

Appendix C. Biological Resources Letter Report

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September 1, 2022

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Subject: Biological Resources Letter Report for the Victorville General Plan Update

Dear Mr. Szarzynski:

This letter report documents biological resources in the City of Victorville (City), California, for the Victorville General Plan Update (project) Program Environmental Impact Report (Attachment 1; Figures, Figure 1, Regional Location, and Figure 2, Planning Area).

Project Description and Location

The project proposes to update the City's Land Use Element and Safety Element and create a new Environmental Justice Element as part of the Victorville General Plan, which was last updated in 2008 (Victorville General Plan 2030). The Land Use Element Update would guide and accommodate future growth in the City in a manner that achieves the community's vision, enhances the community's quality of life, and provides a mix of land uses that promote sustainability and economic vitality. The Safety Element Update would emphasize hazard reduction, accident prevention, and responses for human-made hazards; follow the City's update to its Local Hazard Mitigation Plan; and include climate change adaptation and resiliency plans. The Environmental Justice Element, a new state requirement for disadvantaged communities, would aim to reduce pollution exposure; improve access to public facilities; promote food access, safe and sanitary housing, physical activity, and civic engagement; and prioritize improvements and programs to address the needs of disadvantaged communities in the City.

The City is in the southwestern portion of the County of San Bernardino (County) in the geographic subregion of the southwestern Mojave Desert, in the Inland Empire area (Figure 1). The City is within the Victor Valley, often referred to as the "High Desert" due to its approximate elevation of 2,900 feet above mean sea level. Victor Valley is separated from other urbanized areas in Southern California by the San Bernardino and San Gabriel Mountains. The City and its sphere of influence, together referred to as the "Planning Area," are accessible via Interstate 15, U.S. Route 395, State Route 18, and historic U.S. Route 66 (Figure 2).

The City is considered the largest metropolitan area in the Mojave Desert and is approximately 90 miles northeast of the City of Los Angeles, 35 miles northeast of the City of San Bernardino, and north of the San Bernardino Mountains at the edge of the Mojave Desert. The Mojave River runs northerly through the eastern portion of the City toward the Mojave Desert. Areas surrounding the Planning Area are largely undeveloped and contained within the unincorporated County boundaries.

The City shares boundaries with the City of Adelanto to the northwest, the Town of Apple Valley and the unincorporated community of Spring Valley Lake to the east, the City of Hesperia to the south, and unincorporated San Bernardino County to the southwest and north (Figure 1). Portions of unincorporated San Bernardino County are nested in the City as well. The community of Mountain View Acres is an unincorporated area within the City's boundaries. In the 40 years that Victorville has been a city, it has grown from an area of 9.7 square miles to 74.16 square miles.



Environmental Setting

The following is a description of the existing conditions in the Planning Area.

Land Use

The majority of the Planning Area is primarily urban/developed land surrounded by the developed communities of the City of Adelanto (to the northwest), Town of Apple Valley (to the east), City of Hesperia (to the south), and unincorporated area in San Bernardino County (to the southwest and east) (Figure 1). Unincorporated San Bernardino County is primarily undeveloped north of the Planning Area. The Mojave River runs through the eastern portion of the Planning Area in a southeast to northwest direction. Many smaller creeks and washes cross the Planning Area from the west to connect with the Mojave River.

Topography and Soils

The Planning Area ranges in elevation from 2,544 to 3,488 feet above mean sea level (Figure 3, USGS Topographic Map) and falls within the Adelanto, Baldy Mesa, Helendale, Hesperia, Victorville, and Victorville Northwest U.S. Geological Survey 7.5-minute quadrangles. The U.S. Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) soil series identifies 22 soil types in the Planning Area, including Bryman loamy fine sand (0–2, 2–5, 5–9, and 9–15 percent slopes), Cajon gravelly sand (2–15 percent slopes), Cajon sand (0–2, 2–9, and 9–15 percent slopes), Cajon-Arizo complex (2–15 percent slopes), Cave loam (0–2 percent slopes), Haplargids-Calciorthids complex (15–50 percent slopes), Helendale-Bryman loamy sand (2–5 percent slopes), Helendale loamy sand (0–2 and 2–5 percent slopes), Hesperia loamy fine sand, Kimberlina loamy fine sand (0–2 and 2–5 percent slopes), Lavic loamy fine sand, Mirage-Joshua complex (2–5 percent slopes), Mojave variant loamy sand (0–2 percent slopes), Nebona-Cuddeback complex (2–9 percent slopes), pits, riverwash, rock outcrop-lithic torriorthents complex (15–50 percent slopes), Rosamond loam, Victorville sandy loam, Villa loamy sand, Wasco sandy loam (2–5 percent slopes), and Yermo-Kimberlina association (Figure 4, Soils). The remainder of the Planning Area not characterized by soil type is water. Nine of the soils in the Planning Area—Cajon sand, Cave loam, Nebona-Cuddeback complex, pits, riverwash, Rosamond loam, Victorville sandy loam, Villa loamy sand, and Yermo-Kimberlina association—are defined as hydric (wetland) soils (USDA 2019).

Hydrology

The Planning Area is in the Mojave Watershed (Hydrologic Unit Code 18090208). The Mojave Watershed covers approximately 4,500 square miles and is entirely in the County. It is populated mainly by the incorporated cities and towns within the Victor Valley, including Victorville, Hesperia, Apple Valley, and Adelanto. The primary aquatic feature in the watershed is the Mojave River, which starts in the San Bernardino Mountains and ends at Silver Dry Lake near the community of Baker. The Mojave River channel is typically dry downstream of the Mojave Forks Dam except in select locations where groundwater is forced to the surface by geologic structures. Water quickly percolates into the porous sands of the riverbed; consequently, groundwater is the primary source of water supply in most of the watershed (SWRCB 2022).

The Mojave River and other aquatic resources that occur in the Planning Area are discussed in detail in the Results section.

Climate

Climatic data for the Planning Area is gathered in the NRCS Field Office for the City. In the Planning Area, the average daily maximum temperature is 100 degrees Fahrenheit (°F) in July, and the average daily minimum temperature is 33°F in December. The average annual temperature is approximately 79°F, with very few days exceeding 83°F or dropping below 46°F (NRCS 2022). Due to the temperate climate, the growing season is typically year-round.

The average precipitation in the Planning Area is approximately 5 inches annually, primarily occurring from October through April. Based on data from the NRCS, the Planning Area's vicinity receives the greatest amount of rain, an average of approximately 1 inch, in February (NRCS 2022).



Regulatory Setting

This section summarizes federal, state, and local regulations, plans, policies, and programs that provide protection and management of sensitive biological resources that are applicable to the project. The federal government administers nonmarine plant- and wildlife-related issues through the U.S. Fish and Wildlife Service (USFWS) and waters of the United States issues through the U.S. Army Corps of Engineers (USACE). California law relating to wetland-, water-, and wildlife-related issues is administered by the California Department of Fish and Wildlife (CDFW). Under the California Environmental Quality Act (CEQA), impacts associated with a proposed project or program are assessed with regard to significance criteria determined by the CEQA lead agency (in this case, the City of Victorville) pursuant to the CEQA Guidelines. Biological resources-related laws and regulations that apply include the federal Endangered Species Act, Migratory Bird Treaty Act (MBTA), Clean Water Act (CWA), CEQA, California Endangered Species Act, and California Fish and Game Code.

Federal

CWA, Section 404 (33 CFR 328.3[a]). These provisions regulate the discharge of dredged or fill material in waters of the United States, including wetlands. Activities that discharge dredge or fill material into waters of the United States can be authorized by the USACE.

Federal Endangered Species Act, Sections 7 and 9 (16 USC 1531 et seq.; 50 CFR Part 402). This prohibits the “take” (i.e., harm, harass, or kill individuals, or destroy associated habitat) of species federally listed as threatened or endangered. Take incidental to otherwise lawful activities can be authorized by the USFWS/CDFW through a permit under Sections 4(d), 7, or 10(a).

MBTA (16 USC 703–712; 50 CFR 10). The federal MBTA prohibits the direct or indirect take of migratory birds and their active nests unless permitted.

State

Birds of Prey Protection Provision (California Fish and Game Code, Section 3503.5). This provision prohibits the taking of birds of prey (orders Falconiformes and Strigiformes), including their nests and eggs.

California Endangered Species Act (California Fish and Game Code, Section 2050 et seq.). Section 2050 of the California Fish and Game Code prohibits any activities that would jeopardize or take a species designated as threatened or endangered by the state.

Streambed Alteration Agreement (California Fish and Game Code, Section 1600). Section 1600 of the California Fish and Game Code requires any person who proposes a project that will substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake, or their tributaries, or use materials from a streambed, to submit a notification for a Streambed Alteration Agreement to the CDFW.

California Fish and Game Code, Section 1602. Section 1602 of the California Fish and Game Code regulates water resources in the State of California. Activities that divert or obstruct the natural flow of, or change or use material from the bed, channel, or bank of any river stream or lake may be authorized by the CDFW. CDFW jurisdiction includes intermittent and perennial watercourses and extends to the top of the bank of a stream or lake if unvegetated or to the limit of the adjacent riparian vegetation, located contiguous to the watercourse, if the stream or lake is vegetated.

California Fish and Game Code, Section 3503. Section 3503 of the California Fish and Game Code prohibits the take, possession, or needless destruction of the nests or eggs of any birds, except as otherwise provided by the code or any regulation made pursuant thereto.

CEQA, as amended (California Public Resources Code, Section 21000 et seq.). The goal of CEQA is to assist California public agencies in identifying potential significant negative environmental impacts caused by their actions and avoiding or mitigating those impacts when feasible.



California Fully Protected Wildlife Species Provision (California Fish and Game Code, Sections 3511, 4700, 5050, and 5515). These provisions prohibit the taking of fully protected birds, mammals, amphibians, and fish.

California Native Plant Protection Act (California Fish and Game Code, Section 1900–1913). These provisions preserve, protect, and enhance endangered or rare native plants of the state.

Regional Water Quality Control Board (RWQCB). The RWQCB regulates impacts to water quality under Section 401 of the CWA. A project must comply with CWA Section 401 before the USACE can issue a Section 404 Permit. The RWQCB will issue a Section 401 Water Quality Certification or Waiver of Certification depending on the extent of impacts to waters of the United States. The RWQCB also regulates impact to waters of the state (usually limited to “isolated” waters or swales that may not fall under USACE jurisdiction) under the Porter-Cologne Water Quality Control Act (Porter-Cologne).

Natural Community Conservation Planning Act, as amended (California Fish and Game Code, Section 2800–2835). The primary objective of the Natural Community Conservation Planning program is to conserve natural communities at the ecosystem level while accommodating compatible land use. The program seeks to anticipate and prevent the controversies and gridlock caused by species listing by focusing on the long-term suitability of wildlife and plant communities and including key interests in the process.

Porter-Cologne. This act is regulated by the RWQCB for impacts to waters of the state. Although water quality issues related to impacts to waterways are normally addressed during Section 401 Water Quality Certification, should a water of the State of California be determined by the USACE not to have CWA jurisdiction, Porter-Cologne would be addressed under a Construction General Permit, State General Waste Discharge Order, or Waste Discharge Requirements depending on the level of impact and the properties of the waterway.

Local

Victorville General Plan 2030, Resource Element, Biological and Open Space Resources. The Planning Area is subject to the goals and policies outlined in the Victorville General Plan 2030 Elements (City of Victorville 2008). The Resource Element provides detailed goals and policies to protect and maintain natural resources, such as water supply and water quality, cultural resources (including archaeological, paleontological, and historical), biological resources (including plants and wildlife and the West Mojave Coordinated Management Plan), air quality, mineral resources, outdoor recreation, natural hazards, agricultural resources, and solid waste management. The following goals and policies apply to biological resources:

- **Goal 4:** Conservation of Important Habitat. Preserve land containing native habitat that sustains rare, threatened or endangered plants and wildlife species.
 - **Objective 4.1:** Preservation of natural communities that support rare, threatened and/or endangered plants and wildlife species throughout the Planning Area.
 - **Policy 4.1.1:** Encourage development [of] natural habitat that supports rare, threatened or endangered plants and wildlife (i.e., “sensitive” species), or require restoration of the same type of impacted habitat within an existing, planned or potential conservation area.
 - *Implementation Measure 4.1.1.2:* Continue to require biological surveys and an assessment of impacts to biological resources for new “greenfield” projects, as part of the City’s CEQA implementation procedures. Update the City’s database of sensitive habitats with findings of project-level biological surveys and reports.
 - **Policy 4.1.2:** Support and participate in the West Mojave Plan.
 - **Objective 4.2:** Permanent Conservation of Mojave River Corridor Ecological Values.
 - **Policy 4.2.1:** Generally prohibit private or public development projects or major infrastructure facilities on land within the Mojave River corridor, where biological surveys have determined there is habitat that supports rare, threatened and/or endangered plants or wildlife. Allow minor encroachments into such habitat, for critical public facilities and recreational trails, where reliable assurances are provided that no loss of sensitive species would occur.

Victorville Municipal Code. Chapter 13.33, Preservation and Removal of Joshua Trees, of the Victorville Municipal Code requires that proper and necessary steps be taken to protect and preserve, to the greatest extent possible, Joshua trees (*Yucca brevifolia*) in all areas of the City. Chapter 13.33 prohibits any person to cut, damage, destroy, dig up, or harvest any Joshua tree without prior written consent from the City's Director of Parks and Recreation or their designee.

West Mojave Plan (WMP). The Planning Area is in the WMP Area and is subject to the requirements and conservation responsibilities outlined in the plan (BLM 2004). The WMP is a Habitat Conservation Plan and an amendment to the federal California Desert Conservation Area Plan (BLM 1980). The purpose of the WMP is to develop management strategies for the Mojave Desert tortoise (*Gopherus agassizii*), Mojave ground squirrel (*Xerospermophilus mohavensis*), and over 100 other sensitive plants, wildlife, and natural communities that would conserve those resources throughout the western Mojave Desert while at the same time establishing a streamlined program for compliance with the regulatory requirements of federal Endangered Species Act and California Endangered Species Act. Agencies, local jurisdictions, and others with a stake in the future of the western Mojave Desert collaborated in the development of the WMP. The WMP covers the 6.2-million-acre WMP Area, including 3.2 million acres of public land and 3 million acres of private land, in portions of the San Bernardino, Inyo, Kern, and Los Angeles Counties.

Measures applicable to each jurisdiction in the WMP Area are outlined in the WMP Appendix B. Measures applicable to the Planning Area include those for western burrowing owl (*Athene cunicularia* ssp. *hypugaea*), Mojave Desert tortoise, ferruginous hawk (*Buteo regalis*), Mojave ground squirrel, 10 Mojave River bioregion species (brown-crested flycatcher [*Myiarchus tyrannulus*], least Bell's vireo [*Vireo bellii pusillus*], Lucy's warbler [*Oreothlypis luciae*], southwestern willow flycatcher [*Empidonax traillii extimus*], summer tanager [*Piranga rubra*], vermilion flycatcher [*Pyrocephalus obscurus*], yellow-bellied flycatcher [*Empidonax flaviventris*], yellow warbler [*Setophaga petechia*], Mojave River vole [*Microtus californicus mohavensis*], and northwestern pond turtle [*Actinemys marmorata*]), and prairie falcon (*Falco mexicanus*).

Methods

This biological resources analysis included a database and literature review to document the existing biological conditions of the Planning Area. The San Bernardino County geographic information system (GIS) and National Wetlands Inventory (NWI) Wetland Mapper databases were used to identify and quantify the vegetation communities and aquatic resources in the Planning Area. No on-site biological or field reconnaissance surveys were conducted as a part of this analysis. The results of this review provide information on the potential constraints to project development due to the presence of sensitive biological resources.

Literature Review

The following were reviewed to gather biological resources data pertinent to the project:

- Victorville General Plan 2030 (City of Victorville 2008)
- WMP (BLM 2004)
- California Natural Diversity Database (CDFW 2022a)
- CDFW Biogeographic Information and Observation System (CDFW 2022b)
- USFWS NWI Wetlands Mapper (USFWS 2022a)
- USFWS Information for Planning and Consultation (USFWS 2022b)
- Calflora Database (Calflora 2022)
- California Native Plant Society (CNPS) Rare Plant Inventory (CNPS 2022)

Results

The results presented in this section provide data from the database review conducted for the Planning Area.

Vegetation Communities and Land Cover Types

The vegetation communities and land cover types identified in the Planning Area include desert riparian, desert wash, freshwater emergent wetland, fresh water, riverine, valley foothill riparian, alkali desert scrub, desert scrub, sagebrush scrub, annual grassland, Joshua tree, agriculture/orchard/vineyard, disturbed habitat, and urban/developed land (Figure 5, Vegetation Communities and Land Cover Types). Table 1, Vegetation Communities and Land Cover Types in the Planning Area, presents the acreages of the vegetation communities and land cover types in the Planning Area.

Table 1. Vegetation Communities and Land Cover Types in the Planning Area

Vegetation Community and Land Cover Type	Planning Area (acres) ²
Aquatic and Riparian	
Desert riparian ¹	503
Desert wash ¹	28.7
Freshwater emergent wetland ¹	6.6
Fresh water ¹	158.7
Riverine ¹	104.4
Valley foothill riparian ¹	41.8
<i>Subtotal</i>	<i>843.2</i>
Scrub	
Alkali desert scrub ¹	1,199
Desert scrub ¹	19,481.3
Sagebrush scrub ¹	585.1
<i>Subtotal</i>	<i>21,265.4</i>
Upland	
Annual grassland	1,882
<i>Subtotal</i>	<i>1,882</i>
Woodland	
Joshua tree ¹	1,022.1
<i>Subtotal</i>	<i>1,022.1</i>
Disturbed and Urban/Developed	
Agriculture/orchard/vineyard lands	82.8
Disturbed habitat	210
Urban/developed land	22,080.2
<i>Subtotal</i>	<i>22,373</i>
Total	47,385.7

Source: CDFW 2022a; BLM 2004, Holland 1986.

Notes:

¹ Sensitive vegetation community as designated by CDFW and WMP (CDFW 2022a; BLM 2004).

² Vegetation community acreages have been rounded to the nearest one-tenth acre.

Aquatic and Riparian Vegetation Communities

Aquatic and riparian vegetation communities that occur in the Planning Area include desert riparian, desert wash, freshwater emergent wetland, fresh water, riverine, and valley foothill riparian. These vegetation communities are considered sensitive biological resources by state and local regulations because they provide critical, high-quality habitat for plant and wildlife species, including birds, mammals, invertebrates, amphibians, and reptiles, inhabiting the Planning Area (CDFW 2022a; BLM 2004).

Desert Riparian

Desert riparian is an open, broadleafed, winter-deciduous streamside forest dominated by Fremont cottonwood (*Populus fremontii*) and willow species (*Salix* sp.). The open canopy allows a dense shrubby understory of saltbush (*Atriplex* sp.) and sand bar willow (*Salix exigua*) to occur. Desert riparian occurs along the larger desert rivers where the vegetation has not been cleared for irrigated agriculture or dewatered by upstream diversions.

Approximately 503 acres of desert riparian occurs in the eastern and northeastern portions of the Planning Area, primarily along the Mojave River (Figure 5).

Desert Wash

Desert wash is an open, drought-deciduous community within sandy or gravelly washes and arroyos in the lower deserts, largely in frost-free areas. These washes occur along the larger drainages of the lower Mojave Desert and typically have braided channels that are rearranged with every surface flow event.

Approximately 28.7 acres of desert wash occurs in a small area in the eastern portion of the Planning Area (Figure 5).

Freshwater Emergent Wetland

Freshwater emergent wetland is dominated by perennial, emergent wetland plants, often forming a completely closed canopy dominated by bulrush (*Scirpus* sp.) and cattail (*Typha* sp.). Freshwater emergent wetland occurs in stagnant or slow-moving fresh waters that are permanently flooded, which allows for the accumulation of deep, peaty soils. These wetlands typically occur near river mouths and around the margins of lakes or springs.

Approximately 6.6 acres of freshwater emergent wetland occurs in the eastern and northeastern portions of the Planning Area, primarily along the Mojave River (Figure 5).

Fresh Water

Fresh water habitat is composed of year-round bodies of water in the form of lakes, streams, ponds, or rivers. This includes portions of water bodies that are usually covered by water and contain less than 10 percent vegetative cover.

Approximately 158.7 acres of fresh water occurs primarily in the northern portion of the Planning Area (Figure 5).

Riverine

Riverine is composed of intermittent or continually running water that originates at some elevated source, such as a spring or lake, and flows downward at a rate relative to slope and volume of surface runoff. Riparian and emergent wetland habitats often occur adjacent to or surrounding riverine habitats.

Approximately 104.4 acres of riverine habitat occurs in the eastern and northeastern portions of the Planning Area, primarily consisting of the Mojave River (Figure 5).

Valley Foothill Riparian

Valley foothill riparian is a tall, dense, winter-deciduous, broadleafed riparian forest. The tree canopy is typically closed and moderately to densely composed of a mix of species, including boxelder (*Acer negundo*), black walnut (*Juglans californica*), California sycamore (*Platanus racemosa*), and cottonwood and willow species. The understory typically consists of shade-tolerant shrubs. Valley foothill riparian occurs in floodplains of low-gradient, depositional streams but has largely been cleared for agriculture, flood control, and urban development.

Approximately 41.8 acres of valley foothill riparian occurs in the eastern portion of the Planning Area, primarily in the Mojave River floodplain (Figure 5).

Scrub Vegetation Communities

Scrub vegetation communities that occur in the Planning Area include alkali desert scrub, desert scrub, and sagebrush scrub. These vegetation communities are considered sensitive biological resources by state and local regulations because they provide critical, high-quality habitat for plant and wildlife species, including birds, mammals, invertebrates, and reptiles, inhabiting the Planning Area (CDFW 2022a; BLM 2004).

Alkali Desert Scrub

Alkali desert scrub is a heterogeneous habitat with a variety of plant species that changes considerably depending on the moisture, salinity, and topography of where it is growing. Some primary perennial shrub and subshrub species in alkali desert scrub include arrow-weed (*Pluchea sericea*), black greasewood (*Sarcobatus vermiculatus*), alkali goldenbush (*Isocoma acradenia*), and species of rabbitbrush species (*Ericameria* sp.), seablite (*Suaeda* sp.), saltbush, and saltcedar (*Tamarix* sp.).

Approximately 1,199 acres of alkali desert scrub occurs in the western and northwestern portions of the Planning Area (Figure 5).

Desert Scrub

Desert scrub is composed of low, grayish shrubs typically dominated by a single saltbush species mixed with succulent species. Total cover in desert scrub is typically low, with bare ground between the widely spaced shrubs. Desert scrub is often distributed along the margins of dry lake beds in desert habitats.

Approximately 19,481.3 acres of desert scrub occurs throughout the Planning Area, primarily around the edges (Figure 5).

Sagebrush Scrub

Sagebrush scrub is composed of soft, woody shrubs usually with bare ground under and between shrubs. This community is typically dominated by big sagebrush (*Artemisia tridentata*). Growth occurs mostly in late spring and early summer and is dormant in the winter. Sagebrush scrub occurs on a variety of soils and terrain, from rocky, well-drained slopes to fine-textured valley soils with high water tables.

Approximately 585.1 acres of sagebrush scrub occurs in the northern, southeastern, and southwestern portions of the Planning Area (Figure 5).

Upland Vegetation Community

The upland vegetation community that occurs in the Planning Area includes annual grassland. This vegetation community is not considered a sensitive biological community by state and local regulations, however, annual grassland has the potential to provide habitat for plant and wildlife species, including birds, small mammals, and reptiles, inhabiting the Planning Area (CDFW 2022a; BLM 2004).

Annual Grassland

Annual grassland is composed of dense to sparse annual grasses. Annual grassland typically occurs in fine-textured, clay soils and can be moist or waterlogged during the winter rainy season and very dry during the summer and fall.

Approximately 1,882 acres of annual grassland occurs throughout the Planning Area, primarily around the edges (Figure 5).

Woodland Vegetation Community

The woodland vegetation community that occurs in the Planning Area includes Joshua trees. Joshua trees are considered a sensitive plant species and a sensitive biological resource by state and local regulations as a

vegetation community because it provides habitat for plant and wildlife species, including birds, bats, mammals, and reptiles, inhabiting the Planning Area.

Joshua Tree

Joshua trees (western [*Yucca brevifolia*] and eastern [*Yucca jaegeriana*]) are slow-growing, tree-like (upright) members of the Agave family. They are distributed on gentle slopes and valley floors of upper bajadas and sandy areas. The understory of this highly variable community typically includes creosote bush (*Larrea tridentata*) and/or species of saltbush. The Joshua tree is an archetypal plant of the Mojave Desert that may live several hundred years and that provides valuable habitat for a variety of native wildlife species. Increasing global temperatures, off-road vehicle use, and illegal dumping have adverse effects on the health of Joshua trees. Due to the number of threats facing the survival of Joshua trees, in September 2020, the CDFW listed the Joshua tree as a candidate for listing in the California Endangered Species Act. In April 2022, the CDFW acknowledged that threats from climate change, development, and other human influence will place Joshua trees in greater peril in the future but decided that listing the species as threatened was unwarranted at that time. A full decision is expected by the end of June 2022 on whether the species will remain listed in the California Endangered Species Act.

Joshua trees are also protected by the California Desert Plant Protection Act, which requires a tag through the California Department of Food and Agriculture if five or more trees are to be removed. In addition, Joshua trees are protected by Chapter 13.33 of the Victorville Municipal Code, which prohibits the destruction or removal of Joshua trees without written consent from the City's Director of Community Services.

Approximately 1,022.1 acres of Joshua trees occurs in the northern and southwestern portions of the Planning Area (Figure 5).

Disturbed and Urban/Developed Lands

The disturbed and urban/developed lands that occur in the Planning Area include agriculture/orchard/vineyard, disturbed habitat, and urban/developed land. These disturbed and urban land covers are not considered sensitive biological resources by state and local regulations, however, they have a moderate to low potential to provide habitat for plant and wildlife species inhabiting the Planning Area (CDFW 2022a; BLM 2004).

Agriculture/Orchard/Vineyard Lands

Agricultural land includes areas occupied by dairies and livestock feed yards or areas that have been tilled for use as croplands, groves, orchards, or vineyards.

Approximately 82.8 acres of agriculture/orchard/vineyard lands occurs in the eastern portion of the Planning Area (Figure 5). Agricultural land in the Planning Area primarily consists of row crops, orchards, and vineyards.

Disturbed Habitat

Disturbed habitat consists of previously disturbed areas that either are devoid of vegetation (dirt roads/trails) or support scattered non-native species such as mustard (*Brassicaceae* sp.), ragweed (*Ambrosia* sp.), fennel (*Foeniculum vulgare*), Russian thistle (*Salsola* sp.), and thistle (*Centaurea* sp.). Habitats that can be described as disturbed are composed of a mix of native and non-native species but can be solely non-native species in some cases.

Approximately 210 acres of disturbed habitat occurs mostly around the edges of the Planning Area (Figure 5).

Urban/Developed Land

Urban/developed land includes areas of existing residential, commercial, and industrial development (locations of existing manufactured structures), roadways, parking lots, pedestrian paths, horticultural open spaces, landscape buffers and courtyards, plazas, gardens, recreation fields, and areas dominated by non-native (introduced) vegetation.

The majority of the Planning Area, 22,080.2 acres, consists of urban/developed land (Figure 5).

Aquatic Resources

The Mojave River runs through the northern and northeastern portions of the Planning Area (Figure 6, Aquatic Resources). The USFWS NWI results for the Planning Area classify the Mojave River as Riverine and the riparian corridor surrounding the river as Freshwater Emergent Wetland and Freshwater Forested/Shrub Wetland. Smaller streams and creeks that are tributary to the Mojave River are identified throughout the Planning Area in the NWI report (Figure 6). In addition, freshwater ponds and lakes surrounding the Mojave River occur primarily in the northeastern and southeastern portions of the Planning Area (Figure 6).

Aquatic resources delineations were not conducted for the Planning Area. However, wetlands and waters potentially subject to the regulatory jurisdiction of the USACE pursuant to CWA Section 404 (33 USC 1344), RWQCB pursuant to CWA Section 401 or Porter-Cologne, and CDFW pursuant to California Fish and Game Code, Sections 1600 et seq., likely occur in the Planning Area (associated with the Mojave River). The aquatic vegetation communities—desert riparian, desert wash, freshwater emergent wetland, fresh water, riverine, and valley foothill riparian—occur in the Planning Area and may fall under the regulatory jurisdiction of the USACE, RWQCB, or CDFW (Figure 5).

Wetland and non-wetland waters including lakes, ponds, non-vegetated stream channels, erosional features, gullies, and concrete-lined channels have the potential to occur in the Planning Area (Figure 6). These features may fall under the regulatory jurisdiction of the USACE, RWQCB, or CDFW.

Sensitive Species

Sensitive species are those recognized by federal, state, or local agencies as being potentially vulnerable to impacts because of rarity, local or regional reductions in population numbers, isolation/restricted genetic flow, or other factors. Special-status plants include those listed as threatened or endangered, proposed for listing, or candidates for listing by the USFWS and CDFW; those considered sensitive by the CDFW; and those species included in the California Rare Plant Rank (CRPR) inventory maintained by the CNPS. Sensitive wildlife species include those listed as threatened or endangered, proposed for listing, or candidates for listing by the USFWS and CDFW or those considered sensitive by the CDFW.

As described in the Literature Review section, distributions of historical sensitive plant and wildlife species observations in the vicinity of the Planning Area were reviewed in preparation of this letter report (BLM 2004; Calflora 2022; CDFW 2022a, 2022b; CNPS 2022; USFWS 2022b). Figure 7, Sensitive Species Potential to Occur, shows the historical documented occurrences of many of the sensitive plant and wildlife species in the Planning Area. It should be noted that some of the sensitive species documented in the Planning Area by the Victorville General Plan 2030 or WMP may not be shown on Figure 7 because the data was not publicly available. Ten sensitive plant species and 36 sensitive wildlife species are either known to occur or have some potential to occur within the vicinity of the Planning Area and are listed in the following subsections.

Sensitive Plant Species

The sensitive plant species that either are known to occur or have some potential to occur within the vicinity of the Planning Area include beaver dam breadroot (*Pediomelum castoreum*), Booth's evening-primrose (*Eremothera boothii* ssp. *boothii*), desert cymopterus (*Cymopterus deserticola*), Mojave monkeyflower (*Diplacus mohavensis*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), San Bernardino aster (*Symphyotrichum defoliatum*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), small-flowered androstephium (*Androstephium breviflorum*), southern mountains skullcap (*Scutellaria bolanderi* ssp. *austromontana*), and white pygmy-poppy (*Canbya candida*) (Figure 7).

Sensitive Wildlife Species

The sensitive wildlife species that either are known to occur or have some potential to occur within the vicinity of the Planning Area include arroyo toad (*Anaxyrus californicus*), bald eagle (*Haliaeetus leucocephalus*), Bendire's thrasher (*Toxostoma bendirei*), Blainville's horned lizard (*Phrynosoma blainvillii*), western burrowing owl, brown-crested flycatcher, California red-legged frog (*Rana draytonii*), Cooper's hawk (*Accipiter cooperii*), Mojave Desert

tortoise, ferruginous hawk, golden eagle (*Aquila chrysaetos*), hoary bat (*Lasiurus cinereus*), least Bell's vireo, Le Conte's thrasher (*Toxostoma lecontei*), loggerhead shrike (*Lanius ludovicianus*), long-eared owl (*Asio otus*), Mojave ground squirrel, Mojave River vole, Mojave tui chub (*Siphateles bicolor mohavensis*), northern harrier (*Circus cyaneus*), pallid bat (*Antrozous pallidus*), pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), prairie falcon, San Emigdio blue butterfly (*Plebulina emigdionis*), sharp-shinned hawk (*Accipiter striatus*), southwestern willow flycatcher, summer tanager, Swainson's hawk (*Buteo swainsoni*), yellow-breasted chat (*Icteria virens*), Townsend's big-eared bat (*Corynorhinus townsendii*), tricolored blackbird (*Agelaius tricolor*), Victorville shoulderband (*Helminthoglypta mohaveana*), northwestern pond turtle, western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), and yellow warbler (Figure 7).

As previously discussed, the majority of the Planning Area is developed, disturbed, or occupied with agricultural fields, which provides limited suitable habitat for the sensitive plant and wildlife species known to occur or have a potential to occur (Figure 5). However, large areas of native habitat occur around the edges and in the north-central portion of the Planning Area that support the sensitive plant and wildlife species listed in the previous subsections (Figures 5 and 7). In addition, the Mojave River and surrounding riparian corridor that occurs in the northern and northeastern portions of the Planning Area provide suitable habitat for sensitive plant and wildlife species.

Critical Habitat

The potential for critical habitat to occur in the Planning Area was also analyzed. Critical habitat for southwestern willow flycatcher occurs along the Mojave River and surrounding riparian corridor that run through the northern and northeastern portions of the Planning Area and is displayed on Figure 8, Critical Habitat. Critical habitat for arroyo toad and Mojave Desert tortoise occurs south and north of the Planning Area, respectively.

Wildlife Corridors

Wildlife corridors include both local movement routes and regional corridors and linkages. Local movement routes often connect resources, such as water sources, foraging areas, and den/cover sites, on a localized level, often on a daily or nightly basis. Regional movement corridors or linkages connect larger patches of open space and are important to wildlife for seasonal movements and the long-term genetic flow between subpopulations. For large mammals, regional corridors are often required to provide a network of large-scale foraging or hunting areas. Corridors can be continuous habitat features or "stepping stones," such as rest areas along a bird migration route. Corridors often follow linear topographic, water, or vegetation features. The overall biological value of a site is based on a variety of factors, including habitat types present, quality of habitat, diversity of biological resources present, potential to support sensitive biological resources, patch size, and connectivity to other high-quality habitat, among others.

The Victorville General Plan 2030 (City of Victorville 2008) and WMP (BLM 2004) were reviewed to confirm the presence of designated habitat linkages and dispersal corridors in the Planning Area. These documents identify the Mojave River and riparian corridor that run through the northern and northeastern portion of the Planning Area as an important wildlife habitat and movement corridor connecting the open spaces within and outside the Planning Area. The Mojave River also provides a flyway stopover for migratory birds and raptors and final remaining occupied habitat for endemic species including Mojave River vole, Mojave shoulderband, and formerly Mojave tui chub (now thought to be extirpated) (City of Victorville 2008). Open areas of native habitat, primarily the Mojave River and riparian corridor and desert scrub, along the northern, northeastern, and southwestern edges and in the north-central portion of the Planning Area provide both local movement routes and regional linkages in the Planning Area (Figure 5). These native habitat areas provide three primary landscape linkages: (1) east to west across the northern portion of the Planning Area, (2) north to south across the northeastern portion of the Planning Area as part of the Mojave River corridor, and (3) north to south across the southwestern portion of the Planning Area.

The majority of the Planning Area is not likely to function as a wildlife movement corridor because it is primarily composed of urban/developed land that limits wildlife movement. However, the swaths of native habitat around the edges and running through the north-central portion of the Planning Area provide connections to the open

space areas in and surrounding the Planning Area that provide local and regional movement for both common and sensitive wildlife species.

Significance of Project Impacts

Significance Criteria

Direct impacts to biological resources occur when they are altered or destroyed during or as a result of project implementation. Examples of such impacts include removing or grading vegetation, filling wetland habitat, or severing or physically restricting the width of wildlife corridors. Other direct impacts may include loss of foraging or nesting habitat and loss of individual species as a result of habitat clearing. Indirect impacts may include elevated levels of noise or lighting, changes in surface water hydrology in a floodplain, and increased erosion or sedimentation. These types of indirect impacts can affect vegetation communities or their potential use by sensitive species. Permanent impacts may result in irreversible damage to biological resources. Temporary impacts are interim changes in the local environment due to construction and would not extend beyond project-associated construction.

Appendix G of the CEQA Guidelines (CEQA Guidelines, Section 15000 et seq.) defines “significant effect on the environment” as a “substantial, or potentially substantial adverse change in the environment.” Appendix G of the CEQA Guidelines further indicates that a significant effect on biological resources may occur if the project would:

1. 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.
2. 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.
3. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrologic interruption, or other means.
4. 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.
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

Threshold 1: Sensitive Plant and Wildlife Species

Guidelines for Determination of Significance

A significant impact would result if the project 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 CDFW or USFWS.

Impact Analysis

Sensitive Plant Species

The Planning Area consists primarily of developed land, including urban/developed land, disturbed habitat, and agricultural fields, and no critical habitat for sensitive plant species occurs in the Planning Area (Figure 8). However, large areas of native habitat, including the Mojave River and surrounding riparian corridor, scrub, grassland, and woodland, occur around the edges and in the north-central portion of the Planning Area that can support sensitive plant species (Figure 5). Ten sensitive plant species are either known to occur or have some potential to occur within the vicinity of the Planning Area. If development of the vegetation communities that

provide suitable habitat for these 10 sensitive plant species occurs under the project, significant direct and indirect impacts to sensitive plant species could result.

Development projects in the Planning Area are required as a condition of approval to comply with Victorville General Plan 2030 goals, objectives, and policies related to biological resources (City of Victorville 2008). Specific to sensitive plant species, the project would comply with Victorville General Plan 2030 Resource Element Goal 4, Conservation of Important Habitat, which prioritizes the preservation of natural communities that supports rare, threatened, or endangered plant species and requires biological surveys and assessments of impacts to biological resources for new “greenfield” projects, as part of the City’s CEQA implementation procedures. Under General Plan Resource Element Goal 4, Policy 4.1.1, projects that would impact sensitive plant species habitat would be required to provide restoration of the same type of impacted habitat within an existing, planned, or potential conservation area. Further, consistency with General Plan Resource Element Goal 4, Objective 4.2, Policy 4.2.1, requires permanent conservation of the Mojave River and riparian corridor, which provide suitable habitat for sensitive plant species, and this goal generally prohibits private or public development projects in the Mojave River corridor.

Development associated with the project in the urban/developed land that occurs the Planning Area would be less likely to result in impacts to sensitive plant species because these areas have been previously disturbed and do not contain suitable habitat for sensitive plant species.

Therefore, development projects approved in the Planning Area would result in less than significant impacts to sensitive plant species, and no mitigation is required.

Sensitive Wildlife Species

Although the Planning Area consists primarily of developed land, large areas of native habitat, including the Mojave River and surrounding riparian corridor, scrub, grassland, and woodland, occur around the edges and in the north-central portion of the Planning Area that can support sensitive wildlife species (Figure 5). Further, critical habitat for southwestern willow flycatcher occurs along the Mojave River and surrounding riparian corridor that run through the northern and northeastern portions of the Planning Area (Figure 8). Thirty-five sensitive wildlife species are either known to occur or have some potential to occur within the vicinity of the Planning Area. If development of the vegetation communities, particularly the Mojave River and riparian corridor, that provide suitable habitat for these 35 sensitive wildlife species occurs under the project, significant direct and indirect impacts to sensitive wildlife species could result.

As discussed in the previous section, development projects in the Planning Area are required as a condition of approval to comply with Victorville General Plan 2030 goals, objectives, and policies related to biological resources (City of Victorville 2008). Specific to sensitive wildlife species, the project would comply with Victorville General Plan 2030 Goal 4, which prioritizes the preservation of natural communities that support rare, threatened, or endangered wildlife species and requires biological surveys and assessments of impacts to biological resources for new “greenfield” projects, as part of the City’s CEQA implementation procedures. Under General Plan Goal 4, Policy 4.1.1, projects that would impact sensitive wildlife species habitat would be required to provide restoration of the same type of impacted habitat in an existing, planned, or potential conservation area. Further, consistency with General Plan Goal 4, Objective 4.2, and Policy 4.2.1, requires permanent conservation of the Mojave River and riparian corridor, which provide suitable habitat for sensitive wildlife species, and this goal generally prohibits private or public development projects in the Mojave River corridor.

Projects approved in the Planning Area would also be required to comply with General Plan Goal 4, Policy 4.1.2, which requires consistency with the WMP responsibility measures for sensitive wildlife species that occur or have some potential to occur within the vicinity of the Planning Area (BLM 2004). The WMP measures applicable to the Planning Area include those for western burrowing owl (surveys, relocation, and reporting), Mojave Desert tortoise (conservation strategy), ferruginous hawk (raptor-safe infrastructure), Mojave ground squirrel (conservation strategy), 10 Mojave River bioregion species (groundwater and habitat conservation), and prairie falcon (nest avoidance and noise restrictions).

Development associated with the project in the urban/developed land that occurs in the Planning Area would be less likely to result in impacts to sensitive wildlife species because these areas have been previously disturbed and do not contain suitable habitat for sensitive wildlife species.

Therefore, development projects approved in the Planning Area would result in less than significant impacts to sensitive wildlife species, and no mitigation is required.

Nesting Birds

Implementation of projects in the Planning Area would have the potential to impact nesting birds. Activities such as vegetation clearing, grubbing, or trimming could potentially harm active nesting birds. In addition to vegetation disturbance, impacts to nesting birds may include noise and other disturbances due to the proximity of construction activities. Construction activities conducted during the general bird and raptor breeding season (typically January 15 through August 31) could directly or indirectly impact nesting birds and raptors. Implementation of projects in the Planning Area could result in potentially significant direct and indirect impacts to nesting birds and raptors, and mitigation is required.

Threshold 2: Riparian Habitat or Other Sensitive Natural Community

Guidelines for Determination of Significance

A significant impact would result if the project would have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the CDFW or USFWS.

Impact Analysis

While the Planning Area consists primarily of developed land, large areas of sensitive vegetation communities, including the Mojave River and surrounding riparian corridor, scrub, grassland, and woodland, occur around the edges and in the north-central portion of the Planning Area (Figure 5).

As discussed under Threshold 1, development projects in the Planning Area are required as a condition of approval to comply with Victorville General Plan 2030 goals, objectives, and policies related to biological resources (City of Victorville 2008). Specific to sensitive vegetation communities, the project would comply with Victorville General Plan 2030 Goal 4, which prioritizes the preservation of natural communities and requires biological surveys and assessments of impacts to biological resources for new “greenfield” projects, as part of the City’s CEQA implementation procedures. Under General Plan Goal 4, projects that would impact sensitive vegetation communities would be required to provide restoration of the same type of impacted habitat within an existing, planned, or potential conservation area. Further, consistency with General Plan Goal 4 requires permanent conservation of the Mojave River and riparian corridor, which generally prohibits private or public development projects in the Mojave River corridor. Development associated with the project in the urban/developed land that occurs the Planning Area would be less likely to result in impacts to sensitive vegetation communities because these areas have been previously disturbed and do not contain sensitive vegetation communities. Therefore, development projects approved in the Planning Area would result in less than significant impacts to sensitive vegetation communities, and no mitigation is required.

Threshold 3: Jurisdictional Aquatic Resources

Guidelines for Determination of Significance

A significant impact would result if the project would have a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pool, and coastal) through direct removal, filling, hydrologic interruption, or other means.

Impact Analysis

Development projects in the Planning Area are required as a condition of approval to comply with Victorville General Plan 2030 goals, objectives, and policies related to biological resources (City of Victorville 2008). Specific

to jurisdictional aquatic resources, the project would comply with Victorville General Plan 2030 Goal 4, Objective 4.2, Policy 4.2.1, which requires permanent conservation of the Mojave River and riparian corridor, and this goal generally prohibits private or public development projects in the Mojave River corridor. While it is unlikely that the Mojave River and riparian corridor would be impacted by development, an aquatic resources delineation was not conducted, and any potential impacts to these or any other aquatic resource would require consultation with the USACE, RWQCB, and CDFW. Smaller streams and creeks that are tributary to the Mojave River are identified in the NWI report throughout the Planning Area. In addition, other wetland and non-wetland waters, including lakes, ponds, non-vegetated stream channels, erosional features, gullies, and concrete-lined channels, have the potential to occur in the Planning Area. Potential impacts to state or federal jurisdictional aquatic resources would be considered significant and require permits from the USACE, RWQCB, and CDFW. An aquatic resources delineation would be required for any impacts to potentially jurisdictional aquatic resources. Projects approved in the Planning Area that are within or adjacent to the Mojave River and riparian corridor or any other potentially jurisdictional aquatic resources could result in significant direct and/or indirect impacts to jurisdictional aquatic resources, and mitigation is required.

Threshold 4: Wildlife Corridors, Habitat Linkages, and Nursery Sites

Guidelines for Determination of Significance

A significant impact would result if the project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Impact Analysis

The majority of the Planning Area is not likely to function as a wildlife movement corridor because it is primarily made up of urban/developed land. However, the swaths of native habitat around the edges and running through the north-central portion of the Planning Area provide connections to the open space areas within and surrounding the Planning Area that provide local and regional movement for both common and sensitive wildlife species. Further, the Mojave River and riparian corridor that runs through the northern and northeastern portion of the Planning Area provides a flyway stopover for migratory birds and raptors and functions as an important wildlife habitat and movement corridor connecting the open spaces in and outside the Planning Area.

Although development outside the urban/developed land in the Planning Area would be limited, some new development in undeveloped areas or around the edges of the Planning Area could occur. New development, particularly in the northern, northeastern, and southeastern portions of the Planning Area adjacent to existing open space, has the potential to impede wildlife movement.

Habitats that support sensitive plant and wildlife species are likely to serve as wildlife nursery sites. Although development in the urban/developed areas in the Planning Area generally would not result in the removal of natural habitat, future development has the potential to remove trees or other vegetation that provides nursery sites to wildlife, particularly birds. Therefore, implementation of projects that would remove trees or vegetation in the Planning Area would result in potentially significant direct and indirect impacts to bird and raptor nursery sites, and mitigation is required.

Projects in the Planning Area would require subsequent CEQA review for any adverse impacts to wildlife corridors or nursery sites. In addition, development projects in the Planning Area would be required to comply with existing regulations and Victorville General Plan 2030 goals, policies, and ordinances, which are intended to protect wildlife movement corridors and nursery sites by protecting large areas of habitat, particularly the Mojave River and riparian corridor. Victorville General Plan 2030 Goal 4 requires biological resource surveys and mitigation for impacts to sensitive biological resources, including sensitive vegetation communities that function as nursery sites for sensitive wildlife species. These measures required by the Victorville General Plan 2030 and as a condition of approval for projects in the Planning Area would protect nursery sites and avoid fragmentation of wildlife

movement corridors. Therefore, impacts to wildlife movement corridors and nursery sites would be less than significant, and no mitigation is required.

Threshold 5: Local Policies or Ordinances

Guidelines for Determination of Significance

A significant impact would result if the project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Impact Analysis

Development in the Planning Area is required to comply with goals, policies, and objectives protecting biological resources identified in the Resource Element of the Victorville General Plan 2030 (City of Victorville 2008). Further, Victorville General Plan 2030 Goal 4, Policy 4.1.2, requires consistency with the WMP responsibility measures for sensitive wildlife species that occur or have some potential to occur within the vicinity of the Planning Area (BLM 2004).

Under Thresholds 1, 2, and 4, potential impacts to sensitive plant and wildlife species, sensitive vegetation communities, and wildlife nursery sites, corridors, and habitat linkages from future projects in the Planning Area would be avoided or reduced to a less than significant level through consistency with the Victorville General Plan 2030 and WMP. Therefore, projects in the Planning Area would not conflict with the General Plan Goal 4, Objectives 4.1 and 4.2, Policies 4.1.1, 4.1.2, and 4.2.1, regarding the preservation of open spaces and biological resources in the Planning Area.

In addition, under Thresholds 1 and 4, potential impacts to nesting birds and jurisdictional aquatic resources would be potentially significant before incorporation of mitigation. With implementation of mitigation measures for sensitive nesting birds and jurisdictional aquatic resources discussed in the Mitigation section, the project would not conflict with the General Plan Goal 4, Objectives 4.1 and 4.2, Policies 4.1.1, 4.1.2, and 4.2.1, regarding the preservation of open spaces and biological resources in the Planning Area.

Under Threshold 3, future projects in the Planning Area would avoid or, if avoidance is not feasible, fully mitigate potential impacts to jurisdictional aquatic resources, thereby complying with the General Plan Goal 4, Objective 4.2 and Policy 4.2.1, which requires permanent conservation of the Mojave River and riparian corridor.

No impacts related to conflicts with applicable policies or ordinances protecting biological resources would occur from implementation of projects in the Planning Area, and no mitigation is required.

Threshold 6: Regional Conservation Planning

Guidelines for Determination of Significance

A significant impact would result if the project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan.

Impact Analysis

As discussed in the Regulatory Setting section, the Planning Area is within the WMP Area and is subject to the requirements and conservation responsibilities outlined in the plan. Further, the Victorville General Plan 2030 requires consistency with the WMP for all projects in the Planning Area as a condition of approval. Therefore, no impacts to regional conservation plans would occur from the implementation of projects in the Planning Area, and no mitigation is required.

Cumulative Impacts

The area considered for cumulative impacts to biological resources includes the City, its sphere of influence, and immediately surrounding lands and waterways. Cumulative development in combination with the projects in the Planning Area may impact sensitive plant and wildlife species, riparian and sensitive habitat communities, and

federally protected wetlands and 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. Implementation of future projects in the Planning Area could change the density and intensity of existing land uses. However, all projects, approved in the City's jurisdiction are required to be consistent with Victorville General Plan 2030 Resource Element biological and open space goals, policies, and objectives (City of Victorville 2008) and Victorville land use and development ordinances. Furthermore, impacts to biological resources associated with future development in the Planning Area would be less than significant with mitigation incorporated. Therefore, the projects in the Planning Area would have incremental contribution to cumulative impacts associated with biological resources, and impacts to biological resources would not be cumulatively considerable. Cumulative impacts would be less than significant, and no mitigation is required.

Mitigation

Prior to issuance of land development permits, including clearing, grubbing, grading, and construction permits for proposed projects in the City, the following biological resources mitigation measures shall be put forth by project applicants as conditions of approval, and implemented upon the initiation of development activities.

Sensitive Wildlife Species

Nesting Birds

Implementation of Mitigation Measure BIO-1 would require pre-construction nesting bird surveys for projects in the Planning Area that contain or are adjacent to mature trees or are within or adjacent to undeveloped land and/or open space in the Planning Area and for projects that would remove trees or vegetation to reduce potential impacts to nesting birds protected by the California Fish and Game Code and MBTA.

BIO-1: Pre-Construction Nesting Bird Surveys. To the extent feasible, grubbing, trimming, or clearing of vegetation from the Planning Area shall not occur during the general bird nesting season (January 15 through September 15). If grubbing, trimming, or clearing of vegetation cannot feasibly occur outside the general bird nesting season, a qualified biologist shall perform a pre-construction nesting bird survey on sites in the Planning Area with vegetation supporting nesting birds. Nesting bird surveys shall occur within 10 days before the start of vegetation clearing or grubbing to determine if active bird nests are present. If no active bird nests are identified on a site or within a 300-foot buffer of the site, no further mitigation is necessary. If active nests of bird species covered by the Migratory Bird Treaty Act are detected on sites in the Planning Area during the 10-day pre-construction survey, construction activities shall stay outside a 300-foot buffer around the active nest. For raptor species, this buffer shall be expanded to 500 feet. It is recommended that a biological monitor be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by construction activity. Once the young have fledged and a qualified biologist has determined the nest is inactive, normal construction activities can occur.

Jurisdictional Aquatic Resources

In the event that state- or federally protected jurisdictional aquatic resources are identified on project sites in the Planning Area and cannot be avoided, Mitigation Measures BIO-2 and BIO-3 shall be implemented.

BIO-2: Aquatic Resources Delineation. Future projects in or adjacent to the Mojave River or other aquatic resources that have the potential to impact sensitive aquatic resources shall be required to conduct an aquatic resources delineation following the methods outlined in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the U.S. Army Corps of Engineers Wetland Delineation Manual: Arid West Region to map the extent of wetlands and non-wetland waters, determine jurisdiction, and assess potential impacts. The aquatic resources shall be conducted by a qualified biologist. The results of the delineation shall be presented in an Aquatic Resources Delineation Report and be incorporated into the California Environmental Quality Act documents required for approval and permitting of the proposed project.

BIO-3: Aquatic Resources Permitting. Future projects in or adjacent to the Mojave River or other aquatic resources that have been determined through Mitigation Measure BIO-2 to have a significant impact to sensitive aquatic resources shall obtain required permits and authorizations from the U.S. Army Corps of Engineers, California Department of Fish and Wildlife, and Lahontan Regional Water Quality Control Board. The regulatory agency authorizations shall include impact avoidance and minimization measures and mitigation measures for unavoidable impacts. Specific avoidance and minimization measures and mitigation measures for impacts to jurisdictional resources shall be determined through discussions with the regulatory agencies during the project permitting process and may include monetary contributions to a mitigation bank or habitat creation, restoration, or enhancement.

Significance After Mitigation

Implementation of projects in the Planning Area could result in potentially significant impacts to nesting birds and jurisdictional aquatic resources.

Implementation of Mitigation Measure BIO-1 would reduce potential direct and indirect impacts to nesting birds by requiring pre-construction nesting bird surveys on project sites that contain or are adjacent to mature trees or are within or adjacent to undeveloped land and for projects that would remove trees or vegetation in the Planning Area. With implementation of Mitigation Measure BIO-1, potential direct and indirect impacts to nesting birds from implementation of projects in the Planning Area would be reduced to a less than significant level.

Mitigation Measures BIO-2 and BIO-3 would be implemented to reduce impacts to state or federally protected aquatic resources by conducting aquatic resources delineation and aquatic resources permitting for development in or adjacent to the Mojave River or other aquatic resources in the Planning Area. With implementation of Mitigation Measures BIO-2 and BIO-3, potential impacts to sensitive aquatic vegetation and state or federally protected aquatic resources through direct removal, filling, hydrological interruption, or other means from implementation of projects in the Planning Area would be reduced to a less than significant level.

With implementation of Mitigation Measures BIO-1 through BIO-3, potential impacts to sensitive biological resources from implementation of projects in the Planning Area would be less than significant.

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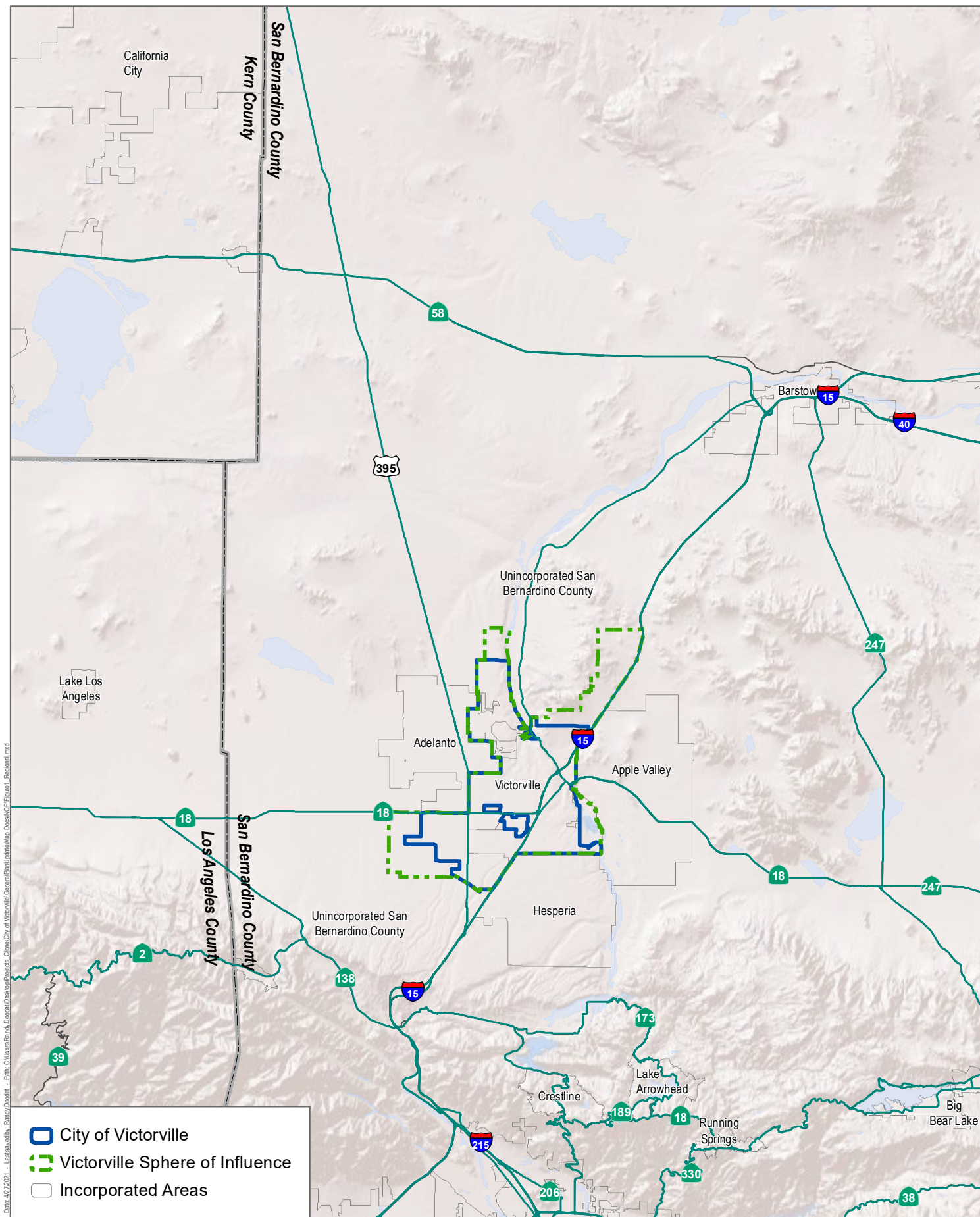
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Attachment 1. Figures

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Source: ESRI 2020.

Figure 1

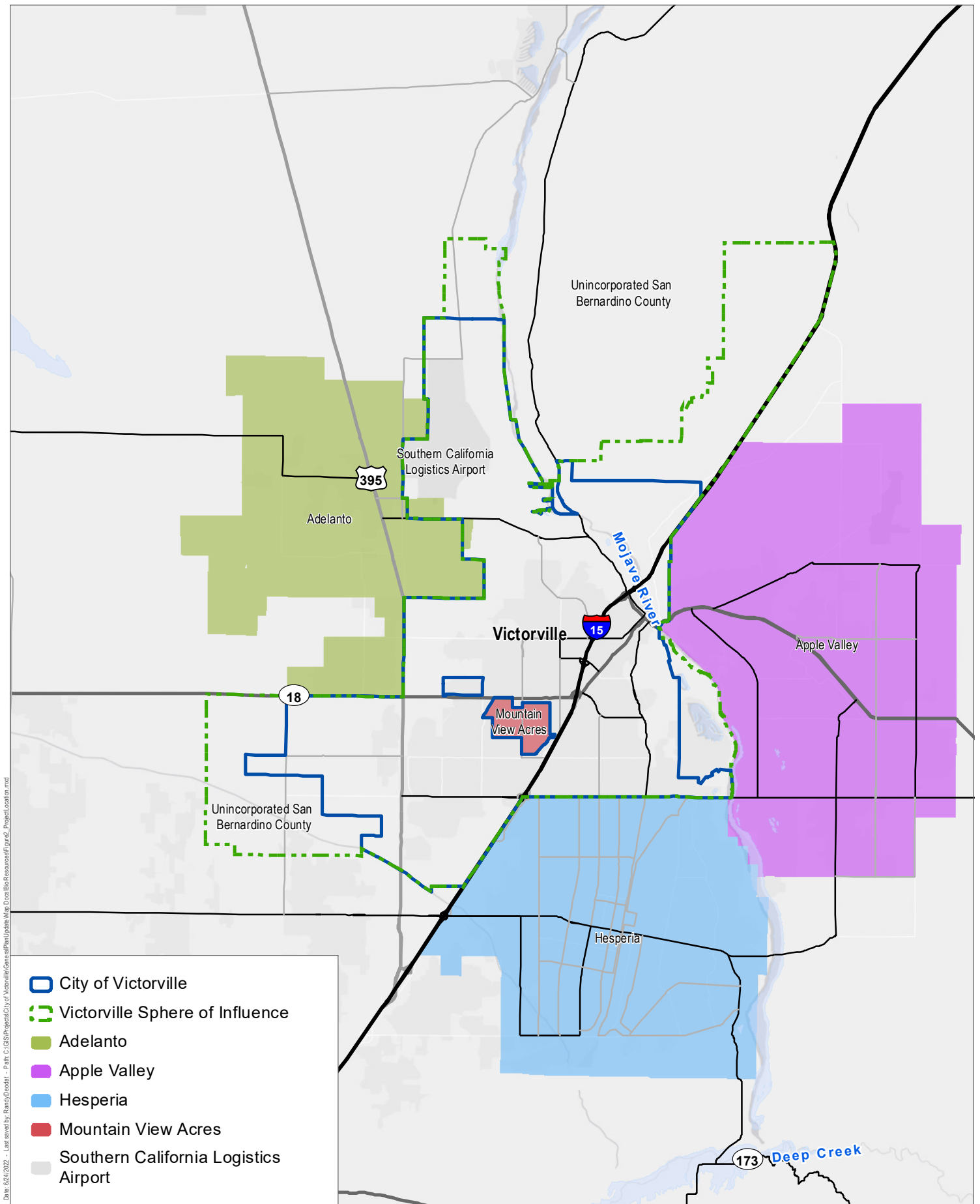
Regional Location

Victorville General Plan Update



Harris & Associates





Source: ESRI 2020.



Harris & Associates

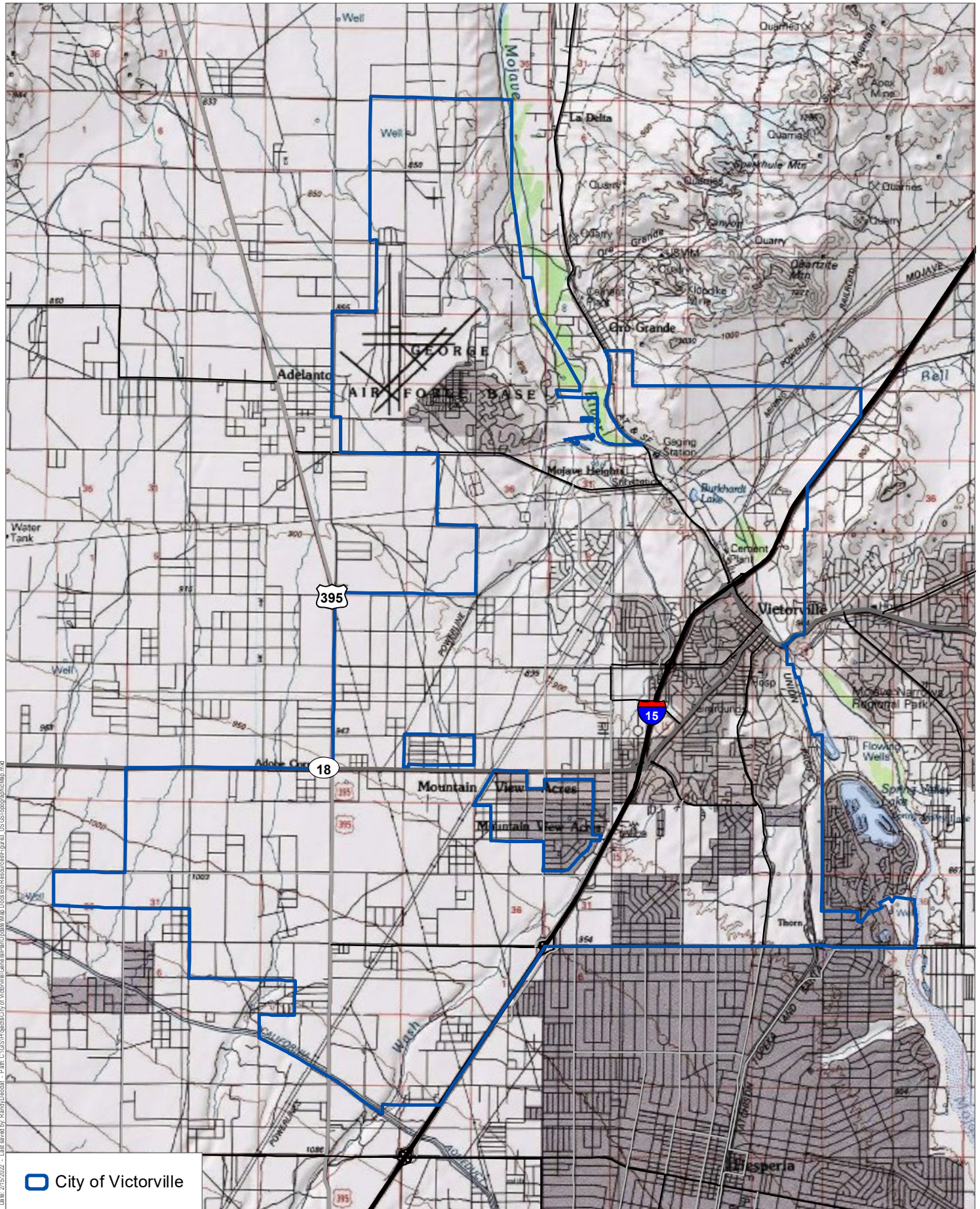


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Figure 2

Planning Area

Victorville General Plan Update



Harris & Associates

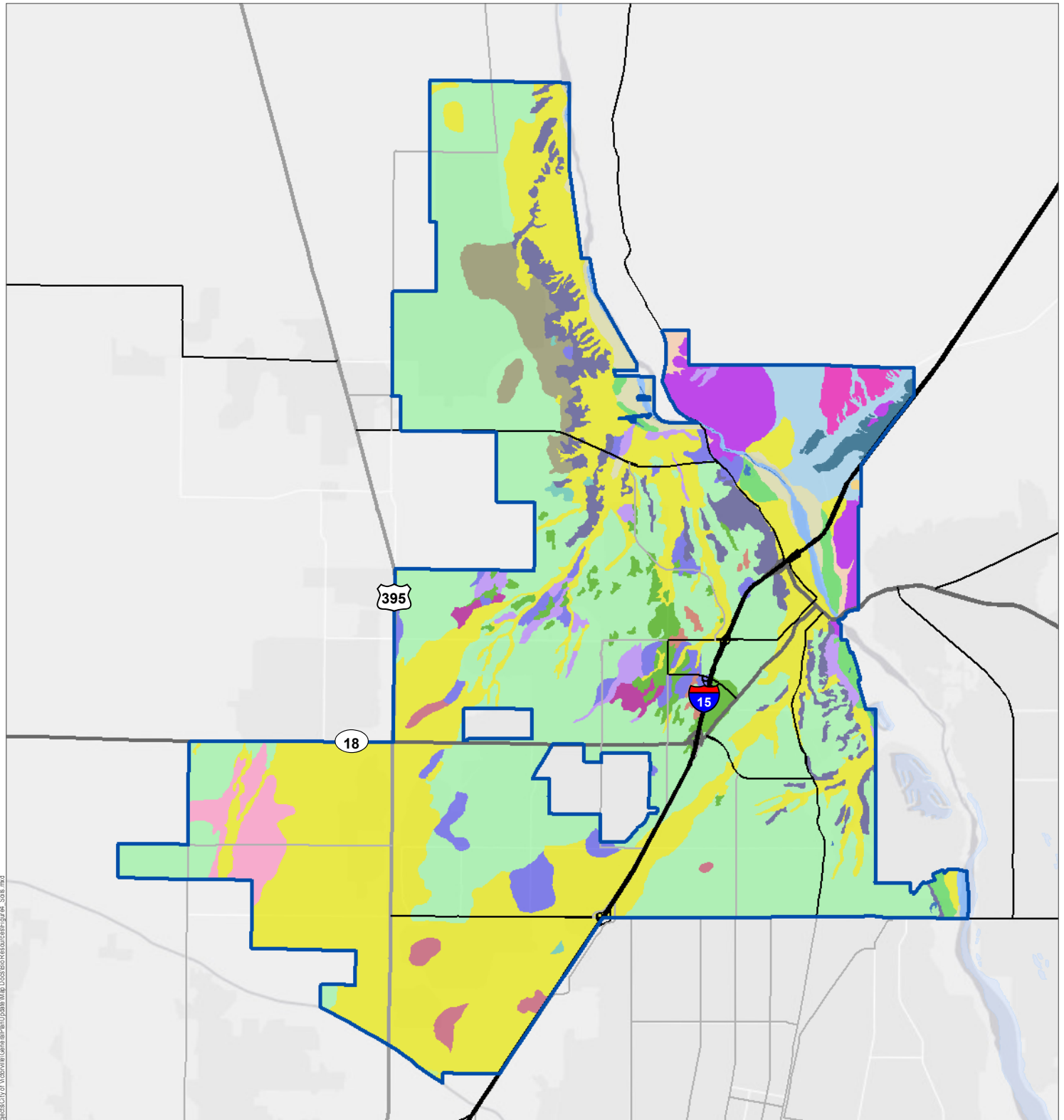


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Figure 3

USGS Topographic Map

Victorville General Plan Update



- | | | | |
|------------------------|---------------------------------|---------------------------|---|
| City of Victorville | Cajon-Arizo Complex | Lavic Loamy Fine Sand | Rock Outcrop-Lithic Torriorthents Complex |
| Water | Cave Loam | Mirage-Joshua Complex | Rosamond Loam |
| Soils | Haplargids-Calciorthids Complex | Mojave Variant Loamy Sand | Victorville Sandy Loam |
| Bryman Loamy Fine Sand | Helendale-Bryman Loamy Sand | Nebona-Cuddeback Complex | Villa Loamy Sand |
| Cajon Gravelly Sand | Helendale Loamy Sand | Pits | Wasco Sandy Loam |
| Cajon Sand | Hesperia Loamy Fine Sand | Riverwash | Yermo-Kimberlina |
| | Kimberlina Loamy Fine Sand | | |

Source: USDA 1978; ESRI 2021.



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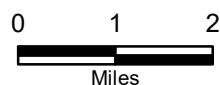
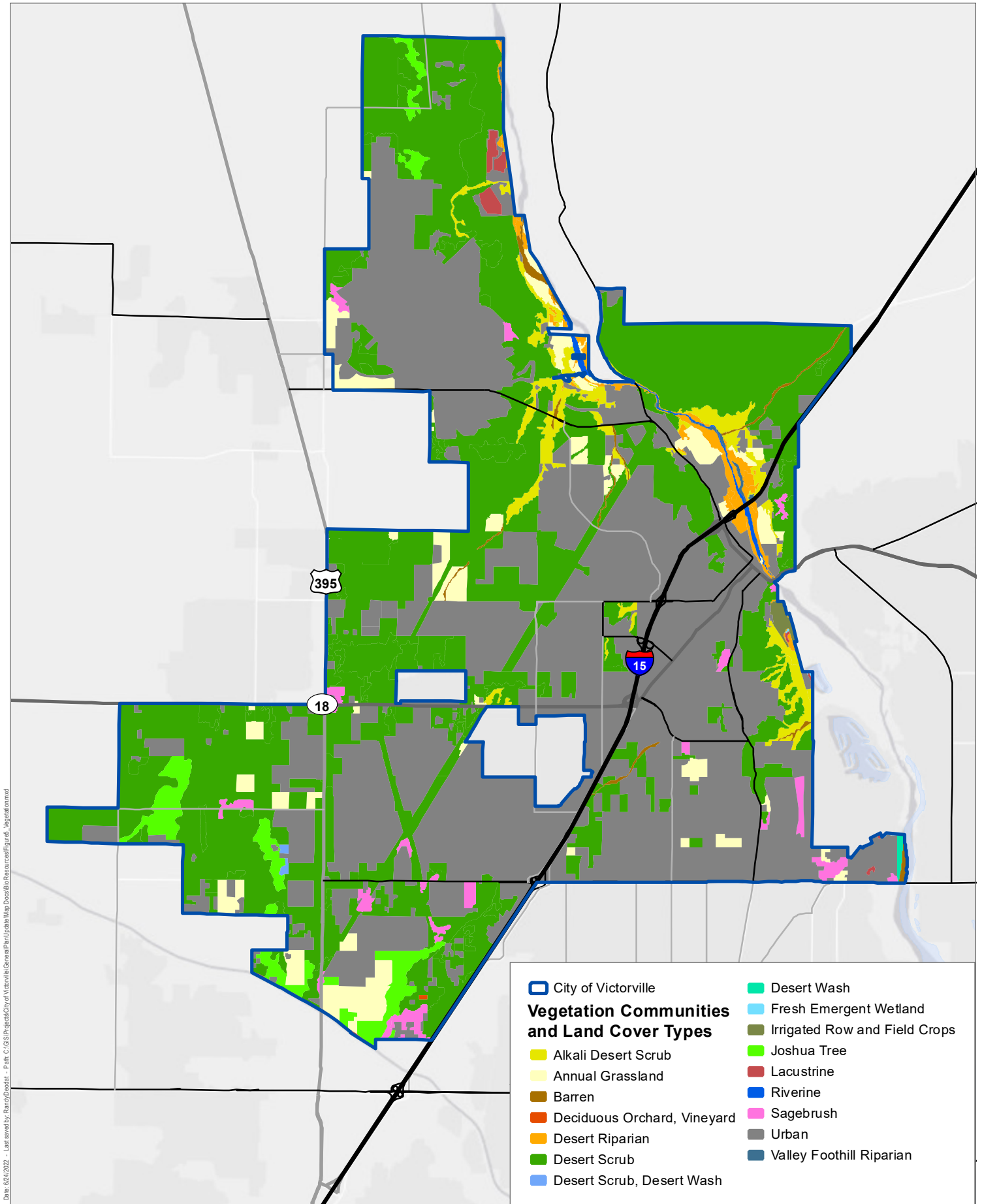


Figure 4

Soils

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Source: CDFW 2011; ESRI 2021

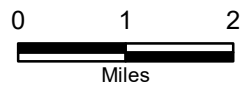
Figure 5

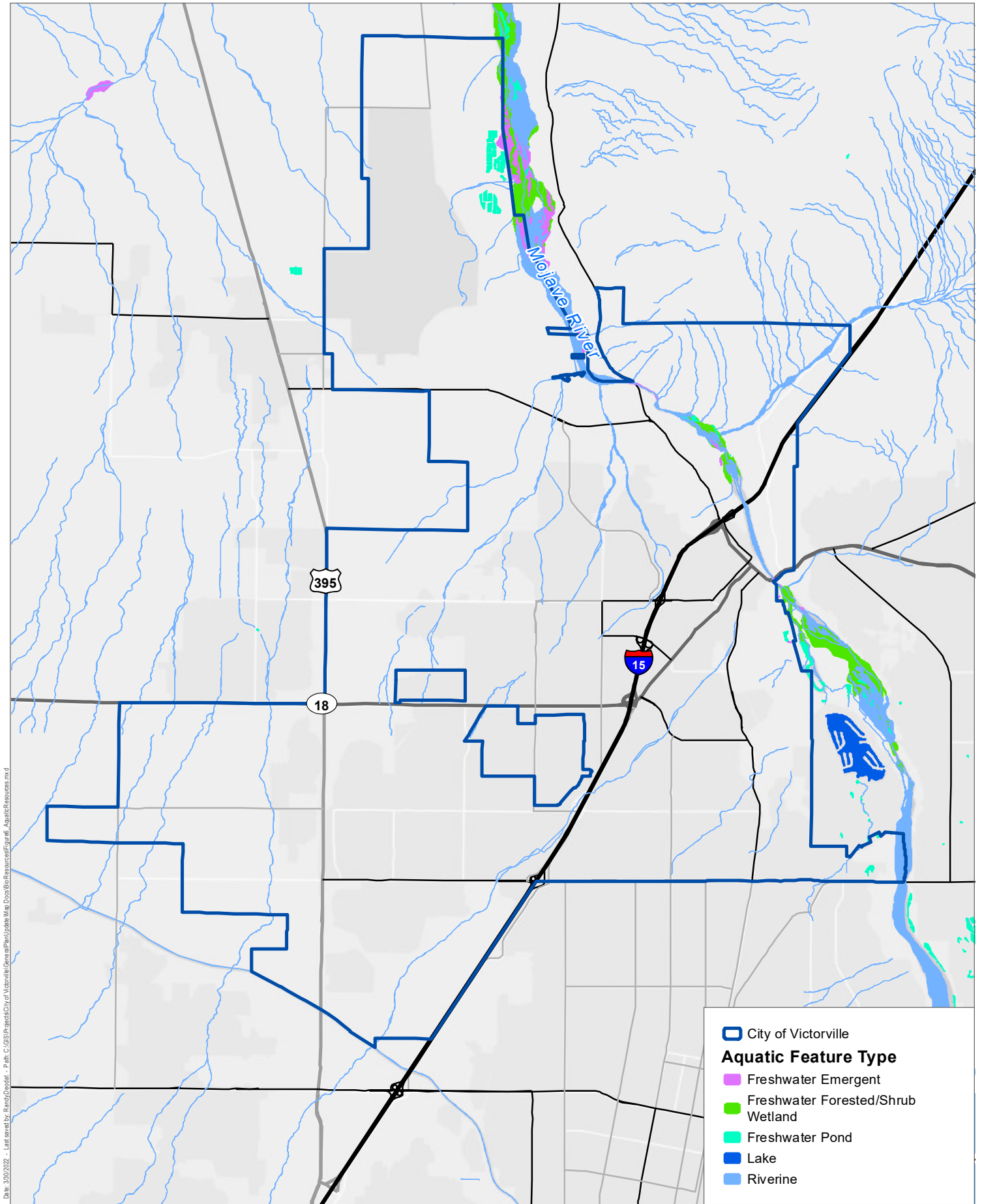
Vegetation Communities and Land Cover Types

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Source: USFWS National Wetland Inventory 2022; ESRI 2021

Figure 6

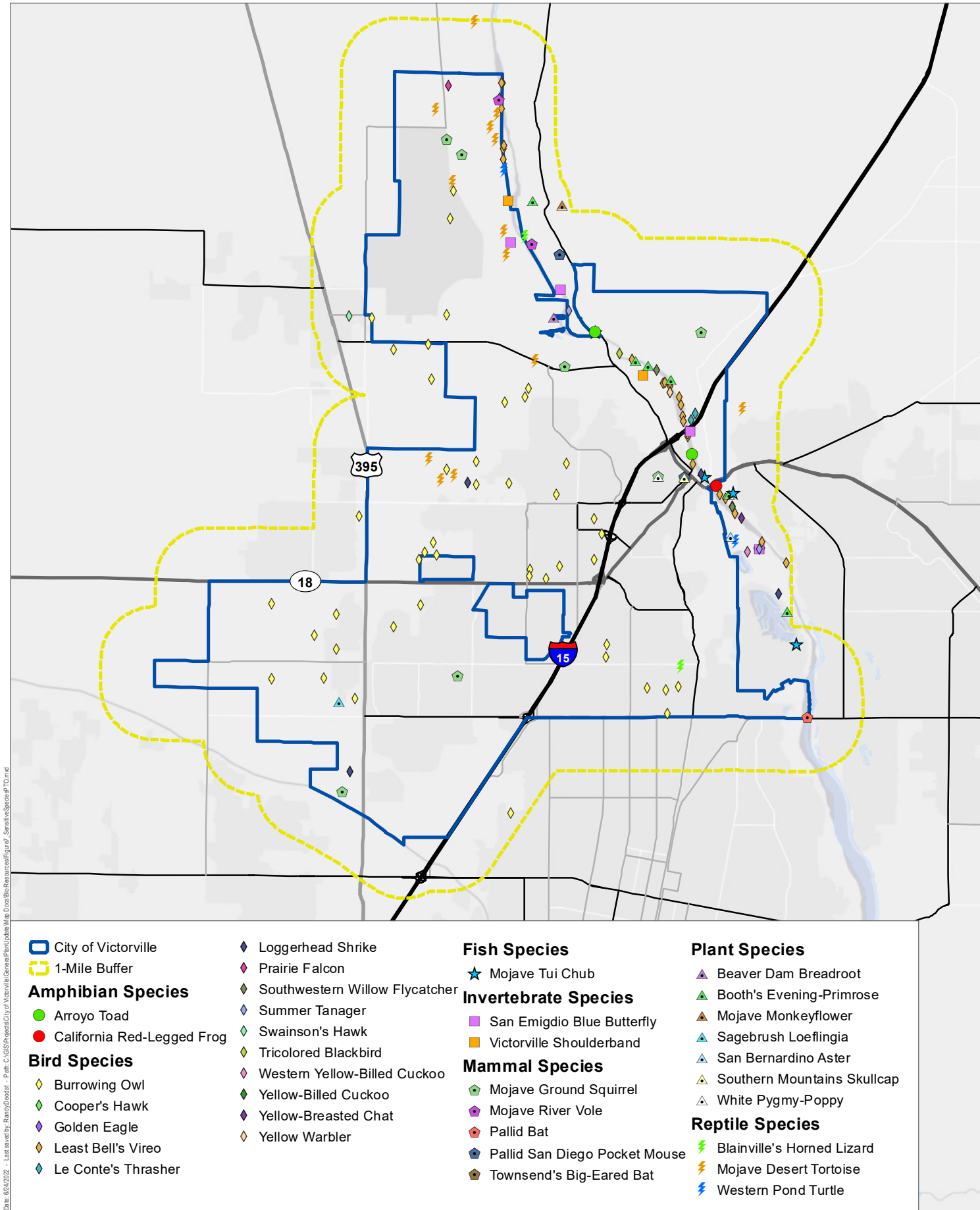
Aquatic Resources

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Source: CNDDB 2022; ESRI 2021

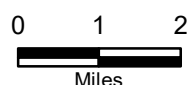
Figure 7

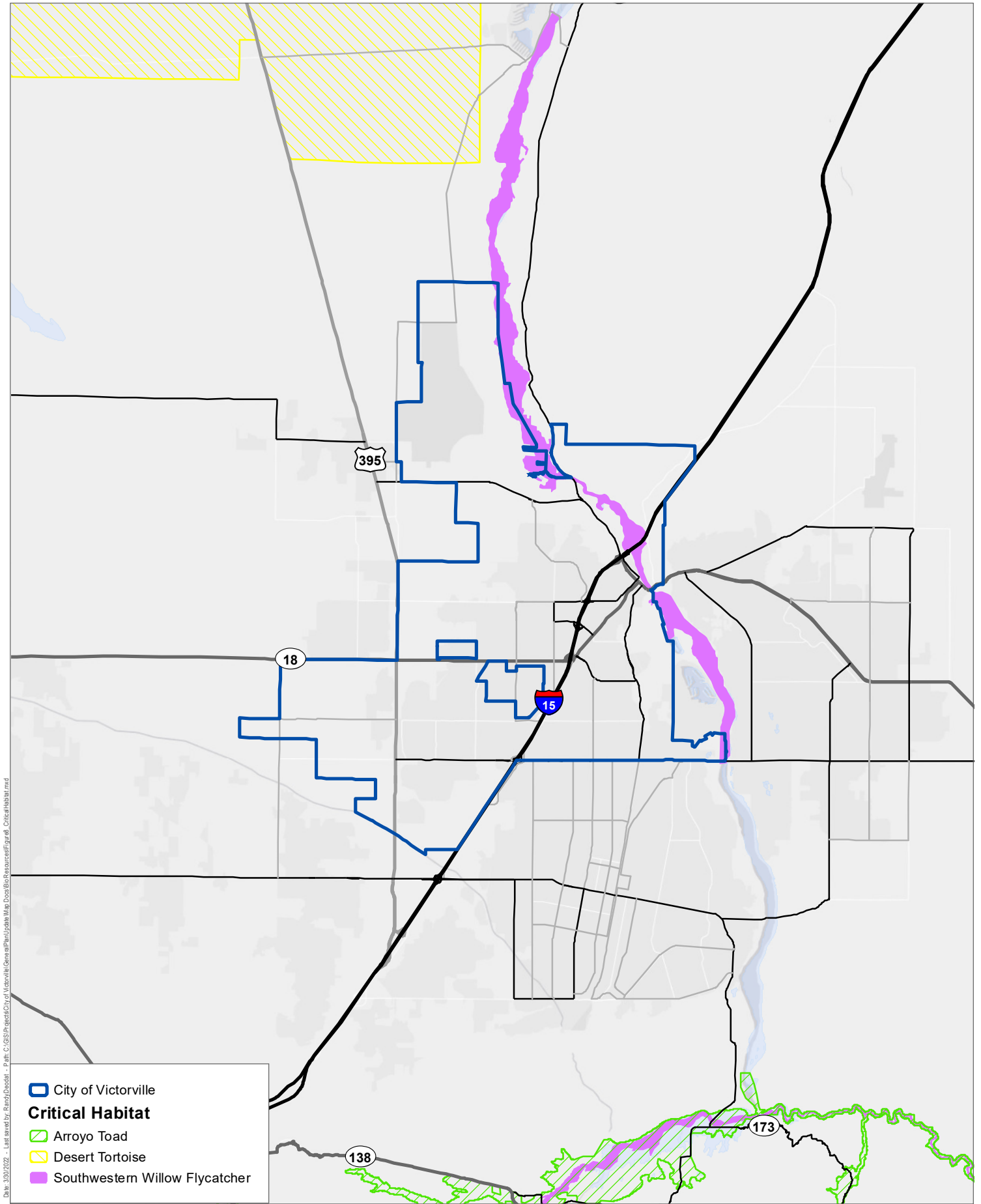
Sensitive Species Potential to Occur

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Figure 8

Critical Habitat

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