

5.5 BIOLOGICAL RESOURCES

5.5.1 Significance Criteria and Impacts

Under CEQA Significance Criteria, a project would be considered to have a potentially significant biological impact if it would:

- 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.

Summary: Habitat for some special-status plant and wildlife species may be impacted by ground-disturbing activity associated with the project. Permanent habitat losses will occur at tower and pole locations, access and spur roads, and at the new substation sites (Table 3-3). Some of these areas to be cleared are in previously disturbed habitats or in agricultural areas with low potential for the occurrence of sensitive species. Other project-related impacts are expected to be temporary and have no lasting effects on the future existence of the species in the area. None of the ground-disturbing activities are expected to have substantial adverse effects on special-status species, however pre-construction surveys will be conducted in areas with the potential for sensitive species as discussed in Section 4.5. If any unanticipated effects do arise, SCE will implement appropriate compensatory mitigation through negotiation with the resource agencies.

- 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.

Summary: No substantial adverse effects are expected as a result of the proposed project to any riparian areas or sensitive natural communities identified in any local or regional plans, policies, or regulations by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Riparian areas along Anaverde Creek, Ritter Creek, Amargosa Creek, and Oak Creek are spanned by transmission lines and no towers are planned for construction in riparian zones. All of these creeks currently have bridges or culverts with pre-existing roads for access over the waterway. Construction vehicles will use these roads to avoid impacting riparian habitats.

Joshua tree woodland is a CNDDDB sensitive community and covers a large portion of Segment 3. The number of total acres of Joshua Tree Woodland permanently disturbed by the new LSTs, TSPs, roads, and Substation One is estimated to be 15 to 25 acres (see Table 3-3 and Figure 4.5-1B, Sheet 6 of 7). The California Desert Native Plants Act (Act), California Food and Agricultural Code, Division 23, requires a permit from several

counties in southern California (including Los Angeles and Kern Counties) for the removal of Joshua trees and other native vegetation occurring in the deserts of California. In addition, Joshua trees are protected under City of Palmdale Code, Chapter 14.04 Joshua Tree and Native Desert Vegetation Preservation which requires: (1) a desert vegetation preservation plan with minimum preservation standards for removal of vegetation at sites with Joshua trees (2 Joshua trees per gross acre); and (2) obtaining a permit from the City landscape architect. SCE will comply with the required protection measures for Joshua trees and other native species in the respective regulations discussed above where applicable to utilities.

- 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.

Summary: Based on surveys completed to date there are no jurisdictional wetlands as defined by Section 404 of the Clean Water Act that would be impacted by the project.

- 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.

Summary: The construction and operation of the proposed project would not substantially interfere with the movement of any native resident fish or wildlife species or with any known or established migratory wildlife corridors. The work would be temporary and would create no physical barriers to wildlife movement in the region. No new paved roads would be created in the area.

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Summary: The proposed project would not conflict with any local policies or ordinances protecting biological resources. As discussed above, SCE will comply with the required protection measures for Joshua trees and other native species in the respective regulations discussed above where applicable to utilities. If the project requires that one or more oaks must be removed to facilitate construction, SCE would comply with the Los Angeles County Oak Tree Ordinance regarding permit requirements to the extent feasible.

- Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Summary: The proposed project would not conflict with any provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Portions of the project occur within the planning area of the West Mojave Plan, a Natural Community Conservation Plan/Habitat Conservation Plan for a specific portion of the Mojave Desert. As discussed previously, this Plan has not yet been implemented although the documents prepared for the Plan were referenced for species information in this PEA.

In general, the primary criteria for determining significance of an impact on biological resources are sensitivity ratings and regulatory protection assigned by federal and state resource agencies (e.g., USFWS, CDFG). Any activity within the proposed project area that results in the “take” of a federally or state-listed threatened or endangered species would be considered significant. To “take” is defined in the federal Endangered Species Act as “to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect an endangered or threatened species or to attempt to engage in any of these activities.” Harm not only includes killing a species, but activities that modify or significantly degrade habitat that could result in death or injury to individual members of a species by significantly disrupting their essential behavioral patterns. The number of individuals impacted is not relevant to determining significance; if one individual is, or could be impacted, then the impact would be considered significant.

Impacts to biological resources resulting from the construction of the proposed project and each alternative can be characterized as four types that are described below:

- Direct impacts occur when biological resources are altered, disturbed, destroyed, or removed during the course of project implementation. Examples of direct impacts are loss of habitat because of grading or filling.
- Indirect impacts occur when project-related activities impact biological resources in a manner other than direct. Potential indirect impacts include increased noise levels and nonnative weed establishment.
- Permanent impacts result in the irreversible loss of biological resources. Examples include the removal of sensitive vegetation or vegetation that supports a sensitive species or chronic disturbance of sensitive species during a critical period (e.g., breeding season).
- Temporary impacts are reversible with the implementation of mitigation measures. Examples include the revegetation of an area cleared during construction, or short-term noise events associated with construction.

Twelve general habitat types are designated as occurring along Segments 2 and 3 and their alternatives. Several sensitive habitat types identified and tracked by the CNDDDB also occur

in the region (see above). Construction impacts would affect vegetation and, therefore, wildlife habitat, where certain ground-disturbing activities would occur.

Indirect impacts associated with construction would likely include an increase in non-native invasive weeds. To the fullest extent possible, weedy vegetation would be discouraged from becoming established. Native species would be used for reestablishing seed beds where native vegetation was displaced by construction activities.

Special-status plant species, other than state/federal listed species that are found prior to construction in areas where ground-disturbing activity is expected, would be flagged and protected from direct or indirect impacts during construction. When this is not possible, an effort would be made to salvage and replant if biologically feasible, or to collect seeds and reseed the area post-construction. If a plant designated as “rare” under the California Native Plant Protection Act of 1977 (Fish and Game Code Section 1900 – 1913) is discovered during pre-construction surveys, SCE will notify the CDFG in accordance with Section 1913 (c) of the Act.

No federal or state listed wildlife species are expected to be impacted by the project. Other non-listed but special-status species may be encountered. In some cases, local construction activities may cause permanent impacts such as loss, injury, permanent displacement, and permanent or temporary avoidance of particular areas.

5.5.2 Mitigation Measures

APM Bio-1. Pre-construction biological clearance surveys would be performed as discussed in Section 4.5 to minimize impacts to special-status plants or wildlife species.

APM Bio-2. Every effort would be made to minimize vegetation removal and permanent loss at construction sites. If necessary, native vegetation would be flagged for protection. A project revegetation plan would be prepared for areas of native habitat temporarily impacted during construction. Joshua trees would be afforded protection under applicable provisions of the the California Desert Native Plants Act and the City of Palmdale Code, Chapter 14.04 Joshua Tree and Native Desert Vegetation Preservation.

APM Bio-3. Construction crews would avoid impacting the streambeds and banks of any streams along the route to the extent feasible. If necessary, a Streambed Alteration Agreement (SAA) would be secured from California Department of Fish and Game. Impacts would be mitigated based on the terms of the SAA. No streams with flowing waters and capable of supporting special-status species would be expected to be impacted by the project.

APM Bio-4. Crews would be directed to use Best Management Practices (BMPs) where applicable. These measures would be identified prior to construction and incorporated into the construction operations.

APM Bio-5. Biological monitors would be assigned to the project. The monitors would be responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources would be avoided to the fullest extent possible. Where appropriate, monitors would flag the boundaries of areas where activities need to be restricted in order to protect native plants and wildlife, or special-status species. These restricted areas would be monitored to ensure their protection during construction.

APM Bio-6. A Worker Environmental Awareness Program (WEAP) would be prepared and all construction crews and contractors would be required to participate in WEAP training prior to starting work on the project. The WEAP training would include a review of the special-status species and other sensitive resources that could exist in the project area, the locations of the sensitive biological resources, their legal status and protections, and measures to be implemented for avoidance of these sensitive resources. A record of all personnel trained would be maintained.

APM Bio-7. If it was determined that significant and unavoidable impacts occurred to any special status resources, SCE would purchase lands or otherwise enhance habitat to compensate.

APM Bio-8. SCE would conduct project-wide raptor surveys and remove trees, if necessary, outside of the nesting season (February 1 – August 31). If a tree containing a raptor nest must be removed during the nesting season, or if work is scheduled to take place in close proximity to an active nest on an existing transmission tower or pole, SCE would coordinate with the CDFG and USFWS and obtain written verification prior to moving the nest.

APM Bio-9. All transmission and subtransmission towers and poles would be designed to be raptor-safe in accordance with the Suggested Practices for Raptor Protection on Power Lines: The State of the Art in 1996 (Avian Power Line Interaction Committee, 1996).