent within the watershed. Aquatic resources on-site consist largely of first-order ephemeral streams and disturbed wetlands (constructed defunct freshwater pond). In the absence of mitigation, cumulative impacts could affect connectivity of aquatic resources within the watershed, negatively impact water quality through sedimentation or the introduction of chemical pollutants, and result in a loss of habitat or reduction in its quality for dependent species. in In the absence of mitigation, cumulative projects, in combination with the project, would have the potential to result in significant cumulative impacts to aquatic resources; however, mitigation measures are required by state regulations that would reduce potential impacts of the project and of the cumulative projects. . In general, the cumulative projects, in conjunction with the project, have the potential to result in significant cumulative impacts to candidate, sensitive, and special-status species. However, through implementation of the following MMs, **the project would not contribute to cumulatively considerable impacts** related to Jurisdictional Wetlands and Waterways**:**

- **M-BI-1 Biological Monitoring**
- **M-BI-2 Temporary Construction Fencing**
- **M-BI-3 Habitat Preservation**
- **M-BI-4 Resource Management Plan (RMP)**
- **M-BI-6 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP)**
- **M-BI-7 Prevention of Chemical Pollutants**
- **M-BI-8 Prevention of Invasive Plant Species**
- **M-WF-1 Fire Protection Plan**

2.2.4.4 Cumulative, Wildlife Movement and Nursery Sites

A cumulative impact to wildlife movement and/or nursery sites would disrupt wildlife movement in the region through permanent loss or degradation of wildlife corridor or rearing habitat, or impediments to wildlife corridor access. The project combined with the reasonably foreseeable cumulative projects would result in energy-related and other development throughout southeastern San Diego County. In the absence of mitigation, this has potential to disrupt wildlife movement in the region, particularly for terrestrial species with large territories such as mule deer and mountain lion. However, through implementation of the following MMs, **the project would not contribute to cumulatively considerable impacts** related to Wildlife Movement and Nursery Sites**:**

- **M-BI-1 Biological Monitoring**
- **M-BI-2 Temporary Construction Fencing**
- **M-BI-3 Habitat Preservation**
- **M-BI-4 Resource Management Plan (RMP)**
- **M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance**
- **M-BI-6 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP)**
- **M-BI-9 Operations and Maintenance Signage**
- **M-BI-10 Noise Reduction**
- **M-BI-12 Wildlife Corridor**

2.2.4.5 Cumulative, Local Policies, Ordinances, and Adopted Plans

A cumulative impact to regional planning would occur if the reasonably foreseeable cumulative projects, combined with the project, conflict with one or more local policies or ordinances protecting biological resources. The projects within the biological cumulative analysis study area would be within the future ECMSCP plan area, as would the project. The cumulative projects under jurisdiction of the County would be reviewed for consistency with the in-progress ECMSCP plan. Nonetheless, in the absence of mitigation, cumulative impacts would conflict with one or more local policies or ordinances protecting biological resources. However, through implementation of the following MMs**, the project would not contribute to cumulatively considerable impacts** related to local policies, ordinances, and adopted plans:

- **M-BI-1 Biological Monitoring**
- **M-BI-2 Temporary Construction Fencing**
- **M-BI-3 Habitat Preservation**
- **M-BI-4 Resource Management Plan (RMP)**
- **M-BI-6 Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP)**
- **M-BI-7 Prevention of Chemical Pollutants**
- **M-BI-9 Operations and Maintenance Signage**
- **M-WF-1 Fire Protection Plan**

2.2.5 Significance of Impacts Prior to Mitigation

Prior to mitigation, the project would potentially result in significant direct and indirect impacts to biological resources, both temporary and permanent. These impacts are summarized in Table 2.2-6.

Table 2.2-6. Summary of Significant Impacts Prior to Mitigation

Relevant Report Section	Impact Number	Impacted Resource	Impact Type	Guideline Number and Letter
Guideline 4.1: The project would have a substantial adverse effect, either directly or through habitat modifications, on a candidate, sensitive, or special-status species listed in local or regional plans, policies, or regulations, or by California Department of Fish and Game or U.S. Fish and Wildlife Service.				
2.2.3.1	Impact BI-SP-1	**Special-status Plants**, County List A and B species	Short-term direct	4.1 B
2.2.3.1	Impact BI-SP-2	**Special-status Plants**, County List A and B species	Long-term direct	4.1 B
2.2.3.1	Impact BI-SP-3	**Special-status Plants**, County List C and D species	Long-term direct	4.1 C
2.2.3.1	Impact BI-W-1	Special-status Animals, County Group 1	Short-term direct	4.1 B
2.2.3.1	Impact BI-W-2	**Special-status Animals**, County Group 1 or SSC Impacts to active nests or young of nesting County Group 1 or SSC	Short-term direct	4.1 B
2.2.3.1	Impact BI-W-3	**Special-status Animals**, County Group 1 or SSC Removal of suitable habitat of County Group 1 species	Long-term direct	4.1 B
2.2.3.1	Impact BI-W-4	**Special-status Animals**, County Group 2 Impacts to active nests or young of nesting County Group 2	Short-term direct	4.1 C
2.2.3.1	Impact BI-W-5	Special-status Animals, County Group 2	Long-term direct	4.1 C

Relevant Report Section	Impact Number	Impacted Resource	Impact Type	Guideline Number and Letter
2.2.3.1	Impact BI-W-6	Special-status Animals, Golden eagle	Long-term direct	4.1 E
2.2.3.1	Impact BI-W-7	**Special-status Animals**, Loss of foraging habitat for raptors	Long-term direct	4.1 F
2.2.3.1	Impact BI-W-8	Loss of Core Wildlife Area, Loss of habitat	Long-term direct	4.1 G
2.2.3.1	Impact BI-SP-4	**Special-status Plants**, County List A and B species	Short-term indirect	4.1 H
2.2.3.1	Impact BI-SP-5	**Special-status Plants**, County List A and B species	Long-term indirect	4.1 H
2.2.3.1	Impact BI-W-9	Special-status Animals Detected or with High Potential to Occur	Short-term indirect	4.1 H
2.2.3.1	Impact BI-W-10	Special-status Animals Detected or with High Potential to Occur	Long-term indirect	4.1 H
Guideline 4.2: The project would have a substantial adverse effect on riparian habitat, or another sensitive natural community identified in local or regional plans, policies, regulations, or by California Department of Fish and Game or U.S. Fish and Wildlife Service.				
4.2	Impact BI-V-1	Special-status Upland Vegetation Communities	Short-term direct	4.2 A
4.2	Impact BI-V-2	Special-status Upland Vegetation Communities	Long-term direct	4.2 A
4.2	Impact BI-JR-1	Jurisdictional Resources	Short-term direct	4.2 B
4.2	Impact BI-JR-2	Jurisdictional Resources	Long-term direct	4.2 B
4.2	Impact BI-JR-3	Jurisdictional Resources	Short-term indirect	4.2 B
4.2	Impact BI-JR-4	Jurisdictional Resources	Long-term indirect	4.2 B
4.2	Impact BI-V-3	Special-status Upland Vegetation Communities	Short-term indirect	4.2 D
4.2	Impact BI-V-4	Special-status Upland Vegetation Communities	Long-term indirect	4.2 D
Guideline 4.3: The project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means.				
5.2	Impact BI-JR-1	Jurisdictional Resources	Short-term direct	4.3 B
5.2	Impact BI-JR-2	Jurisdictional Resources	Long-term direct	4.3 B
5.2	Impact BI-JR-3	Jurisdictional Resources	Short-term indirect	4.3 B
5.2	Impact BI-JR-4	Jurisdictional Resources	Long-term indirect	4.3 B
Guideline 4.4: The project would interfere substantially with the movement of a native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.				
6.2	Impact BI-WM-1	Foraging and Breeding Habitat	Short-term direct	4.4 A
6.2	Impact BI-WM-2	Foraging and Breeding Habitat	Long-term direct	4.4 A
6.2	Impact BI-WM-3	Foraging and Breeding Habitat	Short-term and long-term indirect	4.4 A
6.2	Impact BI-WM-4	Wildlife Connectivity	Short-term and long-term direct	4.4 A
Guideline 4.5: The project would conflict with one or more local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and/or would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state HCP.				
7.2	Impact BI-P-1	Sensitive Habitat Lands	Short-term direct	4.5 C
7.2	Impact BI-P-2	Sensitive Habitat Lands	Long-term direct	4.5 C
7.2	Impact BI-P-3	Sensitive Habitat Lands	Short-term indirect	4.5 C

Relevant Report Section	Impact Number	Impacted Resource	Impact Type	Guideline Number and Letter
7.2	Impact BI-P-4	Sensitive Habitat Lands	Long-term indirect	4.5 C
7.2	Impact BI-P-5	Migratory Bird Treaty Act	Long-term direct	4.5 K
7.2	Impact BI-P-6	Bald and Golden Eagle Protection Act	Long-term direct	4.5 L

2.2.5.1 Candidate, Sensitive, or Special-Status Species

Project Effects Relevant to Guideline A

No federally or state-listed endangered or threatened species have been detected on-site or have high potential to occur on-site. The loss of western spadefoot (federally proposed threatened [FPT], County Group 2, and state SSC) due to construction-related activities would constitute a **potentially significant impact** (**Impact BI-W-1**). The loss of suitable western spadefoot toad habitat could adversely affect the long-term viability of the local population and would constitute a **potentially significant impact** (**Impact BI-W-5**).

No state-listed endangered or threatened species have been detected on-site, nor is there a high potential for their occurrence. Loss of Crotch's bumble bee (state Candidate Species) due to construction-related activities would be **potentially significant** (**Impact BI-B-1**). Loss of suitable Crotch's bumble bee habitat would affect the local long-term survival of this species and would be a **potentially significant impact** (**Impact BI-W-5**).

Project Effects Relevant to Guideline B

Short-term direct impacts to County List A plant species would be **potentially significant** (**Impact BI-SP-1**). Three County List A species would have long-term direct impacts from the proposed project: Jacumba milkvetch, long-spined spineflower, and Tecate tarplant. These impacts would be **potentially significant** (**Impact BI-SP-2**).

Short-term direct impacts to County List B plant species would be **potentially significant** (**Impact BI-SP-1**). Two County List B species would have long-term direct impacts from the proposed project: sticky geraea and desert beauty. These impacts would be **potentially significant** (**Impact BI-SP-2**).

Loss of special-status wildlife species (County Group 1 or state SSC animals), including individual reptiles and small mammals, from construction-related activities would be **potentially significant** (**Impact BI-W-1**).

If any active nests or the young of nesting special-status bird species (County Group 1 or SSC) are directly impacted through project construction, these impacts would be considered **potentially significant**, based on the MBTA (**Impact BI-W-2**). Loss of suitable nesting/foraging habitat would be a **potentially significant impact** (**Impact BI-W-3**).

Project Effects Relevant to Guideline C

There will be no direct impacts to County List C species resulting from implementation of the project. Two County List D species would have long-term direct impacts resulting from the project: Colorado Desert larkspur and pride-of-California. These impacts would be **potentially significant** (**Impact BI-SP-3**).

Payson's jewel flower and low bush monkeyflower occur within the survey area but would not be directly impacted by the project. The project would not substantially affect the long-term survival of these species, and impacts would be **less than significant**.

If active nests or young of nesting County Group 2 bird species are directly impacted, these impacts would be **potentially significant** (**Impact BI-W-4**).

Six County Group 2 species were detected within the survey area: western spadefoot, California horned lark, western bluebird, mule deer, and mountain lion. Impacts related to the loss of suitable habitat would affect the local long-term survival of County Group 2 species and would be potentially **significant** (**Impact BI-W-5**).

Project Effects Relevant to Guideline D

No arroyo toads have been detected in the project site. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline E

Golden eagles have high potential to occur on-site but were not observed during surveys. Long-term direct impacts to 4.7 acres of marginally suitable nesting habitat and 591.9 acres of suitable foraging habitat would be **potentially significant** (**Impact BI-W-6**).

Project Effects Relevant to Guideline F

Foraging habitat for raptors is present throughout the project site. Therefore, this impact would be **potentially significant** (**Impact BI-W-5**).

Project Effects Relevant to Guideline G

The project site is greater than 500 acres and supports multiple wildlife species, meeting the definition of a core wildlife area. As such, the project would impact the viability of a core wildlife area and impacts would be **potentially significant** (**Impact BI-W-6**).

Project Effects Relevant to Guideline H

Short-term indirect impacts to special-status plant species would be **potentially significant** (**Impact BI-SP-3**). Long-term indirect impacts to special-status plant species would be **potentially significant** (**Impact BI-SP-4**). Short-term indirect impacts to special-status animal species would be **potentially significant** (**Impact BI-W-7**). Long-term indirect impacts to special-status animal species would be **potentially significant** (**Impact BI-W-8**).

Project Effects Relevant to Guideline I

Burrowing owl has not been observed on or adjacent to the project site and does not have high potential to occur on-site, thus the project is unlikely to impact occupied burrowing owl habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline J

The project site does not support suitable coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*) habitat on-site; therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline K

The project site does not contain spiny redberry (*Rhamnus crocea*), the larval hostplant of Hermes copper, rendering the project unsuitable for this species. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline L

No ground-nesting raptors (e.g., northern harrier) are expected to nest on-site. Therefore, no impacts to the nesting success of those species as a result of the project are anticipated. However, the project could potentially affect the nesting success of tree-nesting raptors on-site via habitat removal and noise impacts. Therefore, this impact would be **potentially significant** (**Impact BI-W-2**).

2.2.5.2 Riparian Habitat or Sensitive Natural Community

Project Effects Relevant to Guideline A

Short-term direct impacts to special-status upland vegetation communities would be **potentially significant** (**Impact BI-V-1**). Long-term direct impacts to special-status upland vegetation communities would be **potentially significant** (**Impact BI-V-2**).

Project Effects Relevant to Guideline B

Short-term direct impacts to jurisdictional resources would be **potentially significant** (**Impact BI-JR-1**). Long-term direct to jurisdictional resource impacts would be **potentially significant** (**Impact BI-JR-2**). Short-term indirect impacts to jurisdictional resources would be **potentially significant** (**Impact BI-JR-3**). Long-term indirect impacts to jurisdictional resources would be **potentially significant** (**Impact BI-JR-4**).

Project Effects Relevant to Guideline C

A GMMP has been prepared for the proposed project (see Appendix G.2). Incorporation of **PDF-HY-2** would ensure that the project would implement the GMMP. With the implementation of **PDF-HY-2**, the total volume and rate of groundwater extracted from Highland Center Well and Park Wells would be monitored and documented throughout the duration of the project pumping. The implementation of **PDF-HY-2** would also provide for monitoring of the overall groundwater level in the project site. The GMMP would ensure that pumping does not significantly impact existing well users or groundwater-dependent vegetation. Therefore, impacts related to drawdown detrimental to groundwater-dependent habitat would be **less than significant.**

Project Effects Relevant to Guideline D

Short-term indirect impacts to special-status upland vegetation communities would be **potentially significant** (**Impact BI-V-3**). Long-term indirect impacts to special-status upland vegetation communities would be **potentially significant** (**Impact BI-V-4**).

Project Effects Relevant to Guideline E

The RPO wetland identified within the survey area but outside of the project site is isolated and does not provide connectivity with other wetland resources. There are no proposed impacts to this wetland or the wetland buffer; therefore, the project adheres to this guideline and **no impacts** are anticipated.

2.2.5.3 Jurisdictional Wetlands and Waterways

No federal wetlands were identified in the survey area. The project would permanently impact 0.01 acre (25 linear feet) of WWOS and 0.17 acre (3,813 linear feet) of WOS. The project would temporarily impact 0.64 acre (12,507 linear feet) of WOS. Long-term direct impacts to WWOS and WOS would be **potentially significant** (**Impact BI-JR-2**). Long-term indirect impacts to WWOS and WOS would be **potentially significant** (**Impact BI-JR-4**).

2.2.5.4 Wildlife Movement and Nursery Sites

Project Effects Relevant to Guideline A

Short-term direct impacts to suitable foraging and breeding habitat for species that use the project site would be **potentially significant** (**Impact BI-WM-1**). Long-term direct impacts to suitable foraging and breeding habitat would be **potentially significant** (**Impact BI-WM-2**). Short-term and long-term indirect impacts to wildlife access to foraging and breeding habitat would be **potentially significant** (**Impact BI-WM-3**).

The project's northern portion would result in fragmentation within the FCA, potentially minimizing connectivity across the east-west section of the ECMSCP FCA parcels north of Tule Jim Road, resulting in **potentially significant impacts** to wildlife connectivity (**Impact BI-WM-4**).

Project Effects Relevant to Guideline B

The project would not substantially interfere with a local regional wildlife corridor or linkage, and impacts would be **less than significant.**

Project Effects Relevant to Guideline C

The project would not create any artificial wildlife corridors and would have a **less than significant** impact.

Project Effects Relevant to Guideline D

The project would not substantially interfere with a local regional wildlife corridor or linkage, and impacts would be **less than significant.**

Project Effects Relevant to Guideline E

The project would not substantially interfere with a local regional wildlife corridor or linkage, and impacts would be **less than significant.**

Project Effects Relevant to Guideline F

The project would not substantially interfere with a local regional wildlife corridor or linkage, and impacts would be **less than significant.**

2.2.5.5 Local Policies, Ordinances, and Adopted Plans

Project Effects Relevant to Guideline A

The project site does not support CSS habitat and would not impact CSS habitat. Therefore, **no impacts** are anticipated.

Project Effects Relevant to Guideline B

The project would be consistent with the objectives of ECMSCP (County of San Diego 2021) as shown in Table 2.2-5. Impacts would be **less than significant**.

Project Effects Relevant to Guideline C

Impacts to sensitive habitat lands would be **potentially significant** (**Impact BI-P-1, -2, -3, and -4**).

Project Effects Relevant to Guideline D

The project site does not support CSS habitat and would not impact CSS habitat. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline E

The project conforms to the goals and requirements as outlined in all applicable regional planning efforts. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline F

The project is not within the approved South County MSCP; it is within the in-process ECMSCP, and the BMO is also not applicable. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline G

The project does not support CSS, and thus the project could not preclude connectivity between areas of high habitat values as defined by the CSS NCCP guidelines. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline H

The project is not within the approved South County MSCP; it is within the in-process ECMSCP, and the BMO is also not applicable. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline I

No narrow endemic species have been observed on-site or have high potential to occur on-site. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline J

No federally or state-listed plant or animal species have been observed in the project site. Therefore, **no impacts** would occur.

Project Effects Relevant to Guideline K

Long-term direct impacts to migratory birds and active migratory bird nests and/or eggs protected under the MBTA resulting from project construction would be **potentially significant** (**Impact BI-P-5**).

Project Effects Relevant to Guideline L

Impacts to marginally suitable golden eagle nesting habitat and foraging habitat would be **potentially significant** (**Impact BI-P-6**).

2.2.6 Mitigation Measures and Project Design Features

2.2.6.1 Mitigation Measures

Mitigation measures **M-BI-1** through **M-BI-13** and **M-WF-1** would mitigate potential impacts under **Impacts BI-SP-1** through **BI-SP-5**, **Impacts BI-W-1** through **BI-W-10**, **Impacts BI-V-1** through **BI-V-4**, **Impacts BI-JR-1** through **BI-JR-4**, **Impacts BI-WM-1** through **BI-WM-4**, and **Impacts BI-P-1** through **BI-P-6** as follows.

M-BI-1 Biological Monitoring.

1. To prevent inadvertent disturbance to sensitive resource areas outside the approved area of impact, a County-approved biologist (Project Biologist) shall be contracted to perform biological monitoring during grading, clearing, grubbing, trenching, construction, and decommissioning activities. The contract for biological monitoring will be provided to the County by the Applicant and shall include an agreement that this will be completed, and a memorandum of understanding (MOU) between the biological consulting company and the County shall be executed. The contract shall include a cost estimate for the monitoring work and reporting.
    a. The Project Biologist shall perform the monitoring duties before, during, and after construction pursuant to the most current version of the County guidelines (County of San Diego 2010b). In addition to performing monitoring duties pursuant to the most current version of the County guidelines, the Project Biologist shall also perform the following duties:
        i. Conduct required preconstruction surveys as applicable and outlined M-BI-5 below.
        ii. Conduct meetings with the contractor and other key construction personnel describing the importance of restricting work to designated areas prior to clearing, grubbing, or grading and clarifying that the Project Biologist has the authority to halt work that could harm or harass a protected species. Worker Environmental Awareness Program training will be provided by the Project Biologist for minimizing harm to or harassment of wildlife encountered during construction with the contractor and other key construction personnel prior to clearing, grubbing, or grading.
        iii. Review the construction area in the field with the contractor in accordance with the final grading plan and conduct a field review of the staking to be set by the surveyor, designating the limits of all construction activity prior to clearing, grubbing, or grading.
        iv. Monitor vegetation clearing, grubbing, and grading to ensure against direct and indirect impacts on biological resources that are intended to be protected and preserved.

v. Flush special-status species (i.e., avian or other mobile species) from occupied habitat areas immediately prior to brush-clearing and earthmoving activities. If brush-clearing and earthmoving activities take place within the bird breeding season, the process outlined in M-BI-5 will be followed.

vi. Verify that grading plans include a stormwater pollution prevention plan (SWPPP) (if required pursuant to provisions of the State Water Resources Control Board 2009-0009-DWQ Construction General Permit, or equivalent applying the standards set forth in the County of San Diego Stormwater Standards Manual) to address hydrology impacts; see M-BI-6.

vii. Periodically monitor the construction site to see that dust is minimized according to the Fugitive Dust Control Plan and that temporarily impacted areas are revegetated as soon as possible.

viii. Periodically monitor the construction site to verify that light fixtures are directed away from open space and are shielded.

ix. Monitor the construction site so that cover and/or escape routes for wildlife from excavated areas are provided daily during vegetation clearing, grubbing, and grading. All steep trenches, holes, and excavations during construction shall be covered at night with backfill, plywood, metal plates, or other means, and the edges covered with soils and plastic sheeting such that small wildlife cannot access them. Soil piles shall be covered at night to prevent wildlife from burrowing in. The edges of the sheeting shall be weighted down with sandbags. These areas may also be fenced to prevent wildlife from gaining access. Exposed trenches, holes, and excavations shall be inspected twice daily (i.e., each morning and prior to sealing the exposed area at the end of the day) by a qualified biologist to monitor for wildlife entrapment. Excavations shall provide an earthen ramp to allow for a wildlife escape route.

x. Except as stated otherwise herein, biological monitoring is daily during vegetation clearing, grubbing, and grading. Once the photovoltaic (PV) field construction commences, the monitoring shall be weekly.

b. The cost of the monitoring shall be added to the grading bonds or bonded separately with County Planning and Development Services (PDS).

Documentation: The Applicant shall provide a copy of the biological monitoring contract, cost estimate, and MOU to the PDS. Additionally, the cost amount of the monitoring work shall be added to the grading bond cost estimate.

Timing: In each phase, prior to approval of any grading and or improvement plans and issuance of any grading or construction permits.

Monitoring: The PDS shall review the contract, MOU, and cost estimate or separate bonds for compliance with this condition. The cost estimate should be forwarded to the PDS project manager, for inclusion in the grading bond cost estimate, and grading bonds. The County Department of Public Works (DPW)/PDS shall add the cost of the monitoring to the grading bond costs.

2. To ensure that the biological monitoring occurs during the grading phase of the project, weekly monitoring logs will be provided to the Applicant and PDS project manager, and a final biological monitoring report shall be prepared. The Project Biologist shall prepare the final biological monitoring report. The reports shall substantiate the supervision of the grading activities and confirm that grading or construction activities did not impact any additional areas or any other sensitive biological resources. The final report shall conform to County guidelines (County of San Diego 2010b) and include the following items:
    a. Photos of the temporary fencing or flagging that was installed during the trenching, grading, or clearing activities
    b. Monitoring logs showing the date and time that the monitor was on-site
    c. Photos of the site after the grading and clearing activities

    Documentation: The Project Biologist shall prepare the final report and submit it to the PDS for review and approval.

    Timing: Prior to any occupancy, final grading release, or use of the premises in reliance of this permit, the final report shall be approved.

    Monitoring: The PDS shall review the final report for compliance with this condition and the report format guidelines. Upon approval of the report, PDS shall inform DPW that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then PDS shall inform the bonding entity to release the bond back to the Applicant.
3. Compliance with this measure shall be required during decommissioning activities.

M-BI-2 **Temporary Construction Fencing.** Prior to issuance of permits in each phase, including clearing, grubbing, grading, and/or construction permits, the Project Applicant or its designee shall install fencing wherever the limits of grading are adjacent to sensitive vegetation communities or other biological resources, as identified by the Project Biologist. Fencing shall remain in place during all construction activities. All temporary fencing shall be shown on plans. Prior to release of grading and/or improvement bonds, a qualified biologist shall provide evidence to the satisfaction of the Director of the San Diego County PDS (or designee) that work was conducted as authorized under the approved permits and associated plans.

M-BI-3 **Habitat Preservation.** To mitigate for impacts to sensitive vegetation communities, habitat for plant and wildlife species, and special-status plant and wildlife individuals, the Applicant shall provide an off-site biological open space easement (see M-BI-4 regarding the resource management plan [RMP] for the mitigation site).

To protect sensitive biological resources, pursuant to the ECMSCP, RPO, and CEQA, a biological open space easement will be granted over 447.93 acres of sensitive vegetation communities, special-status plant species, and habitat for special-status species. The project is estimated to impact sensitive vegetation communities that require mitigation as summarized in Table 10 of the Biological Resources Report (see below).

Habitat / Vegetation Community	Existing (acres)	Impacts (acres)	Off-site Impacts (acres)	Impact Neutral (acres)	Total Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)	Preserved On-site (acres)	Off-site Mitigation (acres)
Phase 1									
Granitic Northern Mixed Chaparral (37131)	99.58	92.54	0	7.04	92.54	0.5:1	46.27	0	46.27
Redshank Chaparral (37300)	24.53	24.53	0	0	24.53	1:1	24.53	0	24.53
Granitic Chamise Chaparral (37210)	3.03	3.03	0	0	3.03	0.5:1	1.52	0	1.52
Montane Buckwheat Scrub (37K00)	1.97	1.97	0	0	1.97	1:1	1.97	0	1.97
Field/Pasture (18310)	0	0	0	0	0	0.5:1	0	0	0
Big Sagebrush Scrub (35210)	0	0	0	0	0	2:1	0	0	0
Disturbed (11300)	0	0	0	0	0	None	0	0	0
Bare Ground	2.56	2.52	0	0.04	2.52	None	0	0	0
Urban/ Developed (12000)	0	0	0	0	0	None	0	0	0
Open Coast Live Oak Woodland (71161)	0.32	0.32	0	0	0.32	3:1	Included in oak root zone mitigation	0	Included in oak root zone mitigation
Non-native Grassland (42200)	0	0	0	0	0	0.5:1	0	0	0
Tamarisk Scrub (63810)	0	0	0	0	0	3:1	0	0	0
Freshwater Seep (45400)	0	0	0	0	0	3:1	0	0	0
Southern Riparian Scrub (63300)	0	0	0	0	0	3:1	0	0	0
Freshwater (64140)	0	0	0	0	0	3:1	0	0	0
Coast Live Oak Woodland (71160)	0	0	0	0	0	3:1	0	0	0
Alkali Marsh (52300)	0	0	0	0	0	3:1	0	0	0
Oak Root Zone*	0.91	0.91	0	0	0.94	3:1	2.82	0	2.82

Habitat / Vegetation Community	Existing (acres)	Impacts (acres)	Off-site Impacts (acres)	Impact Neutral (acres)	Total Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)	Preserved On-site (acres)	Off-site Mitigation (acres)
Total	**131.99**	**124.91**	**0**	**7.08**	**124.91**		**77.11**	**0**	**77.11**
Phase 2									
Granitic Northern Mixed Chaparral (37131)	136.91	126.33	0	49.68	126.33	0.5:1	63.17	0	63.17
Redshank Chaparral (37300)	121.67	119.35	0	2.71	119.35	1:1	119.35	0	119.35
Granitic Chamise Chaparral (37210)	62.04	61.56	0	7.41	61.56	0.5:1	30.78	0	30.78
Montane Buckwheat Scrub (37K00)	52.92	51.14	0	0.07	51.14	1:1	51.14	0	51.14
Field/Pasture (18310)	28.10	27.98	0	0	27.98	0.5:1	13.99	0	13.99
Big Sagebrush Scrub (35210)	15.38	15.38	0	0	15.38	2:1	30.76	0	30.76
Disturbed (11300)	10.01	10.01	0	0	10.01	None	0	0	0
Bare Ground	22.17	21.53	0	0.47	21.53	None	0	0	0
Urban/ Developed (12000)	0.03	0	0	0	0	None	0	0	0
Open Coast Live Oak Woodland (71161)	4.32	4.31	0	0	4.31	3:1	Included in oak root zone mitigation	0	Included in oak root zone mitigation
Non-Native Grassland (42200)	2.49	1.05	0	0	1.05	0.5:1	0.53	0	0.53
Tamarisk Scrub (63810)	0	0	0	0	0	3:1	0	0	0
Freshwater Seep (45400)	0.04	0.04	0	0	0.04	3:1	0.12	0	0.12
Southern Riparian Scrub (63300)	0	0	0	0	0	3:1	0	0	0
Freshwater (64140)	0	0	0	0	0	3:1	0	0	0
Coast Live Oak Woodland (71160)	0	0	0	0	0	3:1	0	0	0
Alkali Marsh (52300)	0	0	0	0.0	0	3:1	0	0	0

Habitat / Vegetation Community	Existing (acres)	Impacts (acres)	Off-site Impacts (acres)	Impact Neutral (acres)	Total Impacts (acres)	Mitigation Ratio	Mitigation Required (acres)	Preserved On-site (acres)	Off-site Mitigation (acres)
Oak Root Zone*	12.47	12.47	0	0	12.47	3:1	37.41	0	37.41
Total	**456.08**	**438.68**	**0**	**60.34**	**438.68**		**347.25**	**0**	**347.25**

*This is an overlay to the vegetation community layer and is not counted toward the total acreage of on-site habitats; it is only used in determining required mitigation.

The biological open space easement shall mitigate for project impacts to sensitive vegetation communities and habitat for wildlife species as shown in Table 10 of the Biological Resources Report (see above), thereby preserving compensatory habitat that provides equal or greater benefit to plant and wildlife species. This biological open space easement will be granted to the County or other approved conservation entity. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. This easement is for the protection of biological resources and prohibits all of the following on any portion of the land subject to said easement: grading; excavation; placement of soil, sand, rock, gravel, or other material; clearing of vegetation; construction, erection, or placement of any building or structure; vehicular activities; trash dumping; or use for any purpose other than as open space. Granting of this open space authorizes the County and its agents to periodically access the land to perform management and monitoring activities for the purposes of species and habitat conservation. The only exceptions to this prohibition are (1) vegetation clearing by hand, by written order of the fire authority for reduction of an identified fire hazard; (2) activities conducted pursuant to an approved revegetation or RMP; (3) vector control by written order of the County; and (4) construction, use, and maintenance of approved multi-use, non-motorized trails. No trails have been approved as part of this project and would require subsequent environmental review and approval by PDS. Permanent signage indicating the area is a biological open space will be required and will be installed by the developer. As the project is proposed in two phases, two separate open space easements would be dedicated within the 447.93-acre area. The recordation of each open space easement would occur prior to grading of each phase.

Documentation: In each phase, the Applicant shall prepare the draft plats and legal descriptions of the easements, then submit them for preparation and recordation with the County Department of General Services, and concurrence with PDS, and pay all applicable fees associated with preparation of the documents.

Timing: Prior to approval of any plan or issuance of any permit in each phase, and prior to use of the premises in reliance of this permit the easements shall be recorded.

Monitoring: The Applicant shall prepare the easement documents and send them to PDS for pre-approval. The PDS shall pre-approve the language and estimated location of the easements before they are released to the Applicant for signature and subsequent recordation. Upon Recordation of the easements, the Applicant shall forward a copy of the recorded documents to PDS for satisfaction of the condition.

M-BI-4 **Resource Management Plan (RMP).** To provide for the long-term management of the proposed off-site biological open space easements, an RMP will be prepared and implemented (Appendix K). The final RMP cannot be approved until the following has been completed to the satisfaction of the Director of PDS as follows:

1. The plan will be prepared and approved pursuant to the most current version of the County's Report Format and Content Requirements for Biological Resources (County of San Diego 2010b).
2. The habitat land to be managed will be owned by a land conservancy or equivalent.
3. Open space easements will be dedicated to the County in perpetuity, unless conveyed to another public agency subject to approval by the Director of PDS.
4. A resource manager will be selected and approved, with evidence provided demonstrating acceptance of this responsibility.
5. The RMP funding mechanism to fund annual costs for basic stewardship shall be identified and approved by the County. The RMP funding mechanism will be identified and adequate to fund annual costs for implementation; typically determined by a Property Analysis Record as a non-wasting endowment.
6. A contract between the Applicant and County will be executed for the implementation of the RMP.
7. The final RMP shall have project-specific requirements for the following mitigation implementation and monitoring measures:
    a. Special-status plant species mitigation
8. Goals: The final RMP will accomplish the following:
    a. Preserve and manage lands to the benefit of the flora, fauna, and native ecosystem functions reflected in the natural communities occurring within the biological open space.
    b. Provide 2:1 replacement of Jacumba milkvetch, long-spined spineflower, and Tecate tarplant, and 1:1 replacement of sticky geraea and desert beauty per the attached Conceptual Revegetation Plan (Appendix L of the Biological Resources Report). If Jacumba milkvetch, long-spined spineflower, Tecate tarplant, sticky geraea, and desert beauty are transplanted or established from seed collected from individuals within the project footprint, then success of this Mitigation Program will be achieved for Phase I when at least 292 Jacumba milkvetch, 336 sticky geraea, and 769 desert beauty are documented within the off-site biological open space easement during 1 or more years in the 3-year monitoring period. Similarly, success of the Mitigation Program will be achieved for Phase II when 2,104 Jacumba milkvetch, 100 long-spined spineflower, 856 Tecate tarplant, 1,042 sticky geraea, and 74 desert beauty are documented within the open space.

Documentation: The Applicant shall prepare an RMP and submit it to PDS and pay all applicable review fees.

Timing: Prior to approval of any plan or issuance of any permit for each phase, and prior to use of the premises in reliance on this permit, the RMP shall be approved.

Monitoring: The PDS shall review the RMP for compliance with the content guidelines, the conceptual RMP, and this condition.

M-BI-5 **Avian Breeding and Special-status Wildlife Impact Avoidance.** This mitigation measure serves to avoid take of birds protected under the MBTA and California Fish and Game Code during the nesting season (M-BI-5(1)) and trampling or crushing special-status

amphibians, reptiles, and mammals ((M-BI-5(2)), and special-status invertebrates (M-BI-5(3)) and (M-BI-5(4)).

1. **Nesting Bird Survey.** To avoid any direct impacts on raptors and/or any migratory birds protected under the MBTA and California Fish and Game Code, removal of habitat that supports active nests on the proposed area of disturbance shall occur outside the nesting season for these species (which is January 15 through August 31, annually). If construction or decommissioning work must occur during the avian breeding season (January 15 to August 31, annually), the Applicant shall do the following:
    a. In consultation with the County, CDFW, and the USFWS prepare a Nesting Bird Management, Monitoring, and Reporting Plan (NBMMRP) to address avoidance of impacts to nesting birds.

       The Applicant will submit to the County the NBMMRP (see following for details) for review and approval prior to commencement of the project during the breeding season. The NBMMRP should include the following:
        i. Nest survey protocols describing the nest survey methodologies.
        ii. A management plan describing the methods to be used to avoid nesting birds and their nests, eggs, and chicks.
        iii. A monitoring and reporting plan detailing the information to be collected for incorporation into a regular Nest Monitoring Log (NML) with sufficient details to enable USFWS and CDFW to monitor the Applicant's compliance with Fish and Game Code Sections 3503, 3503.5, 3511, and 3513.
        iv. A schedule for the submittal (usually weekly) of the NML.
        v. Standard buffer widths deemed adequate to avoid or minimize significant project-related edge effects (disturbance) on nesting birds and their nests, eggs, and chicks (i.e., 300 feet for nests of passerines and 500 feet for nests of raptors). The NBMMRP will outline a nest buffer reduction process to be approved by USFWS, CDFW, and PDS.
        vi. A detailed explanation of how the buffer widths were determined.
        vii. All measures the Applicant will implement to preclude birds from utilizing project-related structures (i.e., construction equipment, facilities, or materials) for nesting.
    b. Conduct preconstruction nesting bird surveys within 72 hours of construction-related activities; conduct preconstruction survey sweeps immediately prior to ground-disturbing activities; and implement appropriate avoidance measures for identified nesting birds in the NBMMRP. Resurvey, if construction activities are halted for 10 consecutive days.
    c. Conduct surveys beyond the project site —300 feet for passerine birds and 500 feet for raptors—to determine presence of nesting birds that the project activities may affect. The survey protocols shall include a detailed description of methodologies utilized by CDFW-approved avian biologists to search for nests and describe avian behaviors that indicate active nests. The protocols shall include but are not limited to the size of the project site being surveyed, method of search, and behavior that indicates active nests.

d. Each nest identified in the project site shall be included in the NML. The NMLs should be updated daily and submitted to the CDFW weekly. Since the purpose of the NMLs is to allow the CDFW to track compliance, the NMLs shall include information necessary to allow comparison between nests protected by standard buffer widths recommended for the project (300 feet for passerine birds, 500 feet for raptors) and nests whose standard buffer width was reduced by encroachment of project-related activities. The NMLs shall provide a summary of each nest identified, including the species, status of the nest, buffer information, and fledge or failure data. The NMLs shall allow for tracking the success and failure of the buffers and would provide data on the adequacy of the buffers for certain species.

e. The Applicant will rely on its avian biologists to determine the appropriate standard buffer widths for nests within the project corridor/footprint to employ based on the sensitivity levels of specific species or guilds of avian species. The determination of the standard buffer widths shall be site- and species-/guild-specific and data-driven and not based on generalized assumptions regarding all nesting birds. The determination of the buffer widths shall be developed in the NBMMRP approved by the USFWS, CDFW, and PDS, and will consider the following factors:

    i. Nesting chronologies
    ii. Geographic location
    iii. Existing ambient conditions (human activity within line of sight—cars, bikes, pedestrians, dogs, noise)
    iv. Type and extent of disturbance (e.g., noise levels and quality—punctuated, continual, ground vibrations—blasting-related vibrations proximate to tern colonies are known to make the ground-nesting birds flush the nests)
    v. Visibility of disturbance
    vi. Duration and timing of disturbance
    vii. Influence of other environmental factors
    viii. Species' site-specific level of habituation to the disturbance

Application of the standard buffer widths shall avoid the potential for project-related nest abandonment and failure of fledging and minimize any disturbance to the nesting behavior. If project activities cause or contribute to a bird being flushed from a nest, the buffer must be widened. This measure does not apply to nests that are started on construction equipment or panels or supporting structures.

Documentation: The Project Biologist shall prepare the final report and submit it to the PDS for review and approval.

Timing: Surveys shall be conducted prior to any clearing, grubbing, trenching, grading, or any land disturbances during the avian breeding season. Prior to any occupancy, final grading release, or use of the premises in reliance of this permit for each phase, the final report shall be approved.

Monitoring: The PDS shall review the final report for compliance with this condition and the report format guidelines. Upon approval of the report, PDS shall inform the Applicant that the requirement is complete, and the bond amount can be relinquished. If the monitoring was bonded separately, then the PDS shall inform DPW to release the bond back to the Applicant.

2. **Special-Status Species Preconstruction Surveys and Relocation Plan.** Prior to construction, the Applicant shall develop preconstruction surveys for special-status terrestrial reptiles (e.g., Southern California legless lizard, coast horned lizard, California glossy snake, red-diamond rattlesnake, rosy boa, and San Diego ringneck snake,), small terrestrial mammals (i.e., San Diego black-tailed jackrabbit, Dulzura pocket mouse, northwestern San Diego pocket mouse, pallid San Diego pocket mouse, and southern grasshopper mouse), bats (i.e., pallid bat, greater western mastiff bat, western red bat, small-footed myotis, long-eared myotis), and mule deer, mountain lion, and ringtail documented on-site or with high potential to occur on-site. The plan shall at minimum include the timing and locations where surveys should be conducted; if and species are confirmed, provide the habitat and conditions in the proposed relocation site(s); the methods that would be used for trapping and relocating the individual species; and the method for documenting/recording the species and number of animals relocated. The plan shall be submitted to the County by a qualified biologist prior to any ground-disturbing activities within potentially occupied habitat.

   Preconstruction Surveys. No more than 3 days prior to construction, a qualified biologist shall conduct a preconstruction survey within areas of suitable habitat for special-status species wildlife documented on-site (i.e., Cooper's hawk, sharp-shinned hawk, Bell's sage sparrow, turkey vulture, Southern California legless lizard, coast horned lizard, San Diego black-tailed jackrabbit, San Diego desert woodrat, coastal whiptail, California horned lark, western bluebird, mule deer, and mountain lion) as well as those with high potential to occur (i.e., southern California rufous-crowned sparrow, golden eagle, long-eared owl, red-shouldered hawk, northern harrier, white-tailed kite, prairie falcon, loggerhead shrike, Lewis' woodpecker, California glossy snake, red-diamond rattlesnake, pallid bat, Dulzura pocket mouse, northwestern San Diego pocket mouse, pallid San Diego pocket mouse, greater western mastiff bat, southern grasshopper mouse, mountain quail, rosy boa, San Diego ringneck snake, ringtail, western red bat, small-footed myotis, long-eared myotis, and monarch butterfly). The biologist shall look for special-status species that may be located within or immediately adjacent to the project work areas, as permitted by access. If determined by the qualified biologist that, based on the construction activities, time of year, and presence/location of special-status wildlife species, relocation of special-status wildlife species is necessary, relocation will occur to nearby undisturbed areas within suitable habitat in the off-site open space easements as specified in the plan and a California scientific collecting permit (SCP) (if applicable), but as close to their origin as possible (consistent with the approved plan). The biologist relocating the species shall possess a California SCP to handle these species if required by applicable CDFW regulations.

   A qualified biologist shall be present during initial ground-disturbing activities (i.e., vegetation removal) immediately adjacent to or within the vegetation communities and/or disturbed habitats that could support populations of special-status wildlife species to monitor vegetation removal and topsoil salvaging and stockpiling, where applicable. If special-status wildlife species are detected in the work area during biological monitoring, the individual(s) will be documented and relocated as per the approved Plan and in accordance with the SCP conditions as applicable.

Documentation: The Project Biologist shall prepare the final survey report and relocation plan and submit it to the PDS for review and approval.

Timing: Surveys shall be conducted prior to any clearing, grubbing, trenching, grading, or any land disturbances. Prior to final grading release, or use of the premises in reliance of this permit for each phase, the final survey report and Relocation Plan shall be approved.

Monitoring: The PDS shall review the final survey report and Relocation Plan for compliance with this condition and the report format guidelines. Upon approval of the report, PDS shall inform the Applicant that the requirement is complete, and the bond amount can be relinquished.

3. To avoid impacts to nesting birds and other special-status wildlife species during decommissioning, the project operator shall be required to implement the measures outlined in subsections (1) and (2) prior to undertaking decommissioning activities.

4. **Crotch's bumblebee Habitat Assessment and Surveys.** This mitigation measure shall only be required if Crotch's bumble bee remains as a candidate state endangered species or is listed as a state endangered species at the time of project construction.

    a. **Habitat assessment.** If not previously completed, or if surveys are no longer valid for any reason, a biologist with demonstrated experience with Crotch's bumblebee will conduct a desktop habitat assessment to determine the presence of suitable habitat for Crotch's bumble bee within the project site. This assessment will evaluate historical and current species distribution, proximity to the last known sighting, and potential foraging (including native and nonnative), nesting, and overwintering resources. Field verification surveys will be conducted during the floral blooming period, typically April through August, and will include an in-person project site observation, quantification of blooming vegetation (e.g., percent cover or a scale), and an assessment of plant diversity.

    Documentation: The qualified Biologist shall prepare the final habitat assessment report and submit it to the CDFW for review and approval for each phase.

    b. **Focused Surveys.** If the habitat assessment and field verification survey indicate a high likelihood for take of the species, occupancy will be assumed, or, a proposed survey protocol will be submitted to the Wildlife Agencies for review. If surveys are proposed, a survey methodology will be designed that is project- and site-specific, including the qualifications of the biologist conducting the surveys. The survey methodology will follow the general guidelines and best practices outlined in CDFW's "Survey Considerations for California Endangered Species Act Candidate Bumble Bee Species" (June 6, 2023). If surveys are conducted andoccupied Crotch's bumble bee habitat within or bordering the project site is documented, or if Crotch's bumble bee is assumed to be present based on the habitat assessment, preconstruction surveys of such habitat for active bee nest colonies shall be required no more than 5 days prior to any ground disturbance activities that occur between February 15 and September 15. The Project Biologist will establish, monitor, and maintain a no-work buffer around any active nest colonies identified during surveys.

The size and configuration of the no-work buffer will be based on the best professional judgment of the Project Biologist in consultation with CDFW. The buffer should provide at least 50 feet of clearance around nest entrances. Construction activities should not occur within the no-work buffers until the colony is no longer active. To determine that a nest is no longer active, the nest will be observed for a minimum of 60 minutes each day across multiple days (three days minimum) during suitable flight weather (i.e., ambient air temperature between 60- and 90- degrees Fahrenheit, winds under 10 mph, and no precipitation heavier than a drizzling rain). If no bees are seen flying in or out of the nest it will be determined that the next season's queens have dispersed from the colony and the nest is no longer active.

If Crotch's bumble bee is found on-site during habitat assessments or protocol surveys, the project proponent shall:

i. Notify CDFW of the species' presence within 48 hours and consult with the CDFW to determine whether the project needs to obtain an incidental take permit, and adhere to the following minimum conditions:

ii. Implement Immediate Avoidance and Minimization Measures:

1. Conduct a nest search within suitable habitat areas identified during surveys
2. Establish and clearly mark no-work buffer zones of at least 50 feet around active nest colonies if found
3. Avoid all ground-disturbing activities within these buffer zones during the active bee season (February 15 through September 15)

iii. Have a monitor present during initial ground disturbance and vegetation clearance.

Compensatory mitigation for permanent direct impacts to suitable Crotch's bumble bee habitat shall be offset through compensatory mitigation, which may include, but is not necessarily limited to, on-site or off-site habitat preservation, enhancement, restoration, and/or creation at a ratio of no less than 1:1. If an incidental take permit covering Crotch's bumble bee is issued for the project, the measures and mitigation ratios specified in that permit shall take precedence over those outlined in this report.

5. **Western Spadefoot Avoidance and Mitigation.** To minimize impacts, project design shall prioritize avoidance of areas where there is potential for western spadefoot occurrence, to the extent feasible. Avoidance efforts will focus on protecting both permanent and temporary wetlands that are suitable for western spadefoot breeding, including natural and altered water features that retain water for at least 30 days. These habitats include, but are not limited to:

- Vernal pools
- Ephemeral streams
- Artificial ponds (e.g., livestock, sedimentation, flood control)
- Irrigation and roadside ditches
- Roadside puddles, tire ruts, and borrow pits.

In addition, adjacent upland habitats—which include scrubland, oak woodlands, chaparral, and grasslands—within 1,500 feet of breeding sites, which provide foraging areas, movement corridors, and overwintering locations, shall also be avoided.

Contingent upon the western spadefoot's formal listing under the ESA, the project will initiate formal consultation with the U.S. Fish and Wildlife Service (USFWS) to develop and implement scientifically appropriate mitigation strategies. These strategies may include, but are not limited to, establishing species-specific avoidance buffer distances and implementing targeted exclusionary fencing to minimize potential adverse impacts on the species.

M-BI-6 **Biological Monitoring of Stormwater Pollution Prevention Plan (SWPPP) Implementation.** A SWPPP shall be prepared that meets all County requirements. Implementation of the SWPPP shall protect habitats and special-status species adjacent to the project during construction and decommissioning activities. The items below shall be included in the SWPPP, and the Project Biologist shall verify that they are implemented during construction and decommissioning monitoring:

1. No planting or seeding of invasive plant species on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the project region.
2. Dust control fencing is in place and intact if fencing is required.
3. Construction activity is located outside of jurisdictional WOTUS/WOS except as authorized by applicable law and permit(s), including permits and authorizations approved by the USACE, CDFW, and Water Board.
4. Silt-settling basins installed during the construction process are located away from areas of ponded or flowing water to prevent discolored, silt-bearing water from reaching areas of ponded or flowing water during normal flow regimes. Design of drainage facilities shall incorporate long-term control of pollutants and stormwater flow to minimize pollution and hydrologic changes.
5. Temporary structures, staging, and storage areas for construction equipment and/or materials are located outside of jurisdictional waters, including wetlands and riparian areas.
6. No material stockpiles, debris, bark, slash sawdust, rubbish, cement, concrete or washing thereof, oil, or petroleum products are stored where they may be washed by rainfall or runoff into jurisdictional WOTUS or WOS.
7. When construction operations are completed, excess materials or debris have been removed from the work area.
8. No equipment maintenance is performed within or near jurisdictional WOTUS/WOS where petroleum products or other pollutants from the equipment may enter these areas.
9. Fully covered trash receptacles that are animal-proof and weather-proof are installed and used by the operator to contain all food, food scraps, food wrappers, beverage containers, and other miscellaneous trash. Littering is prohibited, and removal of trash from construction areas daily is required. All food-related trash and garbage are removed from construction sites daily.
10. There are no pets on or adjacent to construction sites.

11. Speed limits in and around all construction areas are enforced so that vehicles do not exceed 15 mph on unpaved roads and the right-of-way accessing the construction site, or 10 mph during the night.

Documentation: The permittee shall submit a SWPPP for review and approval by the County of San Diego biologist.

Timing: The following actions shall occur throughout the duration of construction for each phase.

Monitoring: The County of San Diego shall review the SWPPP and ensure its implementation.

M-BI-7 **Prevention of Chemical Pollutants.** Weed control treatments shall include all legally permitted chemical, manual, and mechanical methods applied with the authorization of the County agriculture commissioner. The application of herbicides shall be in compliance with all federal and state laws and regulations under the prescription of a licensed Pest Control Adviser with at least 2 years of experience and implemented by a licensed applicator. Where manual and/or mechanical methods are used, disposal of the plant debris shall follow the regulations set by the County agriculture commissioner. The timing of the weed control treatment shall be determined for each plant species in consultation with the Pest Control Adviser, the County agriculture commissioner, and the California Invasive Plant Council, with the goal of controlling populations before they start producing seeds.

During project construction, operation, and decommissioning, all areas that use chemicals that are potentially toxic or impactive to sensitive habitats or plants shall incorporate best management practices (e.g., avoid applications during or before rain events and avoid placing materials close to sensitive habitats) on-site to reduce impacts caused by the application and/or drainage of such materials within the development footprint. In addition, use of rodenticides and pesticides shall not be allowed.

Documentation: The permittee shall assume responsibility pursuant to this condition.

Timing: Upon establishment of use, the condition shall apply during the term of this permit for each phase.

Monitoring: The PDS is responsible for enforcement of this permit.

M-BI-8 **Prevention of Invasive Plant Species.** A County of San Diego-approved plant list shall be used for areas immediately adjacent to open space. A hydroseed mix that incorporates native species, is appropriate to the area, and is free from invasive species shall be used for landscaped areas adjacent to the biological open space. The PDS landscape architect shall require that all final landscape plans comply with the following: no invasive plant species, as included on the most recent version of the California Invasive Plant Council's California Invasive Plant Inventory for the project region shall be included, and the plant palette shall be composed of native species that do not require high irrigation rates. The Project Biologist shall periodically check landscape products for compliance with these requirements. Planting, seeding, and weed control for the mitigation site are discussed in the RMP.

M-BI-9 **Operations and Maintenance Signage.** Signage shall be posted at all entrances to the facility stating that operations and maintenance personnel shall be prohibited from the following:

1. Harming, harassing, or feeding wildlife and/or collecting special-status plant or wildlife species
2. Smoking
3. Traveling (either on foot or in a vehicle) outside of the solar facility in undisturbed portions of the project site
4. Having pets on the project site
5. Littering
6. Remaining at the facility after daylight hours unless conducting operations and maintenance activities
7. Exceeding normal nighttime operation noise and lighting

M-BI-10 **Noise Reduction.** Construction- and decommissioning-related activities that are excessively noisy (e.g., clearing, grading, grubbing, or blasting) adjacent to breeding/nesting areas shall incorporate noise-reduction measures (described below) or be curtailed during the breeding/nesting season of sensitive bird species.

1. Trucks and other engine-powered equipment shall be equipped with noise reduction features, such as mufflers and engine shrouds, which are no less effective than those originally installed by the manufacturer.
2. Trucks and other engine-powered equipment shall be operated in accordance with posted speed limits and limited engine idling requirements.
3. Usage of truck engine exhaust compression braking systems shall be limited to emergencies.
4. Back-up beepers for all construction equipment and vehicles shall be adjusted to the lowest noise levels possible, provided that Occupational Safety and Health Administration's (OSHA's) and the California Division of Occupational Safety and Health's safety requirements are not violated. These settings shall be retained for the duration of construction activities.
5. Vehicle horns shall be used only when absolutely necessary, as specified in the contractor's specifications.
6. Radios and other noise-generating "personal equipment" shall be prohibited.

If construction-related activities that are excessively noisy (e.g., clearing, grading, grubbing, or blasting) occur during the period of January 15 through August 31, a County-approved biologist shall conduct preconstruction surveys in suitable nesting habitat adjacent to the construction area to determine the location of any active nests in the area (see M-BI-5).

M-BI-11 **Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways.**

1. **Erosion Control Around RPO Wetland Buffers:** Actively implement erosion control measures to prevent erosion and the discharge of sediment and pollutants into all San Diego County Wetland Protection Ordinance wetlands and their protection buffers (50-feet) within the project during project activities. Erosion controls shall be made from biodegradable materials where applicable (mulch)

and monitored and repaired, if necessary, to ensure maximum erosion, sediment, and pollution control and removed at the time of project completion.

2. **Flagging RPO Wetland Buffers:** Contractor shall flag all San Diego County Wetland Protection Ordinance (RPO) wetland buffers (50-feet) for avoidance. No work including site access shall occur within the RPO wetland buffers.
3. **Waters Agency Coordination:** Coordinate with all applicable agencies with potential jurisdiction over aquatic resources within the project. If necessary, submit and obtain waters permits prior to project construction.
4. **Waters Permits:** If applicable, all waters permits (printed or electronic) shall be on-site during all project activities, and all personnel shall be aware of and understand all applicable permit conditions. The work must comply with the permitted scope of work and all permit conditions. Ensure coordination with the applicable agencies if permits require advanced notification to start work.

M-BI-12 **Wildlife Corridor.** In order to comply with Figure 15 of the Biological Resources Report depicting wildlife corridors, a minor deviation must be provided and approved to reflect the project changes. Prior to approval of any plan in any phase, issuance of any permit, and prior to use of the premises in reliance of this permit, a minor deviation must be submitted and approved with updated plans to the San Diego County PDS. The Applicant shall submit updated plans to reflect Figure 15 or as deemed appropriate by the County of San Diego and all applicable Wildlife Agencies (as deemed by the County) and gain approval. PDS shall review and approve the minor deviation for compliance with this condition.

1. **Wildlife Corridor Access.** The project shall provide wildlife-friendly fencing to allow for wildlife moving within the project site.

M-BI-13 **Special-status Plants.** Mitigation shall be provided for 800 Jacumba milkvetch (County List A), 33 long-spined spineflower (County List A), 219 Tecate tarplant (County List A), 1,378 sticky geraea (County List B), and 843 desert beauty (County List B). County List A plant species will be mitigated at a 2:1 ratio, and County List B species will be mitigated at a 1:1 mitigation ratio. Mitigation for these plants shall be achieved through (1) seeding and/or salvaging the plants located in proposed impact areas and replanting in suitable mitigation lands, and (2) establishment of additional plants to meet the mitigation requirements as outlined in a Conceptual Revegetation Plan. The Conceptual Revegetation Plan for the biological open space easement shall include the required measures to ensure viability of the transplanted and established individuals.

Documentation: The Applicant shall provide evidence of special-status plant mitigation per requirements of the RMP (see M-BI-4).

Timing: Prior to approval of any plan or issuance of any permit, and prior to use of the premises in reliance of this permit in each phase the evidence of mitigation shall be recorded.

Monitoring: A RMP Annual Report will be submitted to the County along with the submittal fee to cover County staff review time, per the RMP.

M-WF-1 **Fire Protection Plan.**

Fire Protection Measures. The project's Fire Protection Plan (FPP) provides customized measures that address the identified potential fire hazards on the site. The measures are independently established but will work together to result in reduced fire threat and

heightened fire protection. The following measures identified in Section 5 of the FPP will be implemented:

- **CFC Section 503 Fire Apparatus Access Roads**: The three project entrances and both fire access site entrances would feature a manual swing gate, and a sign with a lighted directory map and contact information. All entrance gates would feature a 'Knox Box' to allow ease of access for emergency service providers. The perimeter internal access within the fenced solar facility would be constructed to a minimum improved width of 24 feet. The interior on-site vehicle access roads would be constructed to a minimum improved width of 20 feet. All internal access roads would be designed to provide a minimum inner turning radius of 28 feet, graded and maintained to support the imposed loads of fire apparatus (not less than 75,000 pounds), and designed and maintained to ensure the roads are passable in all weather conditions. There would be a minimum unobstructed vertical clearance of 13 feet, 6 inches. All internal access road surfaces would be Class II roads, composed of decomposed granite, and would be permeable to reduce fugitive dust and erosion in accordance with County Code Section 87.428, Dust Control Measures, and with SDAPCD County Fire Protection District jurisdiction with minimal drive time to the project, in compliance with the County General Plan (County of San Diego 2011).
- **CFC Section 507 Type of Water Supply:** The project would have six 10,000-gallon water tanks with a flow of at least 250 gallons per minute, and fire department connections would be available. Water would be stored in aboveground tanks complying with National Fire Protection Association (NFPA) 22, Standard for Water Tanks for Private Fire Protection. A procedure for ongoing inspection, maintenance, and filling of tanks would be in place. The tank and fire engine connections would be located on the side of the access driveways. The width of the driveway at the water tank location would be at least 18 feet wide (travel width), plus an additional 10 feet; this width would be used for 50 feet of the driveway's length to allow for fire engines to park and connect to the tank while leaving the road open. The tanks would be labeled "Fire Water: 10,000 gallons" using reflective paint.
- **CFC Section 903.2 Automatic Sprinkler Systems Where Required:** Each battery storage container would be located within a metal frame storage container with insulation, air conditioning, and fire suppression, with separate enclosures for the electronic controls, inverters, and rectifiers. There would be a built-in heat detection and fire protection system and a fire extinguishing system. The heat and fire detection system would be linked to an automatic inert gas suppression system within each container. The containers would also have an interior aerosol fire suppression system. The NFPA has developed a new Standard for the Installation of Energy Storage Systems (NFPA 855). This standard addresses the design, construction, installation, commissioning, operation, maintenance, and decommissioning of stationary energy storage systems. The system would be designed in accordance with applicable NFPA safety standards. The containers would be sited with a setback from off-site areas as a buffer against potential wildfire ignitions. The containers would not be walk-in containers; thus, the battery storage containers would be nonhabitable structures per the state and local fire codes that are in place at the time a building permit application is submitted to the County.

- **CFC Section 1205.5 Ground Mounted Photovoltaic Arrays:** The project site would have Fuel Modification Zones (FMZs) before any combustible material is brought on-site for construction, and FMZs would be regularly maintained. All FMZs in and around the PV modules would modify combustible fuels to reduce height to no more than 6 inches to meet Section 1205.5.3 of the 2023 County Consolidated Fire Code. A 30-foot-wide FMZ would be installed along the perimeter of the solar facility between project components (including the PV modules) and off-site wildland fuels. The FMZ would be from the project perimeter fence inward and would be separate from the perimeter fire access road. A 100-foot-wide FMZ would be installed around the two proposed BESS areas, and a 30-foot-wide FMZ would surround the proposed collector substation pad area. Similar to the other FMZs, vegetation within the internal open space easements would be maintained to no more than 6 inches. The fence around the open space easements may present a challenge to vegetation maintenance and firefighter response. Regular maintenance of FMZs may include any potential combination of mechanical control such as mowing, manual removal, herbicide application, prescribed herbivory, or installation of weed barriers beneath the PV modules. Interior access roads would be brushed for a distance of 10 feet on each side to maintain clear ingress and egress with reduced fire behavior in conjunction with the FMZs. This would ensure an unobstructed vertical clearance of not less than 13 feet, 6 inches, in accordance with Section 503.2.1 of the 2023 County Consolidated Fire Code. Each project entrance would feature a lighted directory map identifying all equipment and structures. Additional requirements for fire apparatus roadways and water supply are provided in Sections 503 and 507 of the 2023 County Consolidated Fire Code.

2.2.6.2 Project Design Features

The Applicant has identified and committed to including the following project design features as part of the project to alleviate adverse biological resources effects, to the extent feasible.

PDF-BI-1 **APLIC Standards.** The project shall incorporate APLIC standards (APLIC 2006) with respect to line spacing for energized and grounded parts of the 69-kV and 138-kV transmission structures. The proposed insulators for the transmission structures will include an insulated polymer section that is at least 69 inches long, and the separation for transmission conductors operating at 69 kV and 138 kV will have 76 inches horizontal and 56 inches vertical minimum spacing.

PDF-HY-2 **Implementation of GMMP for JCSD**. To ensure nonpotable water purchased from the Jacumba Community Services District (JCSD) does not result in impacts to the aquifers accessed by JCSD's nonpotable water production wells (Highland Center Well and Park Well), the Starlight Solar Developer will implement the Groundwater Mitigation Monitoring and Mitigation Plan (GMMP) for the Flat Creek watershed.

A groundwater monitoring report will be completed by a Professional Geologist or Professional Engineer licensed in the state of California and will be submitted to County Planning and Development Services (PDS) annually no later than 28 days following the end of the calendar year. Groundwater monitoring reports should be submitted for 5 years after proposed project construction has commenced. After 5 years, County PDS should determine if continuous reporting is required based on the effects of groundwater extraction from the previous 5 years. The annual reports will include the following information:

- Groundwater-level hydrographs and tabulated groundwater-level data for each accessible well in the groundwater-monitoring network
- Tabulated groundwater production volumes from JCSD nonpotable wells
- Documentation of any changes in well pumping or groundwater well conditions for wells in the groundwater-monitoring network
- Documentation of groundwater-dependent habitat monitoring, if necessary, as described in the GMMP

If the baseline groundwater levels at the wells included in the groundwater monitoring network are exceeded by 5 feet, County PDS will be notified via letter and email within 1 working day of the exceedance, or immediately after the exceedance is recognized. Additionally, if groundwater-level thresholds at the off-site wells are exceeded by their respective thresholds, pumping of JCSD nonpotable wells for the project will cease and County PDS will be notified via letter and email within 1 working day, or immediately after the exceedance is recognized.

2.2.7 Conclusion

This section summarizes the conclusions reached in each impact analysis and the determined level of impact that would occur after mitigation measures are implemented. Table 2.2-7 summarizes the project's significant impacts. All potentially significant impacts would be reduced to below a level of significance after mitigation.

Table 2.2-7. Summary of Significant Impacts

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
Guideline 4.1: The project would have a substantial adverse effect, either directly or through habitat modifications, on a candidate, sensitive, or special-status species listed in local or regional plans, policies, or regulations, or by California Department of Fish and Game or U.S. Fish and Wildlife Service.						
3.2	Impact BI-SP-1	Special-Status Plants, County List A and B species	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing	Less than significant	4.1 B
3.2	Impact BI-SP-2	Special-Status Plants, County List A and B species	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 B
3.2	Impact BI-SP-3	Special-Status Plants, County List C and D species	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 C
3.2	Impact BI-W-1	Special-Status Animals, County Group 1	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Fencing M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance	Less than significant	4.1 B

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
3.2	Impact BI-W-2	Special-Status County Group 1 or SSC Impacts to active nests or young of nesting County Group 1 or SSC	Short-term direct	M-BI-1 Biological Monitoring M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance	Less than significant	4.1 B
3.2	Impact BI-W-3	Special-Status County Group 1 or SSC Removal of suitable habitat of County Group 1 species	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 B
3.2	Impact BI-W-4	Special-Status County Group 2 Impacts to active nests or young of nesting County Group 2	Short-term direct	M-BI-1 Biological Monitoring M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance	Less than significant	4.1 C
3.2	Impact BI-W-5	Special-status Animals, County Group 2	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 C
3.2	Impact BI-W-6	Special-Status Animals, Golden eagle	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 E
3.2	Impact BI-W-7	Special-Status Animals, Loss of foraging habitat for raptors	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 F
3.2	Impact BI-W-8	Loss of Core Wildlife Area, Loss of habitat	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.1 G
3.2	Impact BI-SP-4	Special-Status Plants, County List A and B species	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants	Less than significant	4.1 H
3.2	Impact BI-SP-5	Special-Status Plants, County List A and B species	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-BI-9 Operations and Maintenance Signage M-WF-1 Fire Protection Plan	Less than significant	4.1 H

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
3.2	Impact BI-W-9	Special-Status Animals Detected or with High Potential to Occur	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance M-BI-6 Biological Monitoring of SWPPP M-BI-10 Noise Reduction	Less than significant	4.1 H
3.2	Impact BI-W-10	Special-Status Animals Detected or with High Potential to Occur	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-BI-9 Operations and Maintenance Signage M-WF-1 Fire Protection Plan	Less than significant	4.1 H
Guideline 4.2: The project would have a substantial adverse effect on riparian habitat or another sensitive natural community identified in local or regional plans, policies, regulations, or by California Department of Fish and Game or U.S. Fish and Wildlife Service.						
4.2	Impact BI-V-1	Special-Status Upland Vegetation Communities	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing	Less than significant	4.2 A
4.2	Impact BI-V-2	Special-Status Upland Vegetation Communities	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.2 A
4.2	Impact BI-JR-1	Jurisdictional Resources	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-11 Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways	Less than significant	4.2 B
4.2	Impact BI-JR-2	Jurisdictional Resources	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-11 Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways	Less than significant	4.2 B

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
4.2	Impact BI-JR-3	Jurisdictional Resources	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants M-BI-11 Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways	Less than significant	4.2 B
4.2	Impact BI-JR-4	Jurisdictional Resources	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-WF-1 Fire Protection Plan M-BI-11 Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways	Less than significant	4.2 B
4.2	Impact BI-V-3	Special-Status Upland Vegetation Communities	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants M-BI-9 Operations and Maintenance Signage	Less than significant	4.2 D
4.2	Impact BI-V-4	Special-Status Upland Vegetation Communities	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-BI-9 Operations and Maintenance Signage M-WF-1 Fire Protection Plan	Less than significant	4.2 D
Guideline 4.3: The project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means.						
5.2	Impact BI-JR-1	Jurisdictional Resources	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing	Less than significant	4.3 B

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
5.2	Impact BI-JR-2	Jurisdictional Resources	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.3 B
5.2	Impact BI-JR-3	Jurisdictional Resources	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants	Less than significant	4.3 B
5.2	Impact BI-JR-4	Jurisdictional Resources	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-WF-1 Fire Protection Plan	Less than significant	4.3 B
Guideline 4.4: The project would interfere substantially with the movement of a native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.						
6.2	Impact BI-WM-1	Foraging and Breeding Habitat	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing	Less than significant	4.4 A
6.2	Impact BI-WM-2	Foraging and Breeding Habitat	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.4 A
6.2	Impact BI-WM-3	Foraging and Breeding Habitat	Short-term and long-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance M-BI-6 Biological Monitoring of SWPPP M-BI-9 Operations and Maintenance Signage M-BI-10 Noise Reduction	Less than significant	4.4 A
6.2	Impact BI-WM-4	Foraging and breeding habitat	Short-term and long-term indirect	M-BI-3 Habitat Preservation M-BI-12 Wildlife Corridor	Less than significant	4.4 A
Guideline 4.5: The project would conflict with one or more local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and/or would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state HCP.						
7.2	Impact BI-P-1	Sensitive Habitat Lands	Short-term direct	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing	Less than significant	4.5 C
7.2	Impact BI-P-2	Sensitive Habitat Lands	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.5 C

Relevant Report Section (see Appendix D, Biological Resources Report)	Impact Number	Impacted Resource	Impact Type	Proposed Mitigation	Level of Significance After Mitigation	Guideline Number and Letter
7.2	Impact BI-P-3	Sensitive Habitat Lands	Short-term indirect	M-BI-1 Biological Monitoring M-BI-2 Temporary Construction Fencing M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants M-BI-9 Operations and Maintenance Signage	Less than significant	4.5 C
7.2	Impact BI-P-4	Sensitive Habitat Lands	Long-term indirect	M-BI-3 Habitat Preservation M-BI-4 RMP M-BI-6 Biological Monitoring of SWPPP M-BI-7 Prevention of Chemical Pollutants M-BI-8 Prevention of Invasive Plant Species M-BI-9 Operations and Maintenance Signage M-WF-1 Fire Protection Plan	Less than significant	4.5 C
7.2	Impact BI-P-5	Migratory Bird Treaty Act	Long-term direct	M-BI-1 Biological Monitoring M-BI-5 Avian Breeding and Special-status Wildlife Impact Avoidance	Less than significant	4.5 K
7.2	Impact BI-P-6	Bald and Golden Eagle Protection Act	Long-term direct	M-BI-3 Habitat Preservation M-BI-4 RMP	Less than significant	4.5 L

2.2.7.1 Candidate, Sensitive, or Special-status Species

Short-term direct impacts to County List A and B species (**Impact BI-SP-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring) and **M-BI-2** (Temporary Construction Fencing). Long-term direct impacts to County List A and B species (**Impact BI-SP-2**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), and **M BI-13** (Special-status Plants). Long-term direct impacts to County List C and D species (**Impact BI-SP-3**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), and **M-BI-13** (Special-status Plants). Short-term indirect impacts to County List A and B species (**Impact BI-SP-4**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), and **M-BI-9** (Operations and Maintenance Signage). Long-term indirect impacts to County List A and B species (**Impact BI-SP-5**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M BI-4** (RMP), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9** (Operations and Maintenance Signage), and **M-WF-1** (Fire Protection Plan).

Short-term direct impacts to federally proposed species for listing, state candidate for listing, County Group 1, or SSC wildlife species (**Impact BI-W-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M BI-2** (Temporary Fencing), **M-BI-3** (Habitat Preservation), and **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance). Short-term direct impacts to active nests or young of nesting County Group 1 or SSC species (**Impact BI-W-2**) would be **less than significant** with implementation of mitigation measure **M-BI-1** (Biological Monitoring) and **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance). Long-term direct impacts to County Group 1 or SSC species from removal of suitable habitat (**Impact BI-W-3**) would be **less than significant** with implementation of mitigation measures M-BI-3 (Habitat Preservation) and M-BI-4 (RMP). Short-term direct impacts to active nests or young of nesting County Group 2 species (**Impact BI-W-4**) would be **less than significant** with implementation of mitigation measure **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance). Long-term direct impacts to County Group 2 species (**Impact BI-W-5**) would be **less than significant** with implementation of mitigation measure M-BI-3 (Habitat Preservation) and M-BI-4 (RMP). Long-term direct impacts to golden eagle from removal of suitable nesting and foraging habitat (**Impact BI-W-6**) would be **less than significant** with implementation of mitigation measure **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Long-term direct impacts to raptors from removal of suitable foraging habitat (**Impact BI-W-7**) would be **less than significant** with implementation of mitigation measure **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Long-term direct impacts to a core wildlife area (**Impact BI-W-8**) would be **less than significant** with implementation of mitigation measure **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Short-term indirect impacts to special-status wildlife species (**Impact BI-W-9**) would **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M BI-9** (Operations and Maintenance Signage), and **M-BI-10** (Noise Reduction). Long-term indirect impacts to special-status wildlife species (**Impact BI-W-10**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9** (Operations and Maintenance Signage), **M-BI-10** (Noise Reduction), and **M-WF-1** (Fire Protection Plan).

2.2.7.2 Riparian Habitat or Sensitive Natural Community

Short-term direct impacts to special-status upland vegetation communities (**Impact BI-V-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring) and **M-BI-2** (Temporary Construction Fencing). Long-term direct impacts to special-status upland vegetation communities (**Impact BI-V-2**) would be **less than significant** with implementation of mitigation measure **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Short-term indirect impacts to special-status upland vegetation communities (**Impact BI-V-3**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** Temporary Construction Fencing, **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), and **M-BI-9** (Operations and Maintenance Signage). Long-term indirect impacts to special-status upland vegetation communities (**Impact BI-V-4**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9** (Operations and Maintenance Signage), and **M-WF-1** (Fire Protection Plan).

Short-term direct impacts to jurisdictional resources (**Impact BI-JR-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), and **M-WF-1** (Fire Protection Plan). Long-term direct impacts to jurisdictional resources (**Impact BI-JR-2**) would be **less than significant** with implementation

of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), and **M-BI-11** (Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways). Short-term indirect impacts to jurisdictional resources (**Impact BI-JR-3**) would be **less than significant** with the implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), and **M-BI-11** (Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways). Long-term indirect impacts to jurisdictional resources (**Impact BI-JR-4**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9** (Operations and Maintenance Signage), **M-BI-11** (Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways), and **M-WF-1** (Fire Protection Plan).

2.2.7.3 Jurisdictional Wetlands and Waterways

Long-term direct impacts to jurisdictional resources (**Impact BI-JR-2**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), and **M-BI-11** (Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways). Long-term indirect impacts to jurisdictional resources (**Impact BI-JR-4**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9** (Operations and Maintenance Signage), **M-BI-11** (Mitigation Measures and Design Considerations for Jurisdictional Wetlands and Waterways), and **M-WF-1** (Fire Protection Plan).

2.2.7.4 Wildlife Movement and Nursery Sites

Short-term direct impacts to foraging and breeding habitat (**Impact BI-WM-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring) and **M-BI-2** (Temporary Construction Fencing). Long-term direct impacts to foraging and breeding habitat (**Impact BI-WM-2**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Short-term and long-term indirect impacts to foraging and breeding habitat (**Impact BI-WM-3**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-9** (Operations and Maintenance Signage), and **M-BI-10** (Noise Reduction). Impacts to wildlife connectivity (**Impact BI-WM-4**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation) and **M-BI-12** (Wildlife Corridor).

2.2.7.5 Local Policies, Ordinances, and Adopted Plans

Short-term direct impacts to sensitive habitat lands (**Impact BI-P-1**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring) and **M-BI-2** (Temporary Construction Fencing). Long-term direct impacts to sensitive habitat lands (**Impact BI-P-2**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP). Short-term indirect impacts to sensitive habitat lands (Impact BI-P-3) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring), **M-BI-2** (Temporary Construction Fencing), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), and **M-BI-9** (Operations and Maintenance Signage). Long-term indirect impacts to sensitive habitat lands (**Impact BI-P-4**) would be **less than significant** with implementation of mitigation measures **M-BI-3** (Habitat Preservation), **M-BI-4** (RMP), **M-BI-6** (Biological Monitoring of SWPPP), **M-BI-7** (Prevention of Chemical Pollutants), **M-BI-8** (Prevention of Invasive Plant Species), **M-BI-9**

(Operations and Maintenance Signage), and **M-WF-1** (Fire Protection Plan). Long-term direct impacts to migratory birds and active migratory bird nests and/or eggs protected under the MBTA (**Impact BI-P-5**) would be **less than significant** with implementation of mitigation measures **M-BI-1** (Biological Monitoring) and **M-BI-5** (Avian Breeding and Special-status Wildlife Impact Avoidance). Long-term direct impacts to golden eagle from removal of suitable nesting and foraging habitat (**Impact BI-P-6**) would be **less than significant** with implementation of mitigation measure **M-BI-3** (Habitat Preservation) and **M-BI-4** (RMP).

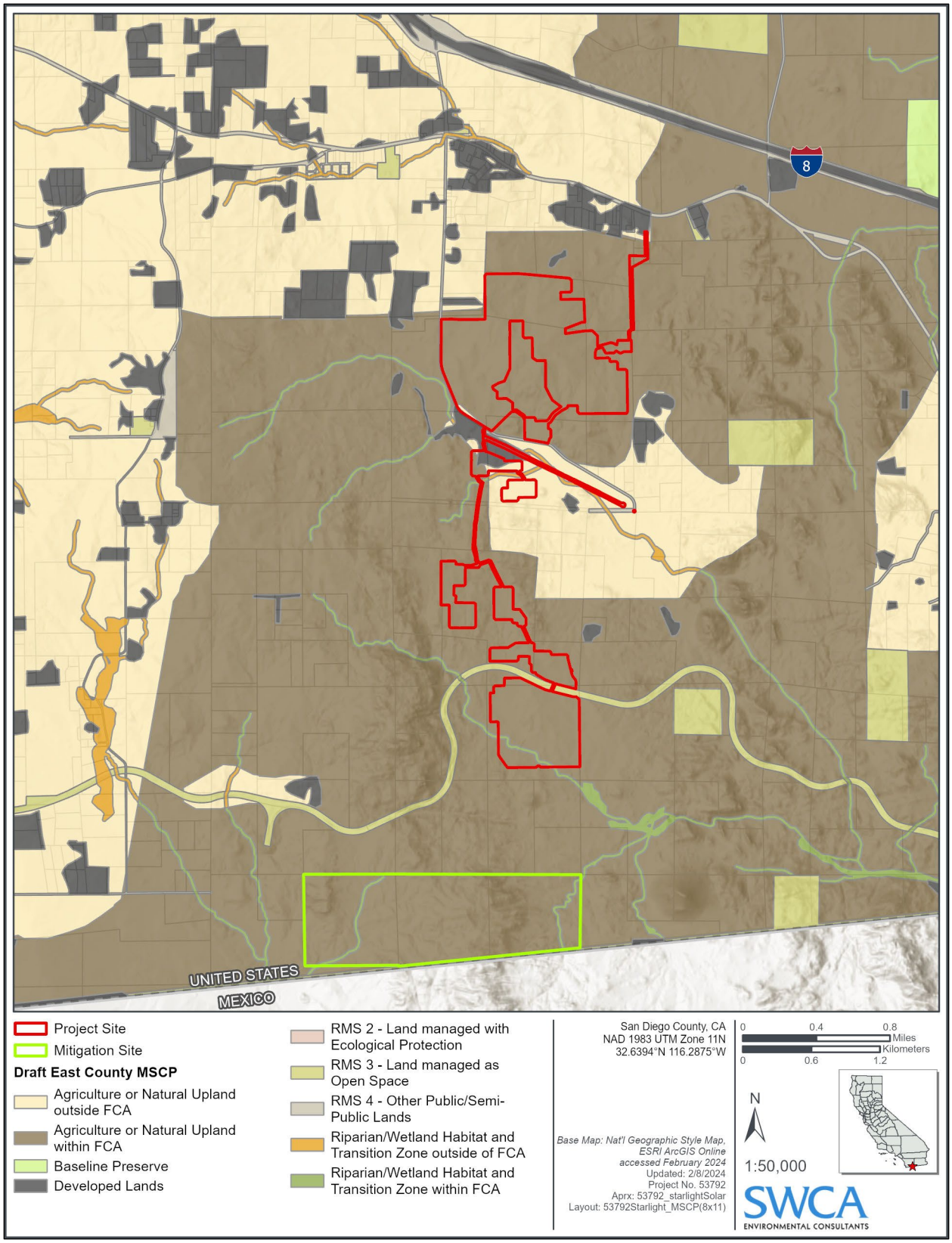

Figure 2.2-1. East County Multiple Species Conservation Program Designation Map

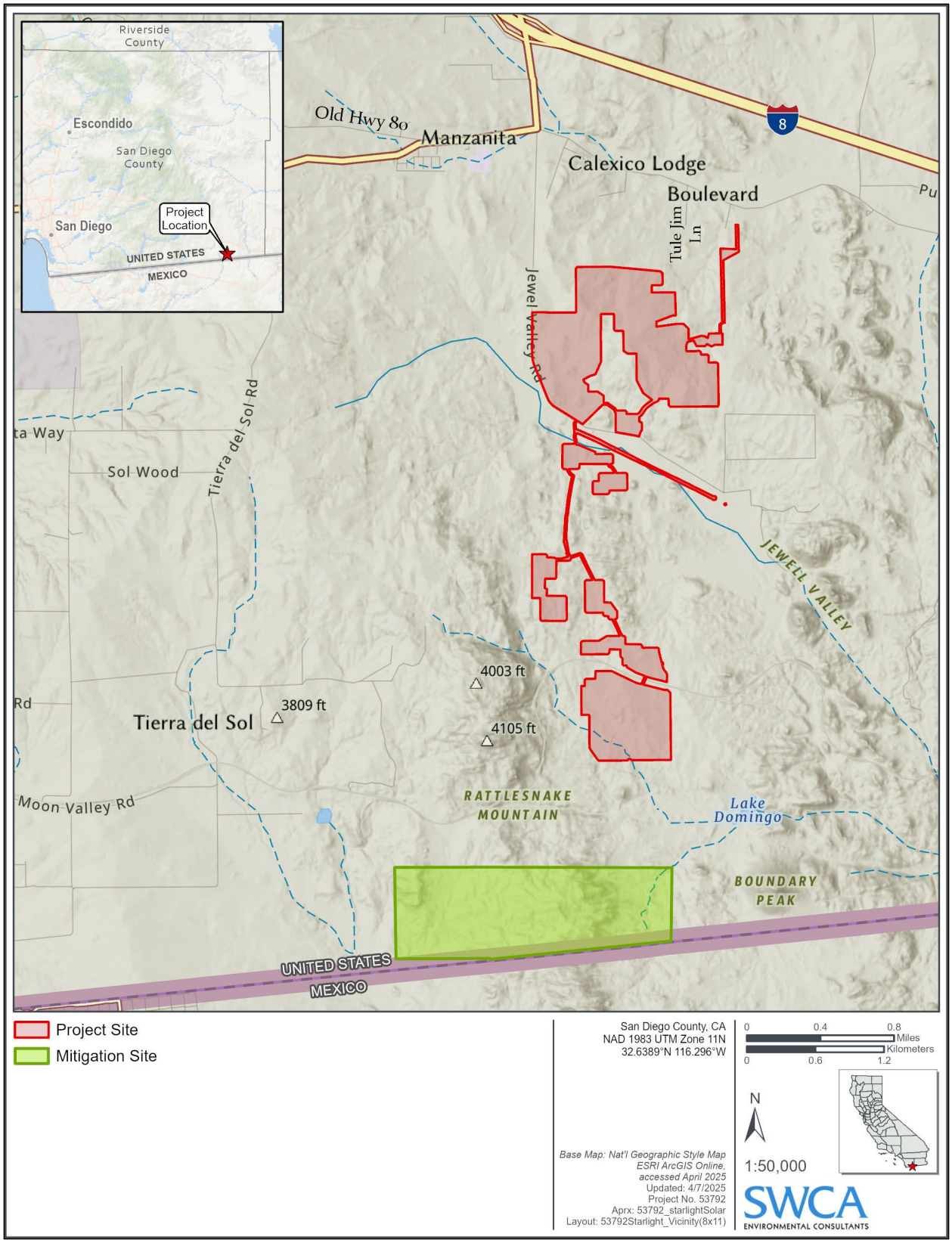

Figure 2.2-2. Project Site and Mitigation Site

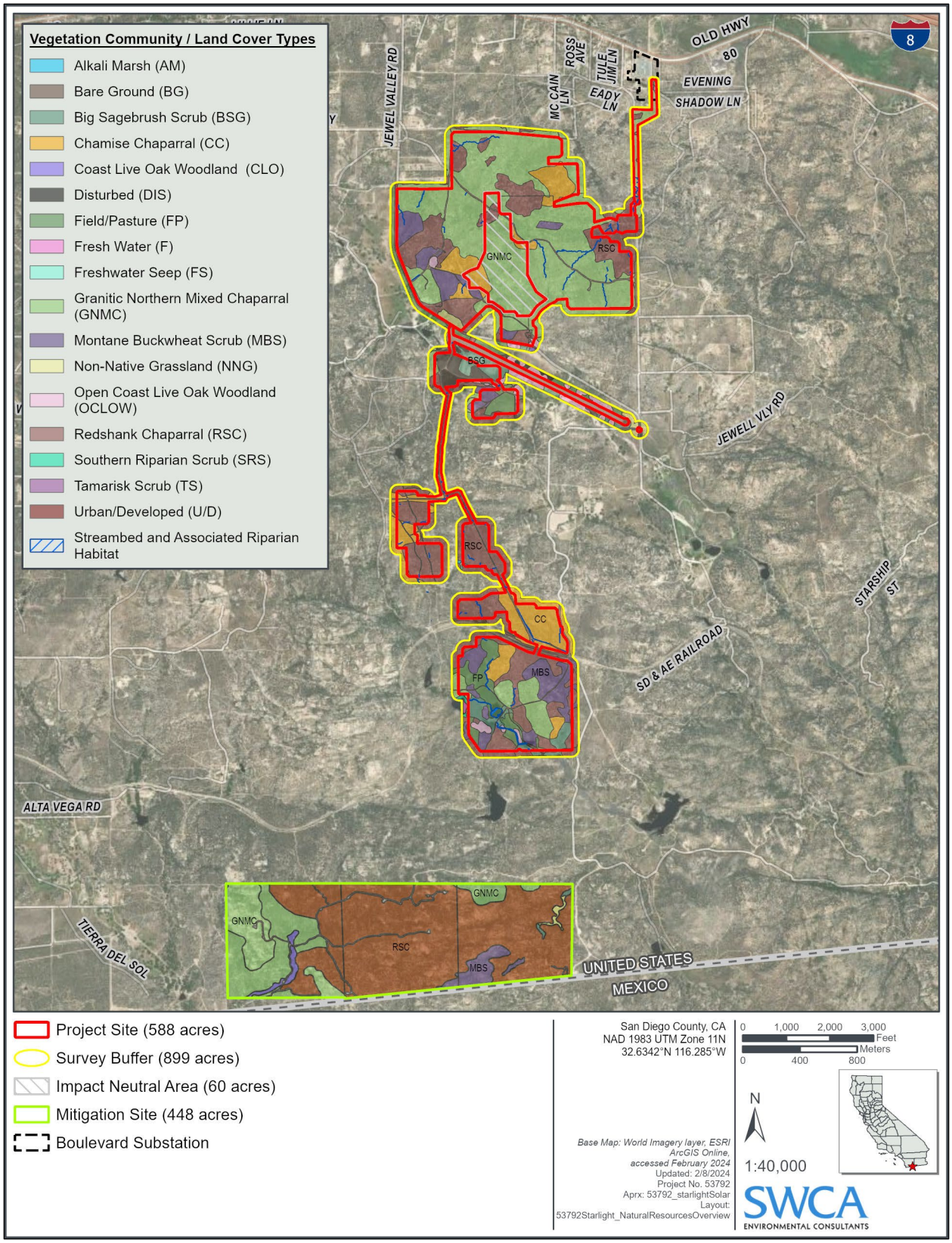

Figure 2.2-3. Natural Communities And Cover Types, Overview Map

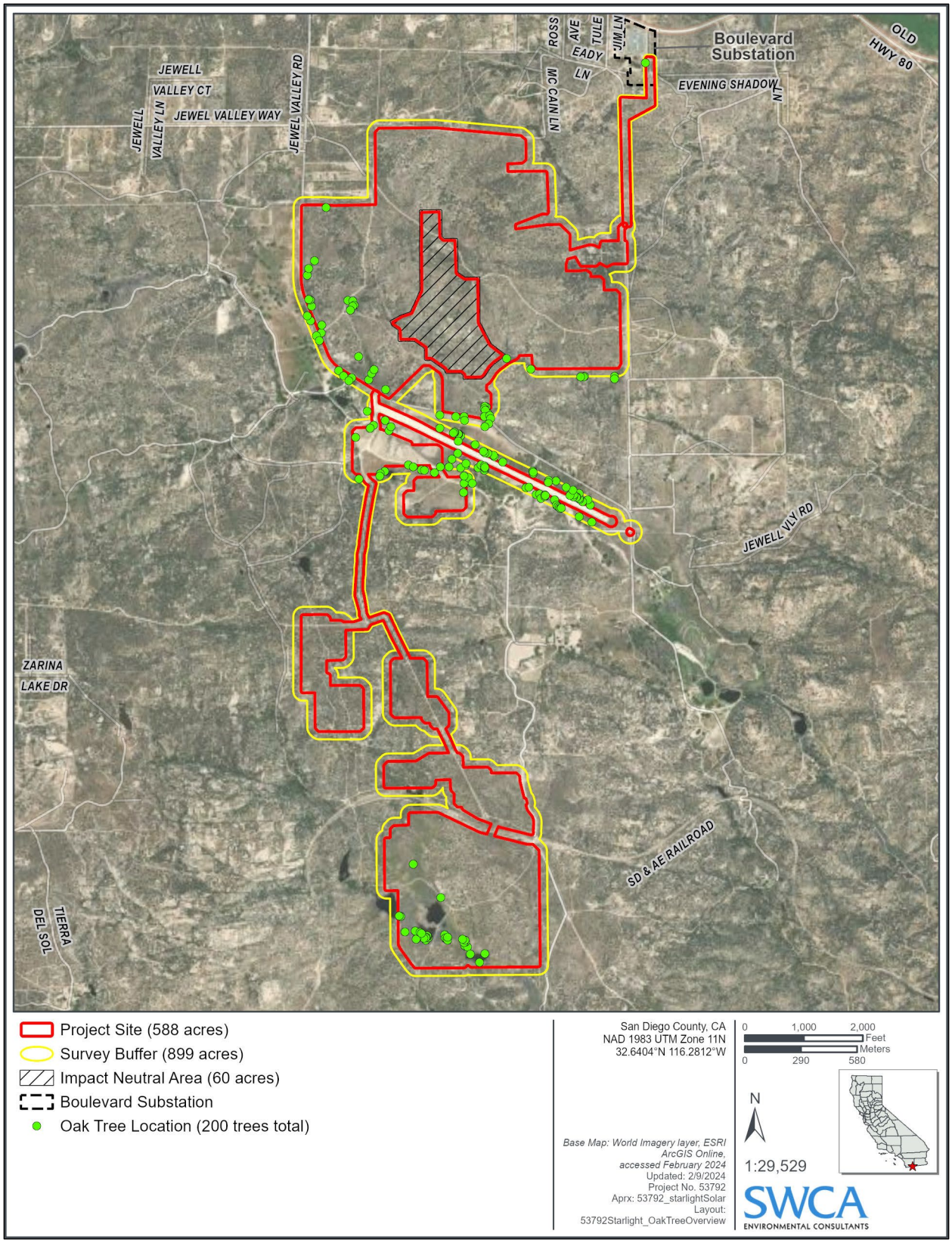

Figure 2.2-4. Coast Live Oak Tree Inventory, Overview Map

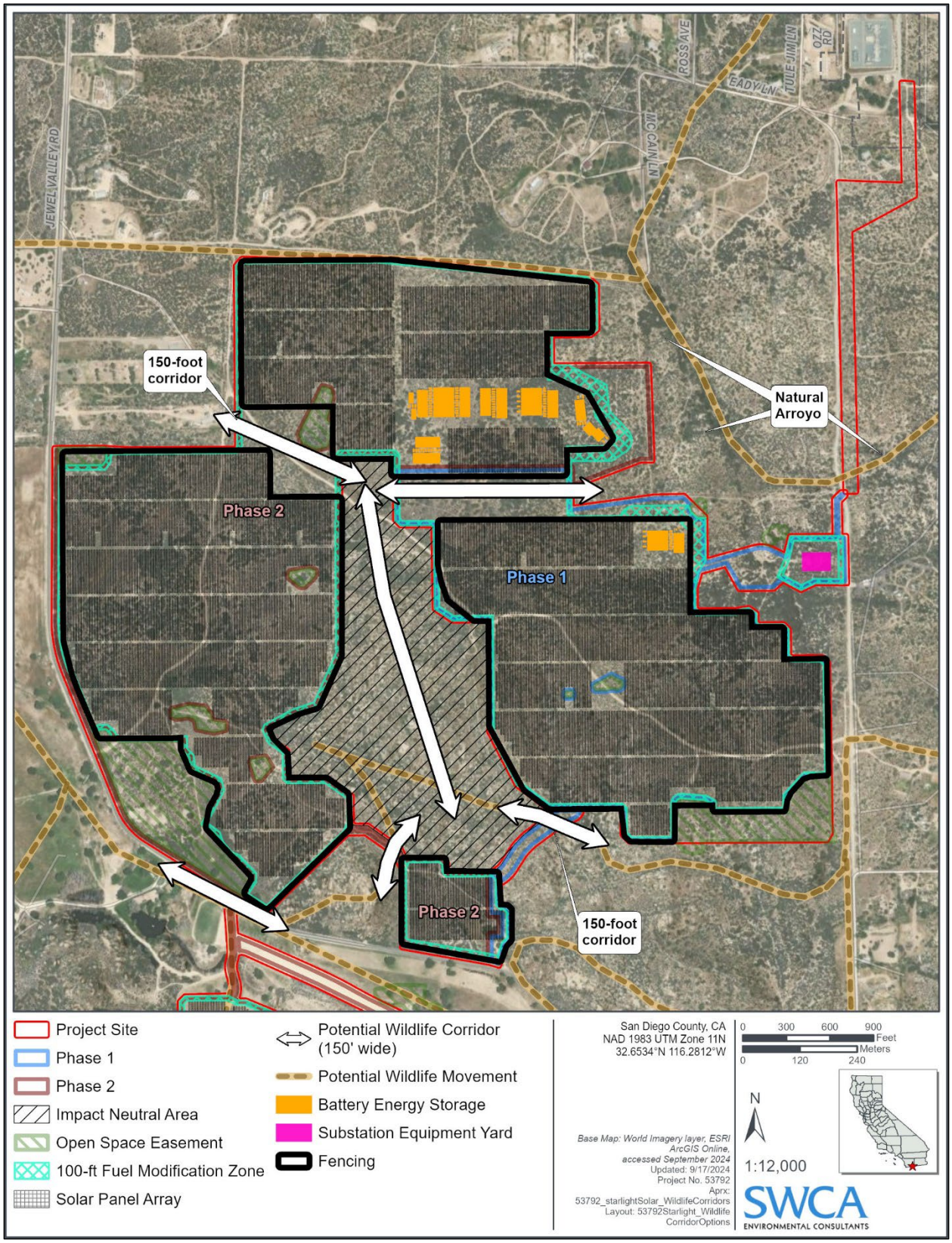

Figure 2.2-5. Conceptual Wildlife Corridor Locations On-site (Figure 15 of the Biological Resources Report)