

---

## 3.2 - Biological Resources

---

This section describes the potential biological resources effects of project implementation on the project site and its surrounding area. The proposed project (i.e., the recharge facility, pipeline, service connection site, and offsite triangular parcel) is located in an area that is covered by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP is a comprehensive, multi-jurisdictional habitat conservation plan (HCP) focusing on conservation of species and their associated habitats in western Riverside County. The SGPWA, project applicant and lead agency, is not a signatory or a Participating Special Entity to the MSHCP, and therefore, SGPWA discretionary approvals, such as those associated with the proposed Beaumont Avenue Recharge Facility and Pipeline Project, are not covered under the MSHCP. Therefore, the SGPWA discretionary approvals are not required to be consistent with the Western Riverside County MSHCP, and a MSHCP Consistency Analysis is not required for the SGPWA discretionary approvals. Although the SGPWA discretionary approvals are not required to be consistent with the MSHCP, SGPWA has chosen to use information from the MSHCP to determine potential impacts associated with the SGPWA discretionary approvals. In addition to the SGPWA discretionary approvals, the implementation of the proposed pipeline component of the project that extends under the Noble Creek and Mountain View Channel (MVC) concrete culverts at Beaumont Avenue and Orchard Street will require an encroachment permit that is a discretionary action by the Riverside County Flood Control and Water Conservation District (RCFCWCD) who is a signatory to the MSHCP. In addition, the implementation of the proposed pipeline component of the project that extends from the recharge facility site to Brookside Avenue (approximately 10 linear feet) and then to Beaumont Avenue (approximately 180 linear feet) will require an encroachment permit that is a discretionary action by the City of Beaumont who is a signatory to the MSHCP. Therefore, these portions of the proposed pipeline will be covered under the MSHCP and will be required to be consistent with the MSHCP. A MSHCP Consistency Analysis for those portions of the pipeline extending under the Noble Creek and MVC concrete box culverts at Beaumont Avenue and Orchard Street as well as the portions from the recharge facility to Beaumont Avenue is required.

Descriptions and analysis in this section are based on information contained in the April 2013 Habitat Assessment and MSHCP Consistency Analysis; the April 2013 Jurisdictional Delineation (JD); and the January 2013 Focused Los Angeles Pocket Mouse (LAPM) Survey Report, all of which were prepared by Michael Brandman Associates. The Habitat Assessment and MSHCP Consistency Analysis, JD, and Focused LAPM Survey Report are included in this Draft EIR as Appendix C.

### 3.2.1 - Existing Conditions

The project survey area includes the proposed recharge basin, pipeline alignment, service connection site, and the offsite triangular parcel. The survey area has a constant gradient with elevations higher in the northern portion of the study area compared to the southern portion of the study area. Elevations range from 2,530 to 2,680 feet above mean sea level. The Beaumont, California USGS

**Biological Resources**

---

7.5-minute topographic quadrangle depicts Noble Creek as a blue-line stream between the proposed recharge facility and the offsite triangular parcel as well as crossing under Brookside Avenue and Beaumont Avenue. The project survey area contains developed land as well as undeveloped land consisting of four major plant communities: ruderal, Riversidean sage scrub (RSS), Riversidean alluvial fan sage scrub (RAFSS), and disturbed. Existing land uses surrounding the project areas are as follows:

**Recharge Basin Site** - The Mountain View Middle School is to the south, Noble Creek to the north, undeveloped land to the west, and Beaumont Avenue as well as the Beaumont Sports Park to the east.

**Pipeline Alignment** - Land uses adjacent to the proposed pipeline generally consist of residential and commercial uses, although specific uses such as Beaumont High School and the Beaumont-Cherry Valley Water District's Recharge Facility and the City of Beaumont Recreational Park also occur in the vicinity of the alignment.

**Service Connection Site** - Low density single-family residential uses are located to the north, west, and south. To the east is the Mountain View Channel and further east are single-family residential uses.

**Offsite Triangular Parcel** - Beaumont High School is located to the north, the Mountain View Channel is located to the west and further west is undeveloped land and the Brookside Elementary School, and Noble Creek is located to the south and east.

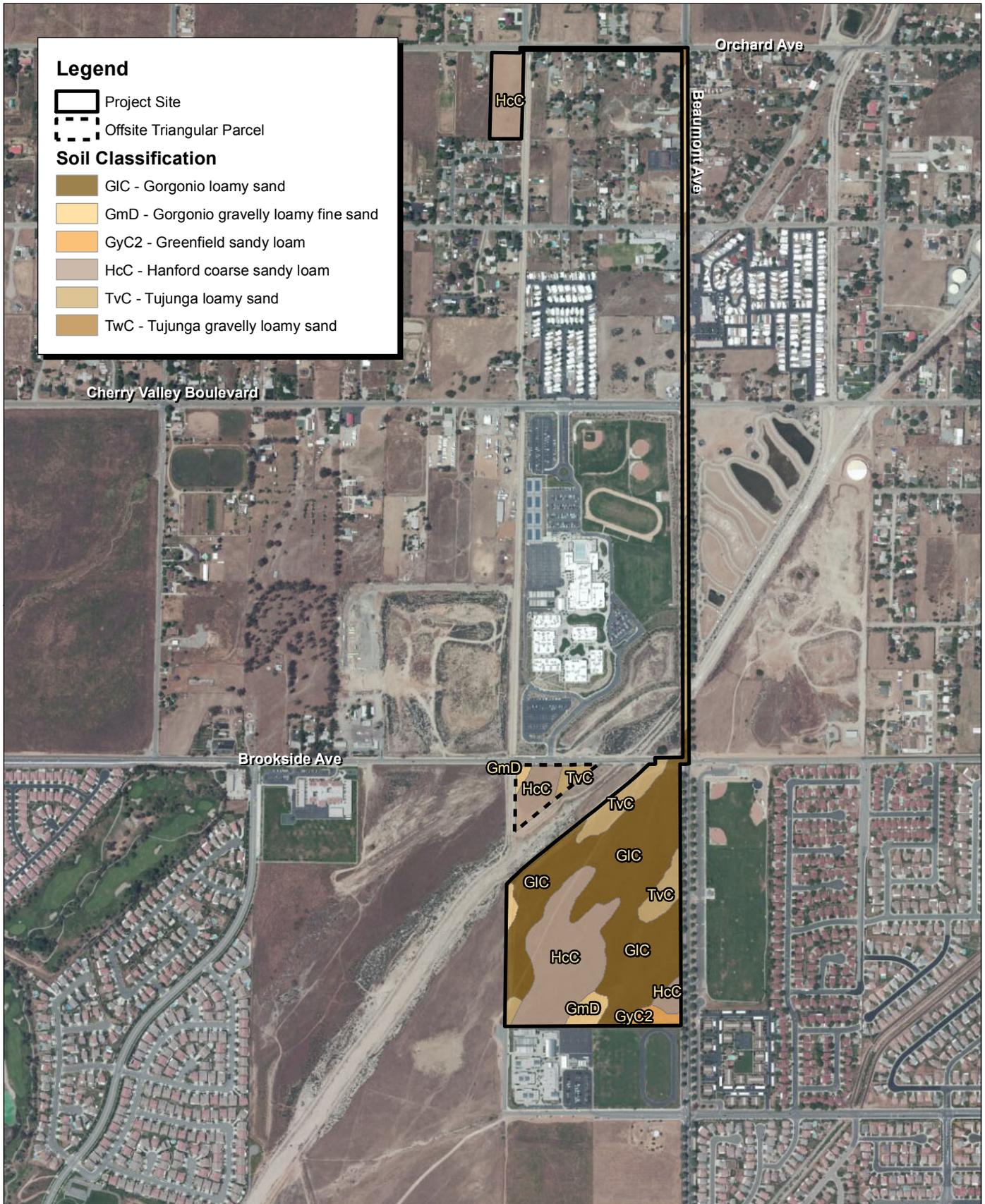
**Soils**

Exhibit 3.2-1 shows soils that are mapped within the project survey area. The four soil series located within the project site include Gorgonio, Greenfield, Hanford, and Tujunga.

The Gorgonio and Hanford series are somewhat excessively-drained to excessively-drained soils on alluvial fans. These soils developed in alluvium consisting mainly of granitic materials. In a typical profile of the Gorgonio series, the surface layer is loamy fine sand about 15 inches thick followed by stratified gravelly loamy sand and gravelly loamy fine sand to a depth of more than 60 inches.

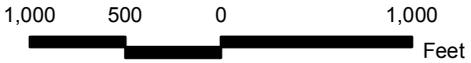
Gorgonio series mapping units include Gorgonio loamy sand and Gorgonio gravelly loamy fine sand. The Hanford profile consists of coarse sandy loam in the upper 18 inches and stratified coarse sandy loam and loamy sand below. The Hanford series mapping units include Hanford coarse sandy loam.

The Greenfield series consists of deep, well-drained soils that formed in moderately coarse and coarse textured alluvium derived from granitic and mixed rock sources. Greenfield soils are on alluvial fans and terraces and have slopes of 0 to 30 percent. The Greenfield series mapping unit is Hanford coarse sandy loam.



Michael Brandman Associates

31780004 • 06/2013 | 3.2-1\_Soils\_Map.mxd



### Exhibit 3.2-1 Soils Map



The Tujunga series consists of excessively drained soils on alluvial fans and flood plains. These soils also developed in alluvium from predominately granitic materials. In a typical profile, the surface layer is light-gray loamy sand about 10 inches thick. Below this layer are light-gray fine sand and sand. The Tujunga series mapping units include Tujunga loamy sand and Tujunga gravelly loamy sand. Based on a review of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP), none of these soils listed above are designated as sensitive.

### **Plant Communities**

Based on field surveys that were conducted in June and December 2012 as well as a review of aerial photographs, plant communities were mapped within the project survey area as shown on Exhibit 3.2-2. The proposed project sites collectively consist of approximately 57.2 acres, which includes the recharge facility, pipeline, service connection site, and the offsite triangular parcel. Following are the plant communities found within the project sites.

#### ***Ruderal***

Ruderal vegetation consists mainly of non-native herb species often in association with annual grasses and occasional native annual forbs. These forbs and grasses begin to germinate with the fall rains, grow during the winter and spring, and wither in the early summer. The dominant plant species within the ruderal habitat consists of red-stemmed filaree (*Erodium cicutarium*), dove weed (*Eremocarpus setigerus*), bromes (*Bromus* sp.), and wild oats (*Avena fatua*). The project survey area contains approximately 49.9 acres of ruderal vegetation.

#### ***Riversidean Sage Scrub***

RSS is a natural plant community that is widespread throughout Riverside County. RSS vegetation typically consists of low-growing, drought deciduous, and evergreen shrubs that occur on steep and/or gentle sloping topography. This community is often found on xeric sites with severely drained soils, or clays that release stored soil moisture slowly. Stands of RSS range from fairly open to dense, are typically dominated by California sagebrush (*Artemisia californica*) and California buckwheat (*Eriogonum fasciculatum*), and are often found intergraded with chaparral, grassland, and ruderal-type plant communities (Holland 1986).

The RSS community is dominated almost entirely by California buckwheat. A small patch of this low-growing scrub habitat occurs within the triangular parcel north of Noble Creek and south of Brookside Avenue. The project survey area contains approximately 0.4 acre of RSS.

#### ***Riversidean Alluvial Fan Sage Scrub***

RAFSS is a subtype of coastal sage scrub that occurs on sandy, rocky alluvium deposited by streams that experience infrequent episodes of flooding. RAFSS is composed of an assortment of drought-deciduous sub-shrubs and large, evergreen, woody shrubs that are adapted to the periodic and intense episodes of flooding and erosion that occurs along the alluvial fans. Scalebroom (*Lepidospartum squamatum*) has a high fidelity to alluvial substrates and is found throughout RAFSS. Other species

**Biological Resources**

---

commonly occurring in RAFSS include California buckwheat, hairy yerba santa (*Eriodictyon trichocalyx*), sugarbush (*Rhus ovata*), Whipple's yucca (*Hesperoyucca whipplei*), and mulefat (*Baccharis salicifolia*).

There is RAFSS that is located immediately north of the proposed recharge basin within Noble Creek; however, there is no RAFSS habitat that is located in the northern portion of the proposed recharge basin. The dominant plants observed in the RAFSS habitat within Noble Creek include scalebroom, California buckwheat, and California croton (*Croton californicus*).

**Remnant Riversidean Alluvial Fan Sage Scrub**

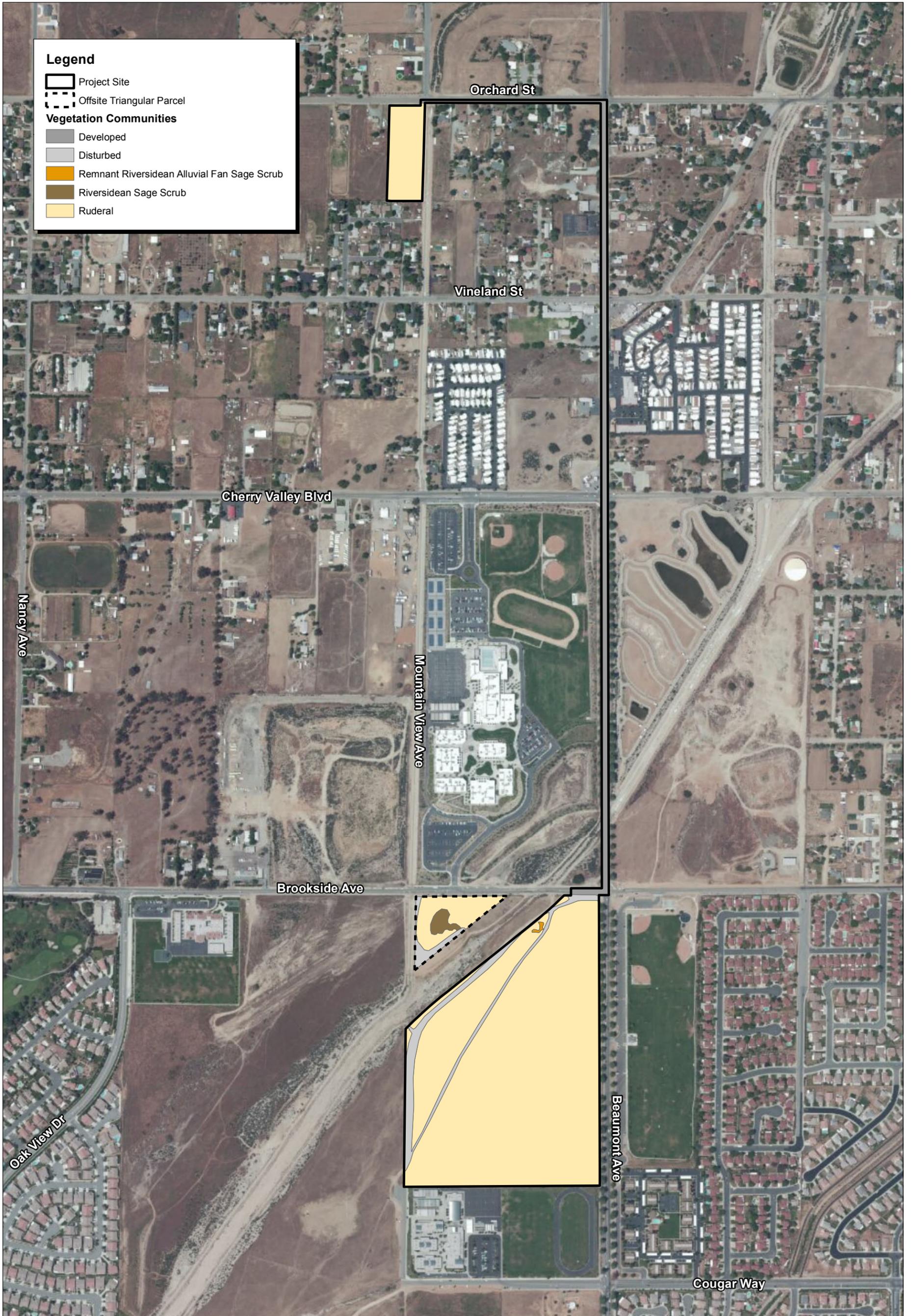
Remnant RAFSS is a subtype of RAFSS found in areas where scalebroom is found but the possibility of periodic flooding is no longer possible due to disturbance or development. There is a small area in the north portion of the proposed recharge facility (i.e., south and east of Noble Creek) that contains remnant RAFSS. The area contains some scattered scalebroom in an area surrounded by ruderal vegetation. The project survey area contains 0.05 acre (rounded to 0.1 acre) of low quality remnant RAFSS.

**Developed**

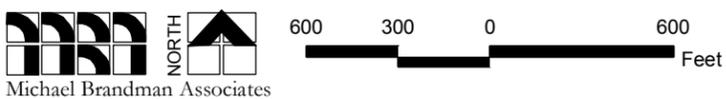
Developed habitat includes any form of human disturbance, especially in cases of permanent removal of natural communities. By definition, Developed areas include areas covered in pavement or asphalt, such as buildings, roads, and sidewalks. The proposed pipeline alignment is within Brookside Avenue, Beaumont Avenue, and Orchard Avenue; these areas are defined as Developed. The pipeline will be placed in a trench beneath the existing roadbed. In addition, the pipeline will extend under the Noble Creek and Mountain View Channel (MVC) concrete culverts at Beaumont Avenue and Orchard Street. The project survey area contains approximately 3.3 acres of Developed areas.

**Disturbed**

Disturbed habitat includes areas in which the vegetative cover comprises less than 10 percent of the surface area (disregarding natural rock outcrops). These areas often contain evidence of soil surface disturbance and compaction from previous legal human activity. Also, where the vegetative cover is greater than 10 percent, there is often soil surface compaction associated with the disturbed nature of the site. There are areas of dirt roads within the proposed basin site and areas of mostly bare soil along Brookside Avenue. There are also areas of dirt roads and disturbed ground within the offsite triangular parcel. The project survey area contains approximately 3.5 acres of disturbed area.



Source: ESRI Aerial Imagery. MBA Field Survey and GIS Data, 2013.



### Exhibit 3.2-2 Vegetation Communities



**Table 3.2-1: Project Survey Area Plant Communities**

Plant Community	Total Survey Area (acres)				
	Recharge Basin Site	Pipeline	Service Connection Site	Offsite Triangular Parcel	Total Survey Area
Ruderal	44.0	0.0	3.5	2.4	49.9
Riversidean Sage Scrub	0.0	0.0	0.0	0.4	0.4
Riversidean Alluvial Fan Sage Scrub	0.0	0.0	0.0	0.0	0.0
Remnant Riversidean Alluvial Fan Sage Scrub	0.1	0.0	0.0	0.0	0.1
Developed	0.0	3.3	0.0	0.0	3.3
Disturbed	2.9	0.0	0.0	0.6	3.5
<b>Total</b>	<b>47.0</b>	<b>3.3</b>	<b>3.5</b>	<b>3.4</b>	<b>57.2</b>

Source: Michael Brandman Associates, Habitat Assessment, 2013.

**Nesting Birds**

The project sites contain plant communities that provide suitable nesting habitat for a number of avian species. The Riversidean Sage Scrub and Riversidean Alluvial Fan Sage Scrub habitat provide suitable nesting habitat for a number of shrub nesting species such as wrenit (*Chamaea fasciata*) and California towhee (*Pipilo crissalis*). The Ruderal vegetation community may provide suitable habitat for ground nesting birds such as western meadowlark (*Sturnella neglecta*) or killdeer (*Charadrius vociferus*).

**Jurisdictional Waters of the United States**

Exhibit 3.2-3 shows United States Army Corps of Engineers (USACE) jurisdiction drainage features that are mapped within the project area. The USACE jurisdictional delineation survey area encompassed the project sites as well as within Noble Creek and portions of the Mountain View Channel (MVC). A jurisdictional delineation was completed to determine the acreage of USACE jurisdictional waters within these areas. The two drainage features that were evaluated as part of the USACE jurisdictional delineation included Noble Creek and the MVC, both of which are under USACE jurisdiction. Noble Creek is a drainage feature that conveys flows from the northeast to the southwest. MVC is a drainage that conveys flows north to south and terminates into Noble Creek.

The proposed pipeline extends under the existing Noble Creek concrete box culvert at Beaumont Avenue and extends under the existing MVC concrete box culvert at Orchard Street. There are USACE jurisdictional areas located within Noble Creek and MVC but not under the existing box culvert at these two crossings. Based on the Jurisdictional Delineation that was prepared for the project, there are no USACE jurisdictional areas on the proposed recharge facility site, the service

connection site, or the offsite triangular parcel. In addition, there are no other USACE jurisdictional areas along other portions of the pipeline alignment.

### **Jurisdictional Waters of the State**

Exhibit 3.2-3 shows California Department of Fish and Wildlife (CDFW) jurisdiction drainage features that are mapped within the project area. The CDFW jurisdictional delineation survey area encompassed the project sites as well as within Noble Creek and portions of the MVC. A jurisdictional delineation was completed to determine the acreage of CDFW jurisdictional waters within these areas. Similar to the evaluation of USACE jurisdictional areas, the two drainage features that were evaluated as part of the CDFW jurisdictional delineation included Noble Creek and the MVC, both of which are under CDFW jurisdiction.

The proposed pipeline extends under the existing Noble Creek concrete box culvert at Beaumont Avenue and extends under the existing MVC concrete box culvert at Orchard Street, and there are CDFW jurisdictional areas located within Noble Creek and MVC but not under the existing box culvert at these two crossings. Based on the Jurisdictional Delineation that was prepared for the project, there are no CDFW jurisdictional areas on the proposed recharge facility site, the service connection site, or the offsite triangular parcel. In addition, there are no other CDFW jurisdictional areas along other portions of the pipeline alignment.

### **Habitat Assessment Methodology**

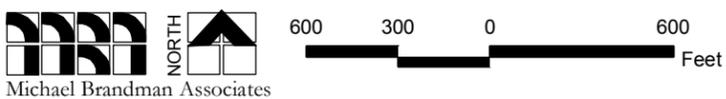
#### ***Western Riverside County MSHCP Consistency Analysis***

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is a comprehensive, multi-jurisdictional habitat conservation plan (HCP) focusing on conservation of species and their associated habitats in western Riverside County. The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region. The SGPWA, project applicant and lead agency, is not a signatory or a Participating Special Entity to the MSHCP, and therefore, SGPWA discretionary approvals, such as those associated with the proposed Beaumont Avenue Recharge Facility and Pipeline Project, are not covered under the MSHCP. Therefore, the SGPWA discretionary approvals are not required to be consistent with the Western Riverside County MSHCP, and a MSHCP Consistency Analysis is not required for the SGPWA discretionary approvals.

In addition to the SGPWA discretionary approvals, the implementation of the proposed pipeline component of the project that extends under the Noble Creek and Mountain View Channel (MVC) concrete culverts at Beaumont Avenue and Orchard Street will require an encroachment permit that is a discretionary action by the Riverside County Flood Control and Water Conservation District (RCFCWCD) who is a signatory to the MSHCP. Therefore, these portions of the proposed pipeline will be covered under the MSHCP and will be required to be consistent with the MSHCP.



Source: ESRI Aerial Imagery. MBA Field Survey and GIS Data, 2013.



### Exhibit 3.2-3 CDFW Jurisdictional Map



An MSHCP Consistency Analysis for those portions of the pipeline extending under the Noble Creek and MVC concrete box culverts at Beaumont Avenue and Orchard Street is required.

Although the SGPWA discretionary approvals associated with the proposed project are not required to be consistent with the MSHCP, SGPWA has chosen to use information from the MSHCP to determine potential impacts associated with the SGPWA discretionary approvals. As an example, the entire proposed project was reviewed to determine if the project site locations were within MSHCP Criteria Cells, core habitat, and wildlife movement corridors, or if areas were proposed for future conservation. Based on a review of the MSHCP, the project sites are not located in a MSHCP Criteria Cell, core habitat, wildlife corridors, or in or adjacent to MSHCP conservation areas. In addition, the Riverside County Integrated Project (RCIP) Conservation Summary Report Generator was queried to determine the need for habitat assessment and potential surveys for the project sites. Based on the query, an assessment of species associated with riparian/riverine areas and vernal pools were identified as well as an assessment of burrowing owl (BUOW), Los Angeles Pocket Mouse (LAPM), and narrow endemic plant (NEP) species. Following is an evaluation of each identified habitat/species.

### **Riparian/Riverine Habitat**

Based on a field survey of the project sites, there are no riparian plant species present within the project survey area. Scouring by Noble Creek has created riverine habitat (i.e., RAFSS) within the creek in close proximity of and north of the proposed recharge basin; however, there is no RAFSS habitat located on the northern portion of the proposed recharge basin site.

### **Riparian/Riverine Species**

Based on the field survey of the project sites, there were no riparian or riverine habitat located on the project sites, including the northern portion of the proposed recharge basin site.

Since the northern portion of the proposed recharge basin is located immediately adjacent to riverine habitat (RAFSS), a focused survey for the Los Angeles Pocket Mouse (LAPM) was conducted in this area. Based on the focused survey, LAPM were present within the RAFSS and a small buffer around the RAFSS within Noble Creek and the offsite triangular parcel. Therefore, there were no LAPM located within the northern portion of the proposed recharge basin.

The remnant 0.1 acre of RAFSS on the recharge facility site is not considered riverine habitat because riverine habitat needs an active drainage for the long-term conservation of riparian and riverine species. Moisture within a drainage feature provides the necessary element to support riparian and riverine habitat and species. The remnant RAFSS no longer has an active drainage associated with this 0.1-acre area. Based on a review of Section 6.1.2 of the MSHCP, which includes a list of riparian/riverine species, these species include amphibians, birds, fish, invertebrates-crustaceans and plants. The amphibian species include arroyo toad, mountain yellow-legged frog, and California red-

legged frog. The bird species include bald eagle, least Bell's vireo, peregrine falcon, southwestern willow flycatcher, and western yellow-billed cuckoo. The fish species includes Santa Ana sucker. The invertebrates - crustaceans species include Riverside fairy shrimp and vernal pool fairy shrimp. The plant species include Brand's phacelia, California Orcutt grass, California black walnut, Coulter's matilija poppy, Engelmann oak, Fish's milkwort, graceful tarplant, lemon lily, Mojave tarplant, mud nama, ocellated Humboldt lily, Orcutt's brodiaea, Parish's meadowfoam, prostrate navarretia, San Diego button-celery, San Jacinto Valley crowscale, San Miguel savory, Santa Ana River woolly-star, slender-horned spine flower, smooth tarplant, spreading navarretia, thread-leaved brodiaea, and vernal barley. The 0.1-acre area is not suitable to support the riparian/riverine species listed above because these species require a drainage feature.

### **Vernal Pools/Fairy Shrimp Habitat**

No depressions or areas where water could pool were observed on the project sites, and no ponded areas or depressions that could support fairy shrimp habitat occur in the project survey area.

### **Burrowing Owl**

Portions of the recharge facility site are included in the MSHCP habitat assessment area for burrowing owl (BUOW). BUOW is a state species of concern due to a decline in their population over the past 30 years. The species occurs in short-grass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), prairies, coastal dunes, and desert floors. However, BUOW is particularly adaptive and may occur in such varied uses as golf courses, road allowances, airports, vacant lots, school campuses, fairgrounds, abandoned buildings, and irrigation ditches.

The presence of recently excavated burrows is the primary habitat requirement for nesting, but the species may also use pipes, culverts, and nest boxes where burrows are scarce. One burrow is typically selected for use as the nest, although satellite burrows are usually found within the immediate vicinity of the nest burrow within the defended territory. While, open areas with short vegetation are critical for nesting, there is some evidence that BUOW prefer a vegetation mosaic with nesting habitat interspersed within taller vegetation for hunting. However, the primary requirement for suitable BUOW foraging habitat appears to be low vegetation cover that allows visibility and access to prey.

According to a California Natural Diversity Database (CNDDDB) records search, there is one record of BUOW occurrence in the general project vicinity, dating back to 1921. This record is located in the Badlands area near Gilman Hot Springs Road approximately 6.5 miles southeast of the project area. During the field surveys, suitable California ground squirrel and desert cottontail burrows were observed immediately north of the proposed recharge facility site, within the terraces of Noble Creek. During the spring, the recharge facility site does not provide suitable habitat for BUOW due to the presence of tall growing mustard and fiddleneck, dense vegetative cover that does not provide suitable foraging habitat for this species.

## Los Angeles Pocket Mouse

LAPM is a California Special Concern (CSC) species as designated by the CDFW. LAPM prefers fine, sandy soils for burrowing and occurs in sparsely vegetated, lower elevation grassland and coastal sage scrub. Evidence indicates that pocket mice avoid dense grass cover because of difficulty locomoting and finding seeds. This species can be found along the benches of sandy washes, as it provides the necessary habitat components.

Portions of the project survey area provides suitable LAPM habitat, particularly on the first and second terraces of Noble Creek. These benches are sparsely vegetated with RAFSS and ruderal vegetation and occur with sandy soils. The CNDDDB has a record for LAPM occurrence approximately 2.3 miles northeast of the project site. Because of the presence of suitable habitat for LAPM and a nearby historical record, a focused survey was conducted and provided in Appendix C of this Draft EIR.

The trapping survey resulted in several LAPM being captured within the RAFSS and RSS on the recharge facility site and the offsite triangular parcel, respectively. A total of 33 LAPM captures were recorded on Transects 2 to 5 during this survey (Table 3.2-2). Transect 1 was not located on any portions of the project site, and there were no LAPM that were caught along Transect 1. LAPM were captured along the length of Transects 3 to 5. However, they were only trapped in Transect 2 (i.e., the remnant RAFSS south and east of Noble Creek) along the portion of the transect that intersected the isolated RAFSS plant community and not in the adjacent ruderal vegetation.

Based on the survey results, LAPM are only found within suitable habitat within the project survey area, which includes all RSS and RAFSS habitat, as well as a small buffer area surrounding these vegetation communities (i.e., in the areas of Transects 3 through 5), which is often associated with an ecotone, a transitional area between two vegetation communities that has elements of both vegetation communities. This buffer area around the RAFSS within Noble Creek is located immediately north of the northern boundary of the proposed recharge basin site.

As stated previously, the SGPWA's discretionary action to approve the proposed construction and operational activities on the proposed recharge basin and the offsite triangular parcel are not covered by the MSHCP; therefore, the provisions of CEQA are required to be followed which requires a determination of the level of impact.

Two mammal species in total were trapped and included LAPM and deer mouse (*Peromyscus maniculatus*).

**Table 3.2-2: Focused Trapping Results**

Night	Los Angeles Pocket Mouse	Deer Mouse
1	5	10
2	7	6
3	7	5
4	7	6
5	7	5
<b>Totals</b>	<b>33</b>	<b>32</b>
Source: Michael Brandman Associates, Habitat Assessment, 2013.		

### Narrow Endemic Plant Species

The MSHCP was reviewed to determine the narrow endemic plant species that may be associated with the project area. Based on a review, the Marvin’s onion and many-stemmed dudleya were the plant species identified in the MSHCP habitat assessment area for the project area for the narrow endemic plant species. Following is a discussion of both of these plant species.

#### *Marvin’s Onion*

Marvin’s onion is designated as a 1B.1 species, which means the CNPS considers it seriously endangered in California. It occurs in openings in clay soils within chaparral. Marvin’s onion is a bulbiferous herb, which blooms from April to May and is threatened by loss of habitat from development. It is known only from two occurrences; one located in the San Bernardino National Forest on the east side of Water Canyon, and the other generally located east of the City of Beaumont. The occurrence east of the City of Beaumont was observed in 1921 and the specific locale was not provided. Marvin’s onion was not observed during the field surveys.

#### *Many-stemmed Dudleya*

Many-stemmed dudleya is designated as a List 1B.2 species, which means the CNPS considers it fairly endangered in California. It is often associated with clay soils in barrens, rocky places, or thinly vegetated openings in chaparral, coastal sage scrub, and southern needlegrass grasslands. The majority of populations is associated with coastal sage scrub or open coastal sage scrub. Many-stemmed Dudleya is a perennial herb that blooms from April to July. It is known from less than 15 occurrences in Riverside County and is seriously threatened by development, road construction, grazing, and recreation. Many-stemmed dudleya was not observed during the field surveys.

### Offsite Landscaping

Although there is no landscaping that is located within the proposed project sites, there is landscaping along Beaumont Avenue from the southern end of the proposed recharge basin site to Orchard Street

and along Orchard Street. This landscaping contains typical non-native landscaping including palms, oleanders, grass lawns, and pepper trees. The area along Beaumont Avenue from the southern end of the proposed recharge basin site to Cherry Valley Boulevard contains mature deodar or Himalayan cedar (*Cedrus deodar*).

### 3.2.2 - Regulatory Setting

#### Federal

##### ***Federal Endangered Species Act***

The USFWS administers the federal Endangered Species Act (FESA), which provides a process for listing species as either threatened or endangered and methods of protecting listed species. The FESA defines an “endangered” species as any plant or animal species that is in danger of extinction throughout all or a significant portion of its range. A “threatened” species is a species that is likely to become endangered in the foreseeable future. A “proposed” species is one that has been officially proposed by USFWS for addition to the federal threatened and endangered species list.

Section 9 of the FESA prohibits “take” of threatened or endangered species. The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct. The presence of any federally threatened or endangered species within a project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under the regulations of the FESA, the USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

##### ***Migratory Bird Treaty Act***

The Migratory Bird Treaty Act (MBTA) makes it unlawful to pursue, capture, kill, or possess or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in wildlife protection treaties between the United States, Great Britain, Mexico, Japan, and the countries of the former Soviet Union.

##### ***Section 404 of the Federal Clean Water Act***

Section 404 of the federal Clean Water Act (CWA), which is administered by the U.S. Army Corps of Engineers (USACE), regulates the discharge of dredge and fill material into waters of the United States. The USACE has established a series of nationwide permits that authorize certain activities in waters of the U.S., provided that a proposed activity can demonstrate compliance with standard permit conditions. Normally, USACE requires an individual permit for an activity that will affect an area equal to or in excess of 0.5 acre of waters of the U.S. Projects that result in impacts to less than 0.5 acre can normally be conducted pursuant to one of the nationwide permits, if consistent with the standard conditions. Use of any nationwide permit is contingent on the proposed activity having no impacts to endangered species.

### **Section 401 of the Clean Water Act**

Section 401 of the CWA requires that "any applicant for a federal permit for activities that involve a discharge to waters of the State, shall provide the federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the federal Clean Water Act." Therefore, before the USACE will issue a Section 404 permit, applicants must apply for and receive a Section 401 water quality certification from the Regional Water Quality Control Board (RWQCB).

### **State**

#### **California Endangered Species Act**

The CDFG administers the California Endangered Species Act (CESA). The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take.

#### **Section 3503 and 3511 of the California Fish and Game Code**

The CDFG administers the California Fish and Game Code. There are specific sections of the Code that are applicable to natural resource management. For example, section 3503 of the Code states it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Section 3511 of the Code lists fully protected bird species, for which the CDFG is unable to authorize the issuance of permits or licenses to take these species. Pertinent species that are state fully protected include golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*).

#### **Section 1600 of the California Fish and Game Code**

All diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake in California are subject to the regulatory authority of the CDFG pursuant to sections 1600 through 1603 of the California Fish and Game Code, requiring preparation of a Streambed Alteration Agreement. Under the Code, a stream is defined as a body of water that flows at least periodically, or intermittently, through a bed or channel having banks and supporting fish or other aquatic life. Included are watercourses with surface or subsurface flows that support or have supported riparian vegetation. CDFG also has jurisdiction within altered or artificial waterways based on the value of those waterways to fish and wildlife, and has jurisdiction over dry washes that carry water ephemerally during storm events.

#### **Porter Cologne Act**

The RWQCB regulates actions that would involve "discharging waste, or proposing to discharge waste, with any region that could affect the water of the state," pursuant to provisions of the State

Porter-Cologne Water Quality Act. “Waters of the State” are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state.”

## Local

### ***Western Riverside County Multiple Species Habitat Conservation Plan***

The Western Riverside MSHCP is a comprehensive, multi-jurisdictional habitat conservation plan (HCP) focusing on conservation of species and their associated habitats in western Riverside County. The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region. The approval of the MSHCP and execution of the Implementing Agreement (IA) by the wildlife agencies allows signatories of the IA to issue “take” authorizations for all species covered by the MSHCP, including state- and federal-listed species, as well as other identified sensitive species and their habitats.

As discussed previously, the SGPWA is not a signatory or a Participating Special Entity to the MSHCP, and therefore, SGPWA discretionary approvals, such as those associated with the proposed Beaumont Avenue Recharge Facility and Pipeline Project, are not covered under the MSHCP. Therefore, the SGPWA cannot issue a “take” authorization for sensitive species covered by the MSHCP. The SGPWA is required to evaluate the potential impacts on habitats and species in accordance with the California Environmental Quality Act. Therefore, as stated previously, the Western Riverside County MSHCP is not applicable to the SGPWA discretionary approvals. The SGPWA has chosen to utilize the MSHCP for guidance in evaluating potential effects of the SGPWA’s discretionary approvals required for the proposed project.

As discussed previously in Section 1 of this Draft EIR, the SGPWA is exempt from local land use policies and ordinances in accordance with California Government Code Sections 53091(d) and 53091(e). Although exempt for the proposed project, SGPWA has chosen to provide a discussion of the local land use policies and ordinances.

### ***City of Beaumont General Plan***

The City of Beaumont General Plan contains the following goal and policies that address biological resources.

#### *Resource Management Element*

**Goal 4.** The City of Beaumont will assist in the protection of biological resources.

**Policy 11.** The City of Beaumont will work with landowners and government agencies in promoting development concepts that are sensitive to the environment and give maximum consideration to the preservation of natural habitats.

**Policy 12.** The City of Beaumont will work with landowners and government agencies in identifying areas within the General Plan's Planning Area that should be preserved as open space for passive recreation, resource management, or public safety.

**Policy 13.** The City of Beaumont will encourage the protection of existing wildlife in the conservation areas located in the southerly portion of the General Plan's Planning Area.

### ***Beaumont Municipal Code***

The Beaumont Municipal Code establishes the following biological resources provisions that are relevant to the project.

#### *Chapter 12.12 Excavations*

#### **Section 12.12.130 Tree Removal**

No person, firm, corporation, public district, public agency or political subdivision 'shall remove or severely trim any tree planted in the right of- way of any city street without first obtaining a permit from the city engineer to do so. Such permit shall be issued without fee; if the city engineer is satisfied that such removal or trimming is in the public interest or is necessary for the improvement of the right-of-way or the construction of improvements on adjacent land. The city engineer may impose such conditions as deemed reasonable or necessary, including requirements for the work to be done only by a qualified tree surgeon or tree trimmer actually engaged in that business, and for bond, insurance or other security to protect person and property from injury or damage. The provisions limiting trimming of trees shall not apply to any public utility maintaining overhead power or communication lines pursuant to franchise, where necessary to prevent interference of a tree with such installation. A permit for removal of a tree may be conditioned upon its relocation or replacement by one or more other trees of a kind or type to be specified in the permit. (Ord. 554 §4, 1982)

### ***County of Riverside General Plan***

The County of Riverside General Plan contains the following policies that address biological resources.

#### *Multipurpose Open Space Element*

**Policy OS 9.3.** Maintain and conserve superior examples of native trees, natural vegetation, stands of established trees, and other features for ecosystem, aesthetic, and water conservation purposes.

**Policy OS 17.1.** Enforce the provisions of applicable MSHCP's, if adopted, when conducting review of development applications.

**Policy OS 18.1.** Preserve multi-species habitat resources in the County of Riverside through the enforcement of the provisions of applicable MSHCP's, if adopted.

**Policy OS 19.8.** Whenever existing information indicates that a site proposed for development may contain biological, paleontological, or other scientific resources, a report shall be filed stating the extent and potential significance of the resources that may exist within the proposed development and appropriate measures through which the impacts of development may be mitigated.

### 3.2.3 - Thresholds of Significance

According to the CEQA Guidelines' Appendix G Environmental Checklist, to determine whether impacts to biological resources are significant environmental effects, the following questions are analyzed and evaluated. Would the project:

- a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (See Effect on Species Impact BIO-1.)
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (See Riparian Habitat Impact BIO-2.)
- c) 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? (See Federally Protected Wetlands Impact BIO-3.)
- d) 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 wildlife nursery sites? (See Wildlife Corridors and Nursery Sites Impact BIO-4.)
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (See Section 6.4.1, Local Policies or Ordinances Protecting Biological Resources)
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (See Conservation Plans Impact BIO-5.)

### 3.2.4 - Project Impact Analysis and Mitigation Measures

This section discusses potential impacts associated with the proposed project and provides mitigation measures where necessary.

**Effect on Species**

**Impact BIO-1**      **The project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

**Impact Analysis**

*Plant Communities*

The implementation of the proposed project will result in the direct removal of plant communities at each of the project site areas. As depicted in Table 3.2-3 below, ruderal, Riversidean alluvial fan sage scrub (RAFSS), developed, and disturbed plant communities would be directly impacted by removal during construction activities.

**Table 3.2-3 Plant Communities Impacts Within Project Survey Area**

Plant Community	Area of Impact (acres)					
	Total Survey Area <sup>1</sup>	Recharge Basin Site	Pipeline	Service Connection Site	Offsite Triangular Parcel	Total Area of Impact
Ruderal	49.9	44.0	0.0	1.8	2.4	48.2
Riversidean Sage Scrub	0.4	0.0	0.0	0.0	0.0	0.0
Riversidean Alluvial Fan Sage Scrub	0.0	0.0	0.0	0.0	0.0	0.0
Remnant Riversidean Alluvial Fan Sage Scrub	0.1	0.1	0.0	0.0	0.0	0.1
Developed	3.3	0.0	3.3	0.0	0.0	3.3
Disturbed	3.5	2.9	0.0	0.0	0.6	3.5
<b>Total</b>	<b>57.2</b>	<b>47.0</b>	<b>3.3</b>	<b>1.8</b>	<b>3.0</b>	<b>55.1</b>
Notes <sup>1</sup> The total survey area includes the 47.0-acre recharge facility site, the 3.3-acre pipeline site, the 3.5-acre service connection site, and 3.4-acre office triangular parcel. Source: Michael Brandman Associates, Habitat Assessment and MSHCP Consistency Analysis, 2013.						

*Wildlife Species*

The RSS and RAFSS are the plant communities within the project survey area that have the potential to provide suitable habitat to sensitive wildlife species, specifically the Los Angeles Pocket Mouse (LAPM). Due to the proximity of Noble Creek to the proposed recharge basin and the offsite triangular parcel, an evaluation of potential impacts on the burrowing owl was conducted. In addition, a discussion of potential impacts on nesting birds is provided. Following are the wildlife species discussions.

**Burrowing Owl** - Based on a field survey, the project sites do not contain suitable habitat for BUOW. While there is suitable habitat within the Noble Creek, north of the proposed recharge facility site and south of the offsite triangular parcel, and several suitable burrows within the Creek's upper terraces, these locations are not located within the project sites. However, due to the close proximity of Noble Creek to the recharge facility site and offsite triangular parcel, burrowing owls could create new suitable burrows in areas proposed for construction. Therefore, construction activities could result in significant impacts on burrowing owls.

**Los Angeles Pocket Mouse** - The existing remnant RAFSS habitat south and east of Noble Creek, the RSS in the offsite triangular parcel, and the RAFSS located immediately north of the proposed recharge basin provide suitable LAPM habitat. The CNDDDB has a record for LAPM occurrence approximately 2.3 miles northeast of the project site. Because of the presence of suitable habitat for LAPM and a nearby historical record, parts of the project sites adjacent to Noble Creek were determined to contain a moderate to high potential for LAPM.

The LAPM is not a federal or state listed threatened or endangered species, but is designated as a California Species of Concern. Due to the presence of LAPM during the recent trapping effort, CEQA guidelines require an assessment of project related impacts to determine if LAPM will be significantly impacted. Since the proposed pipeline portions, that are considered covered by the MSHCP due to the need for a discretionary approval of an encroachment permit by RCFCWCD, are not suitable for LAPM habitat, these MSHCP-covered portions of the proposed pipeline would not result in any impacts to the LAPM.

The Riversidean Alluvial Fan Sage Scrub that is located north of the proposed recharge facility, is associated with the active Noble Creek drainage channel. This RAFSS habitat will be avoided because it is located north of the proposed recharge basin site. In addition, 0.4 acres of Riversidean Sage Scrub habitat, located in the offsite triangular parcel, will be avoided and not be used for depositing soil from the pipeline construction or be used for construction staging. Although the high quality occupied RAFSS habitat is located immediately north of the proposed recharge basin and the 0.4 acres of high quality occupied habitat within the offsite triangular parcel will be avoided, indirect impacts to the LAPM may occur during construction and operational activities. These potential impacts are considered potentially significant.

There is occupied LAPM habitat that will be directly impacted by the proposed project. This habitat includes a small remnant patch of Riversidean Alluvial Fan Sage Scrub (0.05 acre), which is located just south of the main channel in the northern portion of the proposed recharge facility. This area is surrounded by unoccupied ruderal habitat based on the findings in the Focused LAPM Survey Report. Therefore, the proposed project will directly impact a small remnant patch of low quality habitat, while avoiding the high quality occupied habitat directly adjacent to the northern boundary of the proposed recharge basin as well as 0.4 acre located within the offsite triangular parcel. The loss

of 0.05 acres (rounded to 0.1 acre in Table 3.2-3) of low quality occupied habitat will not reduce the population of LAPM to a less than self-sustaining level, and therefore, is considered a less than significant impact. While the loss of a few individuals is considered an adverse impact, the small isolated patch of low quality remnant Riversidean Alluvial Fan Sage Scrub is not suitable for the long-term conservation of the species.

**Nesting Birds** - The project sites contain suitable nesting habitat for birds covered under the MBTA. As a result, project construction could potentially impact migratory and nesting avian species. Therefore, the project construction activities are considered to result in potential significant impacts on nesting birds.

#### *Plant Species*

**Marvin's onion and Many-stemmed dudleya** - The plant species that were evaluated were the narrow endemic plant species identified in the MSHCP that may be associated with the project area. Based on a review, the Marvin's onion and many-stemmed dudleya were the plant species identified in the MSHCP habitat assessment area for the project area for the narrow endemic plant species. These two plant species were not observed during the field survey conducted for the proposed project.

Based on only one occurrence of the Marvin's onion species in the project vicinity and that was east of Beaumont in 1921 as well as not being observed during the field surveys, this species has a low probability of occurrence, and therefore, the implementation of the proposed project would have a less than significant impact on the Marvin's onion species. The many-stemmed dudleya is associated with chaparral, coastal sage scrub, and southern needlegrass grasslands. The remnant RAFSS that is located on the proposed recharge basin and the RSS that is located on the offsite triangular parcel are a type of coastal sage scrub. However, the remnant RAFSS habitat is of low quality and the RSS is proposed to be avoided. Since the RAFSS habitat is of low quality and the RSS habitat is proposed to be avoided, the implementation of the proposed project would have a less than significant impact on the many-stemmed dudleya. Therefore, the implementation of the proposed project is expected to have less than significant impacts on sensitive plant species.

#### *Offsite Landscaping*

The implementation of the proposed project would not result in direct impacts to landscaping species on the ground surface because construction activities are not proposed at locations with these species. As shown in Table 3.2-2, the project sites do not contain landscaping.

Adjacent to the proposed pipeline route, there are landscaping species. Mature deodar trees are located along Beaumont Avenue and contain a root structure that may extend under the roadway. However, the supportive root structure for trees are generally under the tree canopy, and the primary support root structure is closer to the tree trunk with smaller roots further away from the trunk. Although, the deodar trees are non-native and not considered biologically sensitive, a review of the proposed pipeline construction activities was conducted.

The proposed pipeline would be constructed within an approximately four-foot wide trench that extends from 4 feet to 8 feet from the existing centerline of Beaumont Avenue. Based on a review of aerial photographs, there are 3 of the existing 67 deodar tree canopies from Brookside Avenue to Cherry Valley Avenue that extend approximately one foot east of the western side of the proposed trench. The remaining trees do not extend over the proposed trench. The trunks of the 3 trees are located approximately 20 to 24 feet from the proposed trench. The canopies of the 3 trees range from approximately 40 to 51 feet in diameter. Based on a site visit, the widths of the existing tree canopies, and the location of the tree trunks, the 3 deodar trees are mature and healthy. Because the three deodar trees are mature and healthy as well as based on (1) location of the trunks of the deodar trees which are approximately 20 to 24 feet from the proposed trench, (2) the width of the canopies which are approximately 40 to 51 feet, and (3) the location of the proposed trench (i.e., the canopies extending approximately one foot over the proposed trench), the health of the three existing deodar trees are not expected to be substantially affected with the implementation of the proposed project. Therefore, potential impacts to the deodar trees is considered a less than significant impact.

#### ***Level of Significance Before Mitigation***

Potentially significant impact.

#### ***Mitigation Measures***

- MM BIO-1** A pre-construction survey shall be conducted in accordance with the MSHCP guidelines. The survey shall be conducted by a qualified biologist within 30-days of any vegetation removal or ground disturbing activities on the project sites to ensure that no nesting BUOW occur within the sites. If BUOW are observed on any of the project sites during the pre-construction survey, MM BIO-2 shall be implemented.
- MM BIO-2** If BUOW are observed on any of the project sites during the pre-construction survey, they shall be passively relocated in accordance with the MSHCP guidelines. If BUOW are occupying a burrow between March and August, it shall be considered an active nest, unless otherwise determined by a qualified biologist, and passive relocation shall be delayed until September, or until the nestlings have fledged the nest.
- MM BIO-3** Prior to any soil storage activities within the offsite triangular parcel located north of Noble Creek, east of Mountain View Channel, and south of Brookside Avenue and the construction activities within the northern portion of the proposed recharge facility, the occupied habitat of the Los Angeles Pocket Mouse on the triangular parcel and along Noble Creek (i.e., 0.4-acre area) shall be flagged by a qualified biologist at least 15 days prior to any construction activities. No construction activities including soil storage or staging of construction materials, equipment, or vehicles shall occur within the flagged areas.

**Biological Resources**

---

- MM BIO-4** In project construction areas that are within 200 feet of occupied LAPM habitat, all excavated, steep-walled holes or trenches more than two feet deep shall be either be covered at the end of each construction day with plywood or one or more escape ramps constructed of earth fill or wooden planks shall be placed to prevent entrapment of LAPM during project construction. The ramps shall be located at no greater than 100-foot intervals, contain slopes less than 45 percent, and be at least one-foot wide.
- MM BIO-5** All trenches and holes shall be inspected for entrapped wildlife each morning prior to the onset of project construction. Before holes or trenches are filled, they shall be thoroughly inspected for entrapped animals. Any animals discovered during these inspections shall be removed from the trench or hole by the project biologist and released.
- MM BIO-6** Any pipes, poles, culverts, or similar construction materials with a diameter of 1.5 inches or greater stored overnight at the proposed recharge facility site that are within 200 feet of occupied LAPM habitat shall be thoroughly inspected for the presence of LAPM before the materials are subsequently buried, capped, or otherwise used or moved. Unburied pipes laid in trenches overnight shall be capped. If LAPM are discovered inside a pipe, that section of pipe shall not be moved until the project biologist has been consulted. If necessary and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activities until the animal has been removed and released.
- MM BIO-7** The maintenance of equipment; dispensing of fuel, oil, or coolant; and all other similar construction activities shall be restricted to designated staging areas located outside of Noble Creek to prevent the release of any hazardous substances into the drainage. Any accidental spills shall be immediately contained and properly remediated according to local, State, and federal regulations.
- MM BIO-8** No pets shall be allowed on and adjacent to environmentally sensitive areas.
- MM BIO-9** Rodenticides, herbicides, insecticides, or other chemicals that could potentially harm sensitive species shall only be used by a qualified applicator. Chemical application shall not be applied in areas of occupied LAPM habitat.
- MM BIO-10** Trash shall be collected and stored so that it is inaccessible to scavengers (i.e., crows, raccoons, and coyotes) and shall be removed daily so as not to attract potential LAPM predators.

- MM BIO-11** No nighttime construction or maintenance activities shall occur. Nighttime shall be defined as when the sun sets below the horizon.
- MM BIO-12** A pre-construction survey shall be conducted by a qualified biologist within 30-days of any vegetation removal or ground disturbing activities on the project sites to ensure that no nesting birds occur within the sites. This survey shall occur each year prior to the construction of the recharge basin berms, and may coincide with the mandatory BUOW pre-construction survey outlined in MM BIO-1. If nesting birds are observed on any of the project sites during the pre-construction survey, MM BIO-13 and MM BIO-14 shall be implemented.
- MM BIO-13** If nesting birds are present within the project footprint, they shall be avoided until the nesting activities are complete, as determined by a qualified biologist. In the event that nesting birds are observed during the pre-construction survey, a buffer area shall be established around the nest. The buffer area shall be no less than 200 feet around any active nest and shall be established by a qualified biologist based on the specific avian species and type of disturbance in the area. Construction activities may occur within the buffer area at the discretion of a qualified biologist. All construction activities with the potential to cause a nest failure shall be prohibited from the area until the nestlings have fledged.
- MM BIO-14** A qualified biologist shall be present during all vegetation removal and ground disturbing activities. The nest monitoring will continue during construction activities until all nesting activities have ceased.

***Level of Significance After Mitigation***

Less than significant impact with mitigation incorporated.

The implementation of Mitigation Measures BIO-1 and BIO-2 will reduce the potential for impacts on the burrowing owl by ensuring that the burrowing owl is not located in the project areas proposed for construction, and if they are found then passively relocating them to reduce potential impacts. These measures will reduce impacts on burrowing owls to less than significant.

The implementation of Mitigation Measure BIO-3 includes flagging the LAPM habitat areas (i.e., the RAFSS located immediately north of the proposed recharge facility adjacent to Noble Creek and the 0.4-acre RSS area within the offsite triangular parcel) so that construction activities do not directly impact the LAPM or its habitat. The implementation of Mitigation Measures BIO-4 through Bio-11 are best management practices to be implemented during construction and operational activities so that the LAPM are not accidentally impacted. These measures will reduce potential impacts to the LAPM to less than significant.

**Biological Resources**

---

The implementation of Mitigation Measures BIO-12 through BIO-14 will include pre-construction surveys, and if needed, an establishment of a buffer and monitoring during construction activities to reduce the potential for impacts on nesting birds. These measures will reduce impacts to nesting birds to less than significant.

**Riparian Habitat**

---

**Impact BIO-2**      **The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.**

---

**Impact Analysis**

The RAFSS habitat that is located along Noble Creek could be considered riverine habitat; however, this RAFSS habitat is located outside of the project sites and north of the proposed recharge facility. Therefore, the project will result in less than significant impacts on the offsite riverine habitat.

The remnant 0.1-acre RAFSS habitat that is located in the proposed recharge facility site and is south and east of Noble Creek is not considered riverine habitat because there is no longer an active drainage associated with this 0.1-acre area. Therefore, the proposed project will result in no impact on riverine habitat from the removal of the 0.1-acre of RAFSS habitat.

The proposed pipeline will extend under Noble Creek and MVC. Noble Creek has riparian and riverine habitat; however, the proposed pipeline will extend under the existing concrete box culvert that is under Beaumont Avenue. In addition, the proposed pipeline will also extend under the existing concrete box culvert that is under Orchard Street at the Mountain View Channel (MVC). If the pipeline was proposed to extend under a portion of a creek or channel that did not have a concrete box culvert, a contingency plan or “Frac-out” plan could be used to minimize impacts to benthic invertebrates, aquatic plants or fish. However, since the project includes the placement of the pipeline under the existing concrete box culverts of Noble Creek and MVC through the use of a bore and jack method, there would be no impacts to riparian or riverine habitat.

No additional riparian or riverine habitat is located on the project sites; therefore, the implementation of the proposed project will result in less than significant impacts on riparian or riverine habitat.

**Level of Significance Before Mitigation**

Less than significant impact.

**Mitigation Measures**

No mitigation measures are required.

**Level of Significance After Mitigation**

Less than significant impact.

---

## Federally Protected Wetlands

---

<b>Impact BIO-3</b>	<b>The project would not 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.</b>
---------------------	--

---

### ***Impact Analysis***

Wetlands are federally protected by the USACE under Section 404 of the Clean Water Act. As depicted in Table 3.2-3, there are no wetland habitats on the project sites. Wetlands can also be considered Waters of the U.S. Based on the Jurisdictional Delineation that was prepared for the proposed project and included in Appendix C of this Draft EIR, there are two drainages (Noble Creek and Mountain View Channel) that are considered Waters of the U.S. under the jurisdiction of USACE and Waters of the State under the jurisdiction of CDFW.

The USACE and CDFW jurisdictional areas are located at the proposed pipeline crossings of Noble Creek at Beaumont Avenue and Mountain View Channel (MVC) at Orchard Street. The project includes the placement of the pipeline under Noble Creek and MVC through the use of a bore and jack method so that the streambed of Noble Creek and the channel of the MVC are not impacted. As a result, the implementation of the proposed pipeline will result in no impacts to USACE or CDFW jurisdictional areas.

Since no additional USACE or CDFW jurisdictional areas are located on other portions of the pipeline as well as the proposed recharge facility, service connection site, or the offsite triangular parcel, no impacts to USACE or CDFW jurisdictional areas, including wetlands, would occur with the implementation of the project.

### ***Level of Significance Before Mitigation***

No impact.

### ***Mitigation Measures***

No mitigation measures are required.

### ***Level of Significance After Mitigation***

No impact.

## **Wildlife Corridors and Nursery Sites**

---

<b>Impact BIO-4</b>	<b>The project could 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 wildlife nursery sites.</b>
---------------------	---

---

### ***Impact Analysis***

LAPM or other wildlife currently moves along the Noble Creek corridor. The implementation of the proposed project would not affect wildlife movement in the creek corridor. Since the proposed project includes a recharge facility adjacent to Noble Creek, the small- and medium-sized mammal

**Biological Resources**

---

and other wildlife could continue to move between the recharge site and Noble Creek following construction of the recharge facility. Therefore, impacts associated with wildlife corridors would be less than significant.

As discussed previously, construction activities associated with the proposed project could impact nesting birds. This potential impact is considered significant.

**Level of Significance Before Mitigation**

Potentially significant impact.

**Mitigation Measures**

Implementation of Mitigation Measures BIO-12 through BIO-14 are required.

**Level of Significance After Mitigation**

Less than significant impact with mitigation incorporated.

The implementation of Mitigation Measures BIO-12 through BIO-14 will include pre-construction surveys, and if needed, an establishment of a buffer and monitoring during construction activities to reduce the potential for impacts on nesting birds. These measures will reduce impacts to nesting birds to less than significant.

**Conservation Plans**

---

<b>Impact BIO-5</b>	<b>The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.</b>
---------------------	--

---

**Impact Analysis**

As previously discussed, the project sites are located within the boundary of the Western Riverside County MSHCP; however, the SGPWA is not a signatory or a Participating Special Entity to the MSHCP, and therefore, SGPWA discretionary approvals, such as those associated with the proposed Beaumont Avenue Recharge Facility and Pipeline Project, are not covered under the MSHCP. Therefore, the SGPWA discretionary approvals are not required to be consistent with the Western Riverside County MSHCP, and a MSHCP Consistency Analysis is not required for the SGPWA discretionary approvals. The SGPWA has chosen to utilize the MSHCP to determine if the project site locations were within MSHCP Criteria Cells, core habitat, and wildlife movement corridors, or if areas were proposed for future conservation. Based on a review of the MSHCP, the project sites are not located in a MSHCP Criteria Cell, core habitat, wildlife movement corridors, or in or adjacent to MSHCP conservation areas.

In addition to the SGPWA discretionary approvals, the implementation of the proposed pipeline component of the project that extends under the Noble Creek and Mountain View Channel (MVC) concrete culverts at Beaumont Avenue and Orchard Street will require an encroachment permit that is a discretionary action by the Riverside County Flood Control and Water Conservation District

(RCFCWCD) who is a signatory to the MSHCP. Therefore, these portions of the proposed pipeline will be covered under the MSHCP and will be required to be consistent with the MSHCP. A MSHCP Consistency Analysis for those portions of the pipeline extending under the Noble Creek and MVC concrete box culverts at Beaumont Avenue and Orchard Street is required and is provided in Appendix C. As stated in Appendix C, the portions of the proposed pipeline that are covered by the MSHCP are considered consistent with the MSHCP because the proposed bore and jack activities to extend the pipeline under the concrete box culvert of Noble Creek and MVC, would begin and end within asphalt roads which are considered Developed habitat. Therefore, these MSHCP-covered portions of the proposed pipeline would be consistent with the MSHCP. Therefore, the implementation of the proposed project would not conflict with the MSHCP.

***Level of Significance Before Mitigation***

No impact.

***Mitigation Measures***

No mitigation measures are required.

***Level of Significance After Mitigation***

No impact.

