

### 3.2 BIOLOGICAL RESOURCES

The incremental change to the existing Larkspur Energy Facility, as described in Section 2.0, Project Description of this document, would not involve substantial changes to the biological resources findings and conclusions in Section 8.0 (Biological Resources) of the 2001 AFC.

#### 3.2.1 Environmental Baseline

The proposed Larkspur 3 Energy Facility Project is an incremental change to the existing Larkspur Energy Facility, located south of Otay Mesa Road in the City of San Diego (City). Additionally, the temporary construction laydown areas (both proposed and alternative), located at the southeast corner of Sanyo Road and Airway Road to the southeast of the Project site, is also located within the City. The proposed incremental change is a permitted use within City and San Diego County jurisdictions. As the Project site lies on the border of City and County lands, LORS for both jurisdictions were reviewed.

##### 3.2.1.1 Biological Surveys

Biological surveys of the Project site were included as part of the 2001 AFC process. In January 2007, a supplementary reconnaissance-level biological survey was performed to characterize current biological resources on the Project site and potential impacts associated with vegetation communities, wetlands and jurisdictional waters, wildlife, and wildlife habitats in the Project area and vicinity. A similar reconnaissance-level biological survey (see Table 3.2-1) was also performed at both the proposed and alternative construction laydown areas.

**TABLE 3.2-1  
BIOLOGICAL SURVEY DATES AND RESULTS**

Site Survey Location	Date	Weather Conditions	URS Personnel
Project Site	January 17, 2007	Clear skies, 60°F; 0-4mph winds	Theresa Miller
Construction Laydown Areas (Proposed and Alternative)	February 28, 2007	Mostly cloudy, 60°F; 0-3mph	Theresa Miller, Shanti Abichandani

Notes:

Resumes of URS Biologists are provided as Appendix B

The biological surveys involved identification of vegetation communities in the Project and construction laydown areas, a general wildlife survey, and assessment of the presence of habitat that contains sensitive biological resources or is suitable to support special-status species. Vegetation was surveyed on foot with the use of a 1 inch = 200 foot aerial map. Wildlife was identified using scat, tracks, call recognition of avian vocalizations, or direct visual observations with the aid of 8 x 42 power binoculars.

Prior to conducting the biological surveys, potential for the presence of sensitive biological resources in the Project areas was evaluated based on a review of Geographical Information System (GIS) recorded species locations and critical habitat data. The data reviewed in the GIS and shown on Figure 3.2-1 included the most recent information from the California Department of Fish and Game's (CDFG)

California Natural Diversity Database (CNDDB), the San Diego County Breeding Bird Atlas, and U.S. Fish and Wildlife Service (USFWS), as well as data from previous surveys in the Project vicinity.

### ***3.2.1.2 Habitat, Vegetation Communities and Wildlife***

The Project and construction laydown area sites are highly disturbed. The Project site is comprised entirely of disturbed/ruderal vegetation and ornamental plantings. Ruderal or disturbed habitat typically develops on sites with heavily compacted soils following intense levels of disturbance such as grading, and is usually dominated by non-native broad-leaf herbaceous species. The vegetation present on the Project site is dominated by prostrate myoporum (*Myoporum* sp.), a groundcover ornamental species, with horseweed (*Picris echioides*), chenopodium (*Chenopodium ambrosioides*), mustard (*Hirschfeldia* spp.), fennel (*Foeniculum vulgare*), and Russian thistle (*Salsola kali*) interspersed throughout the site. Several plantings of ornamental tree species (*Pinus* sp., *Prunus* sp.) were present, and the entire site is irrigated. In addition, a small number of individuals of the native species California sagebrush (*Artemisia californica*) are present at the Project site. A narrow strip of bare ground separates this disturbed vegetation on the Project site from the adjacent parcel that is densely populated with non-native species such as mustards, fennel, Russian thistle, brome grass (*Bromus* sp.), and rye (*Lolium* sp.) (See Attachment A, Photographs 1 and 2).

Wildlife detected on the Project site was limited to urban adapted species, including Anna's hummingbird (*Calypte anna*), house sparrow (*Passer domesticus*), mourning dove (*Zenaida macroura*), and house finch (*Carpodacus mexicanus*). A northern harrier (*Circus cyaneus*; California Species of Special Concern [CSSC]) was observed flying over the adjacent property to the east and foraging in the habitat north of Otay Mesa Road.

The construction laydown areas (both proposed and alternative) would be classified as disturbed habitat and is comprised of large areas of bare ground, with patches of vegetation dominated by a limited number of non-native species, including mustard, fennel, and Russian thistle. A few individuals of bush sunflower (*Encelia californica*) and broom baccharis (*Baccharis sarathroides*) were also observed (See Attachment A, Photographs 3-6). Three red-tailed hawks were observed foraging over the general vicinity; otherwise, no wildlife or sign of wildlife use of the construction laydown areas were detected during the survey.

### ***3.2.1.3 Special-status Wildlife and Plant Species***

No special-status wildlife or plant species or habitats that would support special-status species were detected on the project site or on the construction laydown areas during the biological resources surveys.

## **3.2.2 Environmental Consequences**

No new significant impacts to biological resources would result from the proposed Larkspur 3 incremental change to the existing Larkspur Energy Facility.

### ***3.2.2.1 Significance Criteria***

Direct impacts occur when biological resources are altered or destroyed during the course of, or as a result of, project implementation. Examples of such impacts include removal or grading of vegetation, filling

wetland habitats, or severing or physically restricting the width of wildlife corridors. Indirect impacts may include elevated levels of noise or lighting within a sensitive wildlife habitat. These types of indirect impacts can affect vegetation communities or their use by sensitive species. Permanent impacts result in irreversible damage to biological resources, whereas temporary impacts are interim changes in the local environment that generally result from the construction phase of a project.

The California Environmental Quality Act (CEQA) was enacted by state legislature in 1970 and applies to state and local government-initiated plans, projects, regulations, and to private projects requiring discretionary approval from a state or local agency. According to the City of San Diego Significance Determination Thresholds under CEQA, impacts to biological resources are assessed through the CEQA review process, and all projects are reviewed for consistency with the Multiple Species Conservation Program (MSCP). The direct, indirect, and cumulative impacts of a project must be analyzed for significance, and the extent of “take” to sensitive species and habitats should be quantified. It is the policy of the City to minimize all direct and indirect impacts on undisturbed habitats and sensitive species, whenever practicable.

### *3.2.2.2 MHPA Adjacency Guidelines*

The Project and construction laydown areas are comprised of disturbed vegetation and ornamental plantings and are not located within or adjacent to designated MSCP Multi-Habitat Planning Area (MHPA) lands. Furthermore, the habitat adjacent to the Project site is fallow agriculture/ruderal habitat comprised of non-native species and some non-native grasses. The construction laydown areas are surrounded on all sides by industrial development. No wildlife corridors are present or would be impacted by the proposed Project.

### *3.2.2.3 Potential Impacts*

The Project would result in an incremental increase in permanent impacts of approximately 0.9-acre of disturbed/ruderal habitat. Temporary impacts near the Project site may include the short-term reduction of plant vitality due to dust from construction activities as well as construction-related soil erosion and sedimentation.

The proposed construction laydown area would be temporarily used for storage of equipment and other construction materials during the construction phase of the Project. A maximum of 3.89 acres of highly disturbed land (the area of the proposed laydown area) would be temporarily impacted, which may include vegetation trampling and removal. Upon completion, all equipment and other materials utilized during construction would be removed. The alternative laydown area, although surveyed will not be impacted by the Project.

As the Project site and proposed construction laydown area, as well as the adjacent habitats, are currently disturbed or developed and do not support special-status species, these permanent and temporary impacts are not considered significant.

### **3.2.2.4 *Special-status Species and their Habitats***

No sensitive or legally protected biological resources or habitats that would support such resources are present or expected to be present on or adjacent to either of the Project areas. The proposed incremental change will not affect the diversity of wildlife, plant species, or the movement of fish or any wildlife species, and does not conflict with an applicable habitat conservation plan. There are no wetlands, vernal pools, or critical habitats on site or adjacent to the Project areas, and there is no potential for vernal pools to occur. The nearest documented vernal pool habitat is located approximately 0.5-mile north-northeast and greater than 1.0 mile west of the Project site (see Figure 3.2-1, *Biological Resources Map*). As previously discussed, one special-status species (northern harrier) was observed flying over the adjacent property and foraging north of the Project site; however, there are no trees on the Project or construction laydown areas that would provide raptor nesting. As shown on Figure 3.2-1, burrowing owls (*Athene cunicularia*, CSSC) have been recorded approximately 1.0 mile southeast of the Project site and approximately 0.5-mile south-southeast of the construction laydown areas. However, the Project and construction laydown areas do not support suitable habitat for burrowing owls, and are separated from suitable habitat by industrial development.

Noise impacts to wildlife are not anticipated due to the lack of sensitive biological resources adjacent to the Project areas. No foraging or nesting habitat for raptors or other birds is present on or adjacent to the Project areas, and the developed nature of the surrounding area minimizes the potential for bird collisions with structures and existing power lines associated with the Project.

### **3.2.2.5 *Wetlands and Jurisdictional Waters***

No wetlands or jurisdictional waters are present on the Project site or at the construction laydown areas; therefore, no impacts to wetlands or jurisdictional waters are anticipated as a result of the Project.

### **3.2.2.6 *Cumulative Impacts***

Cumulative impacts consider the potential regional effects of a project and how a project may affect regionally important biological resources beyond the project limits. The land within the Project site and construction laydown areas provide very little habitat for wildlife, and both areas have been previously disturbed or developed. Additionally, the Project would not conflict with any existing wildlife movement routes in the area. Both areas are also located outside of the coastal zone; therefore, no cumulative impacts to the coastal zone lands would occur. No significant cumulative impacts are anticipated as a result of the Project.

## **3.2.3 Mitigation Measures**

The Project, as an incremental change to the existing Larkspur Energy Facility, would not substantially change biological resources findings and conclusions discussed in Section 8.0 (Biological Resources) of the 2001 AFC. No significant impacts to sensitive biological resources or habitats that would support sensitive biological resources would result from the approval of this Amendment. Therefore, no additional mitigation measures are recommended; consistent with the Commission Decision for the 2001 AFC.

### 3.2.4 Consistency with LORS

The Project will comply with all applicable LORS. Specifically, the Project will be required to conform to all applicable City of San Diego General Plan standards and remain consistent with CEQA and the City of San Diego MSCP guidelines.

### 3.2.5 References Cited

California Energy Commission, 2001. Larkspur Energy Facility Conditions of Certification. Located at [http://www.energy.ca.gov/sitingcases/peakers/larkspur/documents/01\\_Larkspur\\_SA.PDF](http://www.energy.ca.gov/sitingcases/peakers/larkspur/documents/01_Larkspur_SA.PDF).

City of San Diego Municipal Code website (<http://clerkdoc.sannet.gov/Website/mc/mc.html>), City of San Diego Municipal Code chapters 10 and 13.

City of San Diego website (<http://www.sandiego.gov/planning/genplan/index.shtml>), City of San Diego General Plan, Final Public Review Draft, October 2006.

Wildflower Energy, Application for Certification Pursuant to the 21-Day Emergency Permitting Process Larkspur Energy Facility San Diego, California, March 7, 2001.

### 3.2.6 Conditions of Certification

This Amendment suggests one change to the Larkspur Energy Facility AFC Conditions of Certification.

**Existing Condition:**

BIO 7 requires the applicant to survey the site, and habitat within 300 feet of the project, to determine whether any active nests of sensitive bird species, including raptors, are present on the site.

**Proposed Condition:**

BIO 7 Since habitat that would provide opportunities for nesting for sensitive bird species or raptor species is not present on the project site or laydown site or within 300 feet of these project sites, active nest surveys are not necessary as a condition of certification.