5.2 Biological Resources

This section describes biological resources near the Chula Vista Energy Upgrade Project (CVEUP), and the potential effects of the project on them. Section 5.2.1 discusses the affected environment, including a regional overview of biological resources, vegetation, sensitive plant communities, wetlands, wildlife, and special-status species. Section 5.2.1 also discusses methods and results of biological field surveys at the CVEUP. Section 5.2.2 discusses the effects that demolition of the existing plant and construction and subsequent operation of new facilities may have on special-status plant and animal species and sensitive habitats. Section 5.2.3 evaluates any potential cumulative effects to biological resources in the project vicinity, and Section 5.2.4 addresses proposed mitigation measures that would avoid, minimize, or compensate for adverse impacts. Section 5.2.5 presents applicable laws, ordinances, regulations and standards (LORS). Section 5.2.6 presents agency contacts and Section 5.2.7 presents permit requirements. Section 5.2.8 contains references.

5.2.1 Environmental Setting

The following sections describe the biological conditions of the proposed CVEUP site, beginning with a regional overview, the vegetation types and habitat present in the project area, a description of wildlife typical to the area, and a discussion of specific special-status species known to occur in the general region.

5.2.1.1 Regional Overview

The CVEUP site is a 3.82-acre site that can be characterized as disturbed and developed land. The project site is located at 3497 Main Street in Chula Vista, San Diego County, California. The site does not have a frontage to Main Street and is accessed via a private easement through an existing driveway and parking area located on the adjacent property to the east. The site is approximately 60 feet above mean sea level and can be found on the U.S. Geological Survey (USGS) Imperial Beach, California 7.5-minute series topographic quadrangle within Township 18 South, Range 2 West, Section 22.

Currently, the site is zoned Light Industrial. The site consists of the existing MMC Energy, Inc. (MMC) Chula Vista Power Plant and approximately two-thirds of the site is already developed. The northern one-third of the site is disturbed and vegetated with ruderal, weedy species. Non-native landscaping lines the perimeter of the site. The project site is surrounded by an automobile salvage yard to the north, a new warehouse complex to the east, and large-lot commercial/warehouse businesses to the west, and the Otay River Preserve (Preserve), a Multiple Species Conservation Program (MSCP) open space and natural preserve area to the south.

The closest natural habitat area to the project site is the Preserve located immediately adjacent to the site on the south. The Otay River is a major east-west riparian corridor of regional significance and is vegetated with riparian woodland habitat. Local area drainage, which includes natural drainage channels, improved natural drainage channels, and improved concrete or culverted channels, generally runs north-south and drains into the Otay River. Figure 5.2-1 shows regional biological resources.

5.2.1.2 Habitat and Vegetation Communities

The CVEUP site is located entirely within an existing power plant facility that includes associated structures and paved areas. The entire southern portion of the site is developed and the existing facility is proposed for demolition. The northern portion of the site, where the proposed plant will be constructed, consists of disturbed vegetation, and this area appears to have been previously graded. The disturbed vegetation is considered low-quality and does not provide significant habitat for plant or wildlife species.

The Preserve located immediately to the south is a major riparian feature that represents a significant biological resource. This section of the Otay River is vegetated with willow riparian habitat and includes a dense understory of riparian scrub species. Typical species in the understory include mule fat (*Baccharis salicifolia*), broom baccharis (*Baccharis sarothroides*), poison oak (*Toxicodendron diversilobum*), Mexican elderberry (*Sambucus mexicana*), and Mediterranean tamarisk (*Tamarix ramosissima*). The Otay River provides excellent wildlife habitat because the plant diversity provides abundant foraging opportunities, the structural diversity provides cover resources and microhabitats, and the river is an important source of water.

Because the project site and its environs are in an industrial area, there are no significant habitats for plant or wildlife resources within the immediate vicinity of the site, except for the Preserve. The majority of the surrounding area consists of urban development that includes residential uses, commercial and industrial uses, and schools and parks. Vegetation within these developed areas consists of non-native vegetation and landscaping such as pine trees (*Pinus* sp.), oleander (*Nerium oleander*), and eucalyptus (*Eucalyptus* sp.). Other vegetation communities within the surrounding area include disturbed and graded areas, agriculture, and a small amount of Diegan coastal sage scrub (DSS) along the edges of the Otay River.

Currently, there are two alternative laydown and construction worker parking areas, one of which will be used. One of these is a former pallet yard located adjacent to the project site to the southeast. The area is vacant and consists of a graded lot with scattered debris piles and is essentially devoid of vegetation. Like the project site, the pallet yard laydown area is surrounded by industrial and commercial uses to the east, west, and north, with the Preserve to the south. Figure 5.2-2 shows the vegetation communities within the project site, pallet laydown area, and the surrounding area at a scale of 1:6,000. A list of common plant species observed in the project area is found in Table 5.2-1 (found at the end of this section because of the length of this table). None of these species have regulatory status.

The second proposed laydown area is located approximately 3 miles to the east, near the intersection of Main Street and Heritage Road. This proposed laydown area is currently in use as a storage yard for gravel, concrete highway dividers, pylons, and other miscellaneous equipment. During the field survey, numerous haul trucks were also parked in the offsite construction laydown area. Similar to the pallet laydown area, the offsite construction laydown area is a graded lot and is essentially devoid of vegetation. Surrounding land uses include the Otay River to the north, east, and west, and Coors Amphitheatre and water sport park to the south. Land uses within the offsite construction laydown area and associated 1-mile radius include industrial and commercial uses, mining operations, a county landfill, residential areas, and abundant natural areas which consist of DSS and annual grassland (AG).

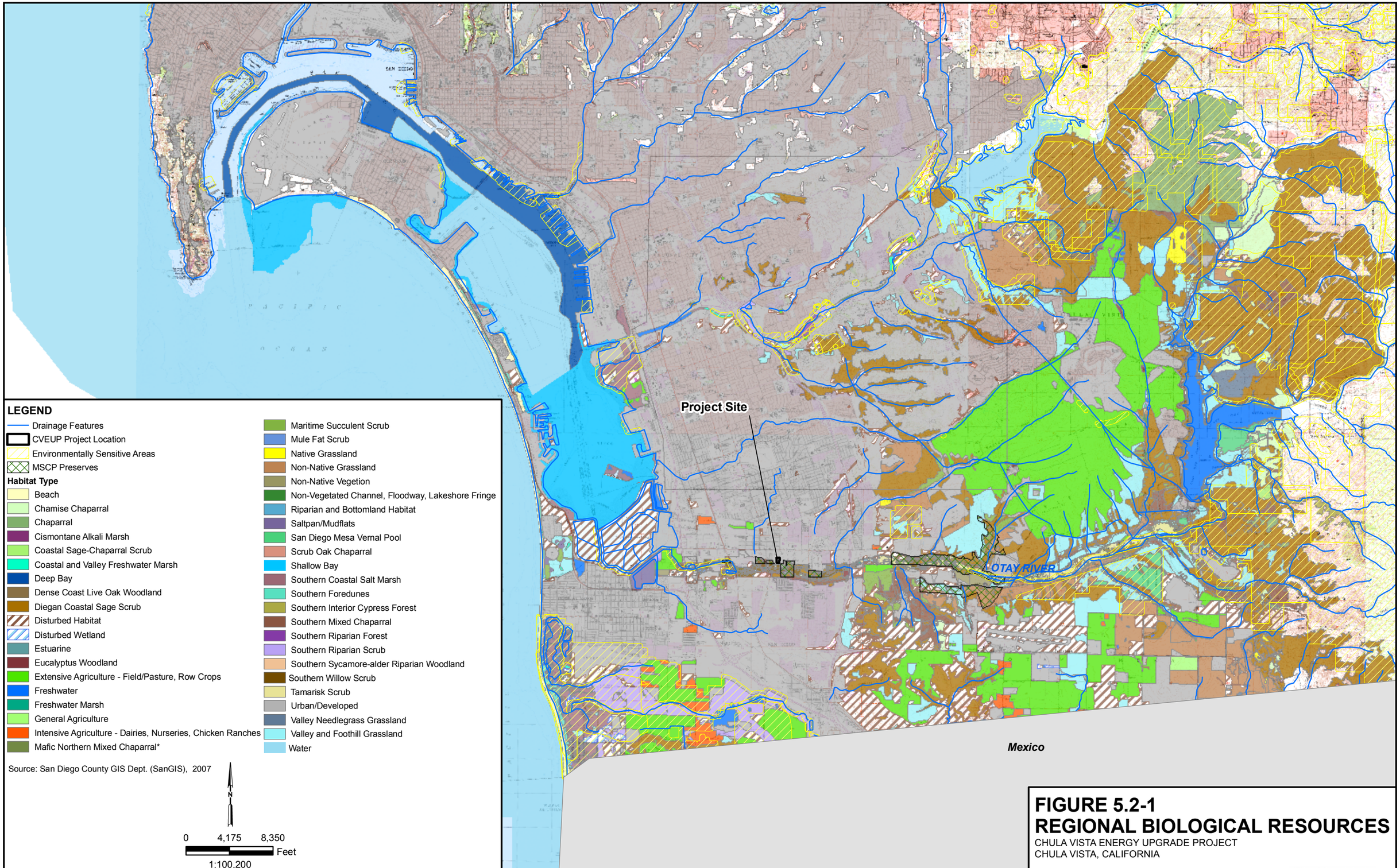

FIGURE 5.2-1
REGIONAL BIOLOGICAL RESOURCES

CHULA VISTA ENERGY UPGRADE PROJECT
CHULA VISTA, CALIFORNIA

CH2MHILL

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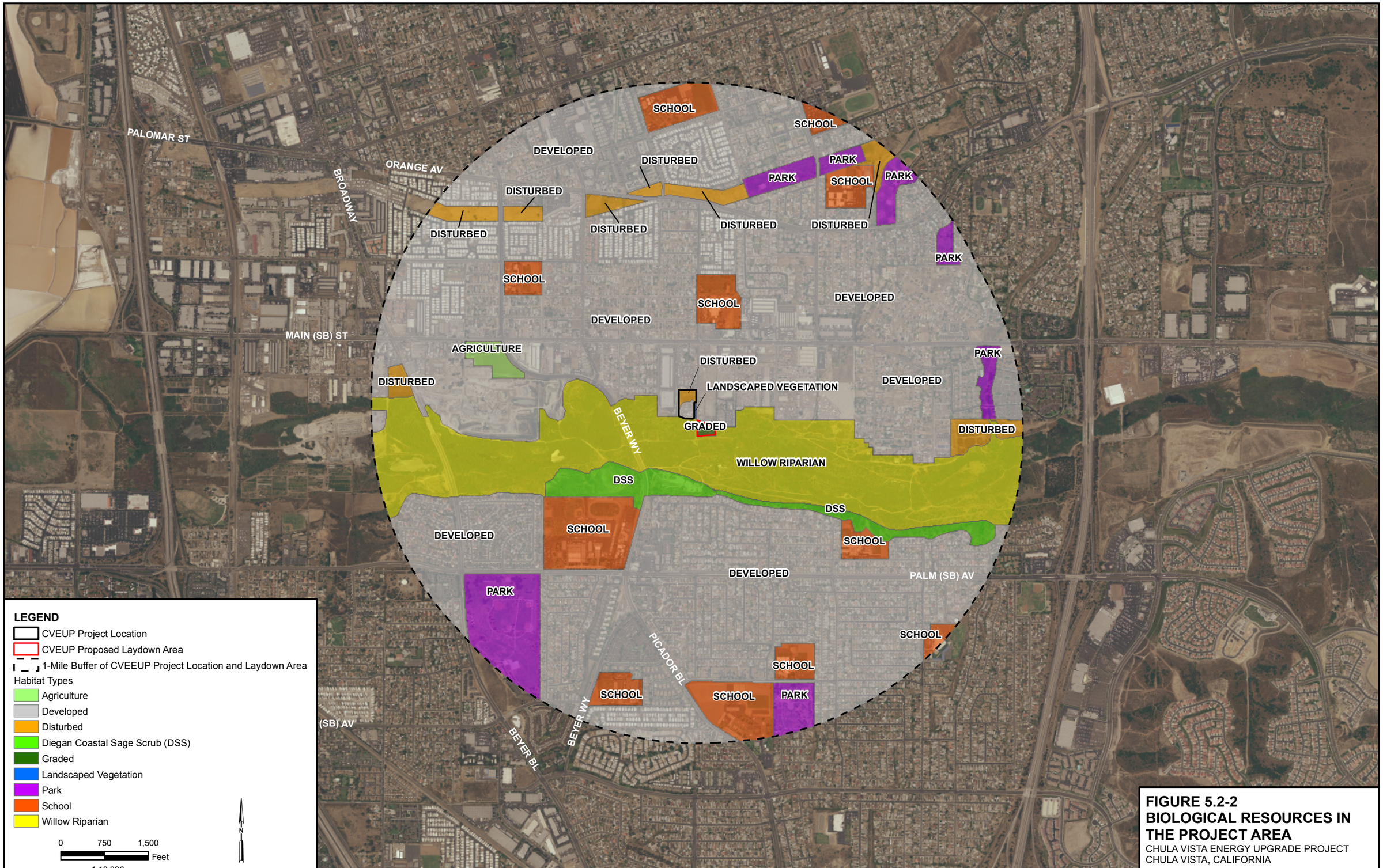

FIGURE 5.2-2
BIOLOGICAL RESOURCES IN THE PROJECT AREA
CHULA VISTA ENERGY UPGRADE PROJECT
CHULA VISTA, CALIFORNIA

CH2MHILL

SAC\\GLACIER\PROJ\360346_MMC\MAPFILES\BIOLOGY\SITE_AND_LAYDOWN_BIO_SURVEY.MXD 7/31/2007

The DSS located within a mile of the offsite construction laydown area consists of various levels of disturbance and, therefore, some areas include abundant non-native species. Additionally, the DSS and AG communities include various amounts of chaparral species including laurel sumac (*Malosma laurina*), lemonade berry (*Rhus integrifolia*), and manzanita species (*Arctostaphylos* sp).

The section of the Otay River located within a mile of the offsite construction laydown area is heavily disturbed and consists of willow riparian-tamarisk scrub. Although this section of the Otay River still represents an important biological resource, it provides lower quality plant and wildlife habitat compared to the section of the river near the project site and pallet laydown area. A list of animal species observed in the project area is found in Table 5.2-2 (found at the end of this section because of the length of this table). Figure 5.2-3 shows the vegetation communities within this offsite construction laydown area and 1-mile radius.

5.2.1.3 Special-status Species

A list of federal and state special-status plant and wildlife species was compiled for the project area using the following sources: the California Department of Fish and Game (CDFG) California Natural Diversity Database (CNDDB)(CDFG, 2007); California Native Plant Society's (CNPS) Electronic Inventory (CNPS, 2007); a U.S. Fish and Wildlife Service (USFWS) species list for San Diego County (USFWS Carlsbad website, 2007); MSCP, Chula Vista Subarea Plan (City of Chula Vista, 2003); and species lists from previous biological documentation prepared for the site (LSA, 2007); and a field reconnaissance survey conducted in July of 2007. The reference information is based on known occurrences, historical records, or the presence of suitable habitat for any given life stage of a particular species. The known locations of special-status species identified in the CNDDB records for the associated Imperial Beach, Jamul Mountains, National City, Otay Mesa, and Point Loma 7.5-minute USGS quadrangles are shown in Figure 5.2-4. The special-status species reference search, the onsite field survey, and habitat assessment resulted in the comprehensive special-status species list provided in Appendix 5.2A. The list includes species listed as threatened or endangered that have special requirements under the federal Endangered Species Act (ESA) and California Endangered Species Act (CESA) and other unlisted special-status species that could become listed in the future. The table includes the habitat types that could support these species as well as the potential for occurrence in the project area. Any special-status species whose habitat(s) and/or known distribution are within the project area were evaluated for potential impacts from CVEUP construction and operation. Other special-status species that were included on the USFWS, CDFG, and CNPS lists whose habitats or known distribution do not occur within the project area were still included in Table 5.2A (Appendix 5.2A), but not evaluated further. Therefore, Table 5.2-3 represents an abbreviated list of special-status species that were evaluated for CVEUP.

5.2.1.3.1 Special-status Plants

Information acquired from the CNDDB (species listed as endangered, threatened, or California Species of Special Concern species), CNPS (Lists 1 and 2), and other sources resulted in a list of 70 special-status plant species that could occur within the five quad search area (Imperial Beach, Jamul Mountains, National City, Otay Mesa, and Point Loma 7.5-minute USGS quadrangles) (Appendix 5.2A). Although the majority of the area is developed and includes parks, landscaped vegetation, agricultural and disturbed areas, remaining natural vegetation in the project area includes willow riparian and some DSS

along the southern border of Otay River. The area surrounding the offsite construction laydown areas also contains developed areas (park and disturbed areas), but also consists of abundant natural habitat, including willow riparian-tamarisk scrub, DSS, and AG.

With the exception of disturbed habitat that appears to have been previously graded, no natural habitat occurs on the CVEUP site or either laydown area. Therefore, there is no potential for special-status plant species to occur within these areas. However, natural habitats do occur within both 1-mile radius survey areas (project site and offsite laydown) and these areas contain suitable habitat for a variety of special-status plants. A total of 20 and 40 special-status plant species have the potential to occur within 1-mile radius survey areas of the CVEUP site and offsite construction laydown area, respectively. Of these, a total of 7 and 15 special-status plant species are known to occur within 1-mile radius survey areas of the CVEUP site and offsite construction laydown area, respectively (CNDDB, 2007).

5.2.1.3.2 Special-status Wildlife

Information acquired from the CNDDB (species listed as endangered, threatened, or California Species of Special Concern species), USFWS, and other sources resulted in a list of 46 special-status wildlife species that could occur within the five quad search area (Appendix 5.2A). A total of 30 and 37 special-status wildlife species have the potential to occur within the 1-mile radius survey areas of the CVEUP site and offsite construction laydown area, respectively. Of these, a total of 3 and 8 special-status wildlife species are known to occur within the 1-mile radius survey areas of the CVEUP site and offsite construction laydown area, respectively (CNDDB, 2007, CH2M HILL, 2007). With the exception of disturbed habitat that appears to have been previously graded, no natural habitat occurs on the CVEUP site or either laydown area. Special-status wildlife species that have the potential to occur within the 1-mile radius survey areas are known to occur in riparian or grassland habitats, or coastal sage scrub; all of which are present within the 1-mile radius survey areas.

The following species have a high potential to occur in the Preserve's riparian habitat located adjacent to the CVEUP site and both laydown areas: Cooper's hawk (*Accipiter cooperii*), yellow warbler (*Dendroica petechia brewsteri*), yellow-breasted chat (*Icteria virens*), southwestern willow flycatcher (*Empidonax traillii extimus*), and least Bell's vireo (*Vireo bellii pusillus*). All five species are Covered Species in the MSCP and two of the five riparian bird species are federally listed; the southwestern willow-flycatcher is federally listed as endangered and the least Bell's vireo is federally and state listed as endangered.

One special-status wildlife species, a coastal California gnatcatcher (*Polioptila californica californica*), which is federally listed as threatened and a California Species of Concern, was observed within the 1-mile radius survey area of the CVEUP site and pallet laydown area during the July 2007 survey. The female gnatcatcher was observed in the DSS habitat located along the southern border of the Otay River. The DSS habitat in the area is suitable for nesting; however, it is unknown whether or not the female gnatcatcher was paired with a territorial male and nested in the area or if it was a single individual.

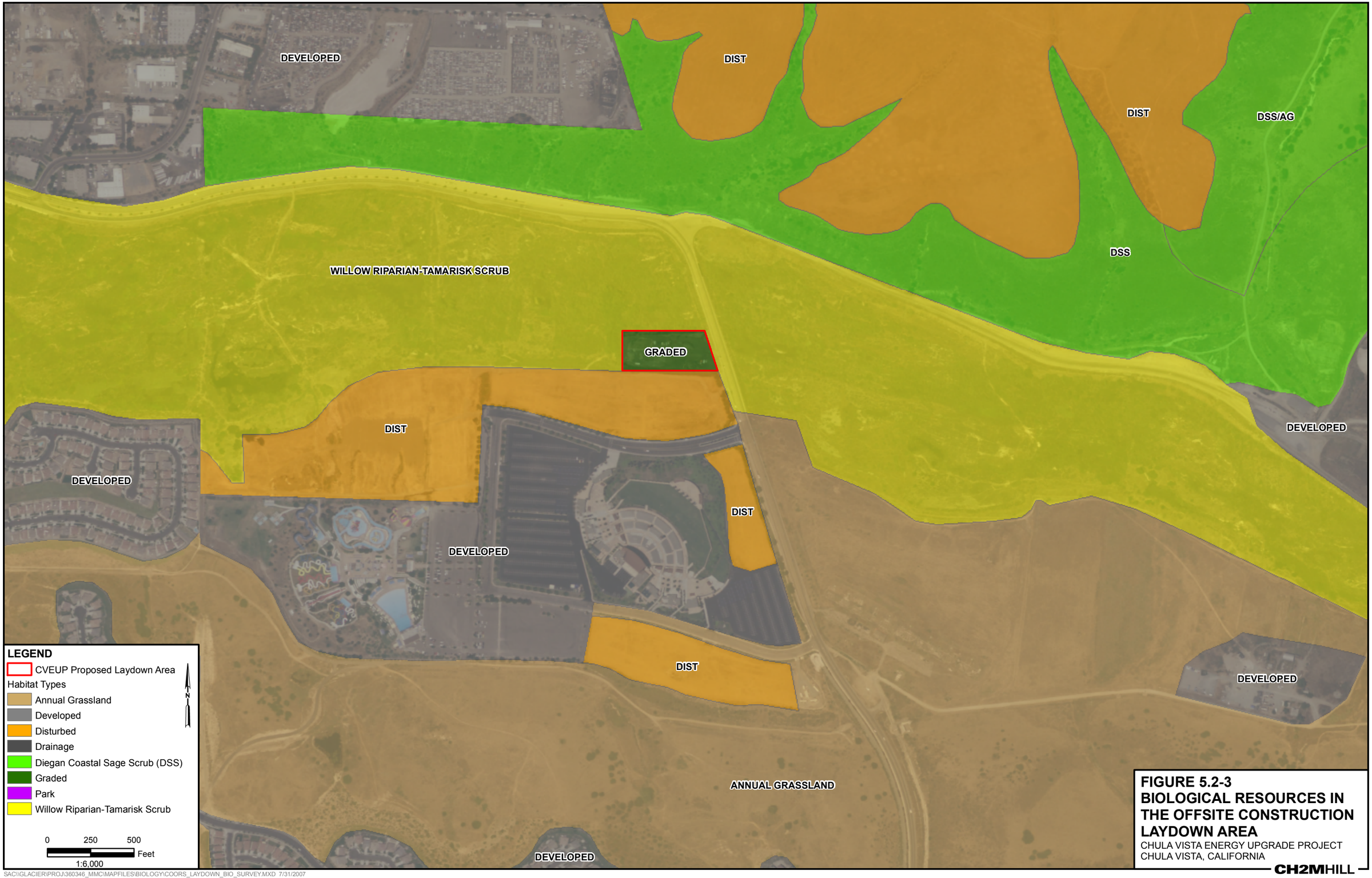

FIGURE 5.2-3
BIOLOGICAL RESOURCES IN THE OFFSITE CONSTRUCTION LAYDOWN AREA
CHULA VISTA ENERGY UPGRADE PROJECT
CHULA VISTA, CALIFORNIA

CH2MHILL

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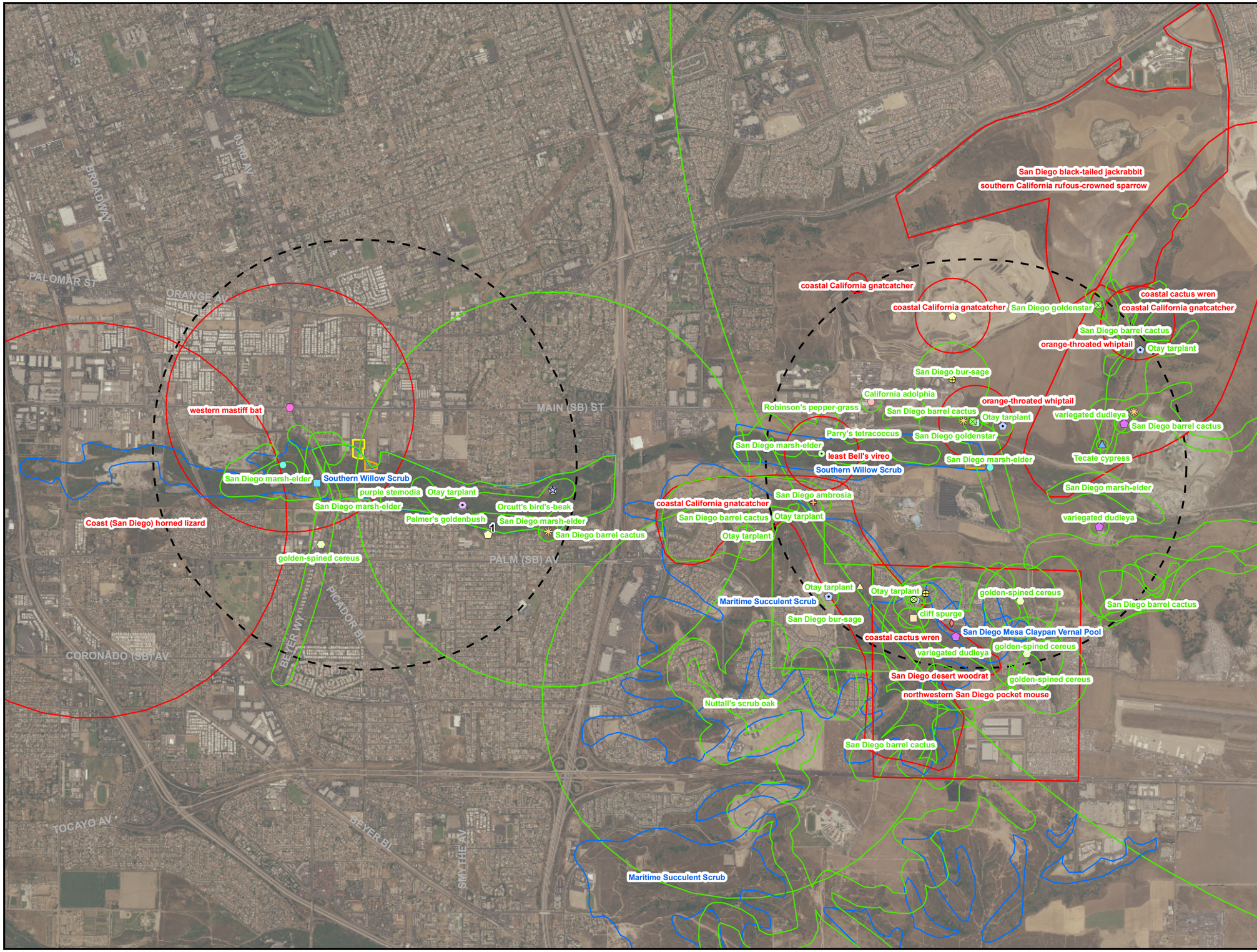

LEGEND

CNDDB, June 2007

- California adolphia
- Cliff spurge
- Coastal cactus wren
- Coastal California gnatcatcher
- Golden-spined cereus
- Least Bell's vireo
- Orange-throated whiptail
- Orcutt's bird's-beak
- Otay tarplant
- Palmer's goldenbush
- Purple stemodia
- San Diego Mesa Claypan Vernal Pool
- San Diego ambrosia
- San Diego barrel cactus
- San Diego bur-sage
- San Diego button-celery
- San Diego goldenstar
- San Diego marsh-elder
- Southern Willow Scrub
- Tecate cypress
- Variegated dudleya
- Western mastiff bat
- Plant
- Animal
- Terrestrial Community
- CVEUP Project Location
- CVEUP Proposed Laydown Areas
- 1-Mile Buffer of CVEUP Project Location and Laydown Areas

NOTE:
1. Source: CH2M HILL, 2007

N

0 1,250 2,500 Feet

1:30,000

FIGURE 5.2-4
SPECIAL STATUS SPECIES RECORDED IN THE PROJECT AREA

CHULA VISTA ENERGY UPGRADE PROJECT
CHULA VISTA, CALIFORNIA

CH2MHILL

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5.2.1.4 Biological Surveys

A biological reconnaissance survey of the project area and general vicinity was performed by a biologist from CH2M HILL on July 6, 2007. The surveyor's qualifications are provided in Appendix 5.2B. Previous biological surveys were conducted by LSA Associates on October 6, 2006 (LSA, 2007). The field surveys were aided by aerial photographs (1:4,800 scale), which helped identify land uses and open habitat areas. The presence, or potential presence, of sensitive biological resources was determined from information gathered during field surveys conducted for the project, published and unpublished literature, and natural resource agency databases. Because one of the two laydown areas was outside of the 1-mile survey radius of the project site, the reconnaissance visit included two separate areas. The first area included a 1-mile radius around the CVEUP site and pallet laydown yard and the second area included a 1-mile radius around the offsite alternative construction laydown area (see Figures 5.2-2 and 5.2-3, respectively). All project linear features are located within the existing MMC site and were, therefore, included in the surveys. Plant and wildlife species observed in the project vicinity during the CH2M HILL and LSA surveys are included in Tables 5.2-1 and 5.2-2 (at the end of this section). Based on the project setting and the reconnaissance field survey, it was determined that additional species-specific focused surveys or botanical surveys would not be necessary within the project impact area because impacts to biological resources that may occur within the immediate vicinity of the project impact area could be avoided or minimized through mitigation measures.

5.2.2 Environmental Consequences

Potential direct and indirect impacts to biological resources were evaluated to determine the permanent and temporary effects of the removal of the existing facility and construction, operation, and maintenance of the proposed CVEUP. Results from previous analysis (LSA, 2007) and from the current reconnaissance survey, habitat evaluations, and aerial photographs conclude an absence of significant biological resources in the CVEUP area. There are no property or project features that would support special-status plants or attract special-status wildlife. Potential minor and less-than-significant impacts are limited to temporary noise impacts and possible avian collisions with the stacks. A summary of potential project impacts is presented in Table 5.2-4.

TABLE 5.2-4
Summary of Potential CVEUP Impacts on Biological Resources During Demolition and Construction

Location	Project Work	Construction Zone Size	Habitat Type	Sensitive Biological Resources	Impacts to Biological Resources	
					Temporary	Permanent
Power plant site	Demolition and construction	3.82 total acres (approximately 1.3 acres disturbed habitat and 0.8 acre developed/ paved areas)	Disturbed and Paved	None	None	None

TABLE 5.2-4
Summary of Potential CVEUP Impacts on Biological Resources During Demolition and Construction

Location	Project Work	Construction Zone Size	Habitat Type	Sensitive Biological Resources	Impacts to Biological Resources	
					Temporary	Permanent
Construction laydown areas	Use existing surface	Pallet laydown: 1.47 acres	Graded	None	None	None
		Offsite construction laydown: 2.7 acres	Graded			
Natural gas pipeline	Connection to existing onsite line	Onsite tie-in to SDG&E's existing 8" high-pressure line	Paved	None	None	None
Potable water supply line	Connection to existing onsite water supply system	Onsite tie-line to 4" connection to existing tie-in to Sweetwater Authority supply system	Paved	None	None	None
69-kV transmission system	Connection to existing onsite transmission system	Onsite connection to 69-kV double-circuit transmission system.	Paved	None	None	None

5.2.2.1 Standards of Significance

Impacts on biological resources are considered significant if one or more of the following conditions could result from implementation of the proposed project:

- Substantial effect, reduction in numbers, restricted range, or loss of habitat for a population of a state or federally listed threatened or endangered species.
- Substantial effect, reduction in numbers, restricted range, or loss of habitat for a population of special-status species, including fully protected, candidate proposed for listing, state species of concern (CSC), and certain CNPS list designations.
- Substantial interference with the movement of any resident or migratory fish or wildlife species.
- Substantial reduction of habitat for native fish, wildlife, or plants.
- Substantial disturbance of wetlands, marshes, riparian woodlands, and other wildlife habitat.
- Removal of trees designated as heritage or significant under County or local ordinances.
- Conflict with local habitat conservation plan or other approved local, regional, or state plan.

5.2.2.2 Potential Impacts of Construction and Operation

The CVEUP plant site would permanently occupy approximately 2.1 acres within the northern portion of the existing site. This area is currently characterized by disturbed vegetation that appears to have been previously graded. Therefore, the construction and operation of the CVEUP site will impact approximately 1.3 acres of disturbed habitat that includes some non-native landscaping and approximately 0.8 acre of previously developed or paved areas. The project site contains an existing plant that is surrounded by a variety of industrial uses. Additionally, the site provides little or no habitat value for native plant and wildlife species. However, the site is located adjacent to a Preserve that represents high-quality wildlife habitat. The pallet laydown area is approximately 1.5 acres, all confined within the existing graded, dirt lot. The offsite construction laydown area is approximately 2.7 acres, all confined within the existing graded, dirt lot. Use of either laydown area during construction may result in temporary, indirect noise impacts to potentially occurring sensitive wildlife species in the adjacent Preserve and riparian habitat.

5.2.2.2.1 Special-status Species

Although special-status species were not observed on the project site or within the 1-mile radius of the offsite construction laydown area during the 2007 reconnaissance survey, a coastal California gnatcatcher was observed within the 1-mile radius of the proposed project site. Additionally, there is potential for special-status species to occur within adjacent, undeveloped habitat and especially within the following habitat types: willow riparian, willow riparian-tamarisk scrub, DSS, and AG.

Because of the lack of biological resources, no direct or indirect impacts to special-status plant species are anticipated because ground disturbance associated with the proposed project will be completely contained within the existing plant and laydown areas and these areas do not support likely habitat for any special-status plant species. Additionally, proposed native landscaping at the southern end of the site will help to reduce the spread of non-native and invasive plant species from entering the Preserve.

Direct impacts to special-status wildlife species during operation are limited to the two 70-foot tall stacks that could slightly increase the potential for avian collisions. With the Otay River located immediately south of the project site, resident and migrating special-status birds would be expected to pass through the site during daily movements or as transients. However, because the project site is located in an existing industrial area with other aerial obstructions, it is expected that resident and migrating birds would be accustomed to maneuvering around such features. Therefore, the number of avian collisions is expected to be very low, if they occur at all. Potential impacts to birds from the stacks would be less than significant and no monitoring is proposed.

Noise Impact Criteria. The MSCP prohibits noise levels above 60 A-weighted decibels (dBA) in MSCP preserve areas and states that uses in or adjacent to the Preserve should be designed to minimize noise impacts (City of Chula Vista, 2003; LSA, 2007). LSA (2007) reported that the 60- and 61-dBA equivalent continuous noise level (L_{eq}) criteria that have been used repeatedly are not based on any documented adverse effects of higher noise levels on California gnatcatchers or least Bell's vireo. Instead, the original 61-dBA L_{eq} level was derived from the highest noise levels observed to occur at known least Bell's vireo nests that have been monitored. Therefore, these levels should be considered very conservative.

For example, California gnatcatcher nests have been identified in areas with much higher helicopter/aircraft noise levels, as well as considerably higher traffic noise, throughout southern California. There is no published data regarding noise levels and effects on the southwestern willow flycatcher, but the effects would likely be similar for this species (LSA, 2007).

Because birds primarily communicate with one another through vocalizations and auditory cues, increased noise levels can interfere with normal communication. Therefore, background noise can interfere with maintenance of contact between mated birds, warning and distress calls that signify predators and other threats, and feeding behavior and protection of the young. In addition, high noise levels may prevent an area that is otherwise appropriate for nesting from being suitable. Excessively noisy uses or activities adjacent to nesting habitat must either incorporate noise reduction measures or be curtailed during the breeding season of birds, especially of sensitive bird species. Least Bell's vireo and southwestern willow flycatcher have a high potential to occur within the Otay River located immediately adjacent to the project site and laydown areas.

Construction Noise. Demolition and construction activities may, at times, exceed the 60-dBA threshold. However, a number of avoidance and mitigation measures would be incorporated into such activities. The existing 18-foot-high noise wall, which was constructed specifically to attenuate construction noise, will block most of this noise. In order to avoid the riparian bird nesting season, excessively noisy demolition and construction activities should not occur between March 15 and August 31 if nesting sensitive bird species are present. If demolition and construction cannot avoid the nesting season, then a qualified biologist will conduct a preconstruction survey of the surrounding riparian habitat (up to 150 meters) to determine the presence/absence of nesting bird species. If nesting bird species are detected, then noise monitoring will be incorporated. Should noise levels exceed 60 dBA, then a barrier wall or other noise reduction measures will be implemented to reduce noise levels to below 60 dBA. Therefore, temporary, indirect impacts associated with increased noise levels during demolition and construction may occur. However, with the implementation of avoidance and mitigation measures discussed above, the impacts are anticipated to be less than significant.

Operational Noise. The CVEUP site is surrounded by industrial and commercial land uses that generate existing ambient noise levels of approximately 40 to 55 dBA, including noise generated by the existing plant. Therefore, existing conditions already include some noise associated with existing industrial uses and highway traffic. Noise impacts are further discussed in Section 5.7. Normal operation of the CVEUP will not exceed the 60-dBA threshold due to the incorporation of various design features, which may include any of the following:

- Improved silencers on the turbine air inlet and selective catalytic reduction (SCR) stack discharge
- Additional noise reduction measures for the fin fan cooler, for example the use of a local barrier wall
- Extension of the perimeter noise attenuation wall to cover the entire perimeter

In addition to these design features, the proposed project will be located on the northern half of the site which will be farther away from the Preserve than the current plant. Moreover, the riparian habitat is at a lower gradient than the plant. Therefore, distance attenuation will help to reduce noise pollution.

A single female gnatcatcher was observed in the DSS habitat located along the southern side of the Otay River. This occurrence is located approximately 0.8 miles from the proposed project site and is well beyond the area of impact for noise levels associated with the demolition, construction, and operation of the proposed project. Therefore, impacts to coastal California gnatcatchers are not anticipated.

5.2.2.2.2 Wetlands and Waters of the U.S

Although the project site and laydown areas are located adjacent to the Otay River, no jurisdictional wetlands or waters of the U.S. are present on the project site or laydown areas. Project construction would not cause loss or fill of any wetlands.

No surface or groundwater would be used for the operation of the CVEUP site. The CVEUP project will use water for power plant processes. Although the majority of the water will evaporate, a small quantity of water will be disposed of in the sanitary sewer.

Water will be applied to the site and laydown area for dust control during construction. Erosion and sediment washed into surface waters (drainage south of site) would be potentially harmful to water quality downstream. As discussed further in Section 5.15 (Water Resources), the Applicant will prepare an erosion and sediment control plan that specifies best management practices (BMPs) to be implemented during all project activities to avoid sediment runoff and erosion that would cause water quality degradation.

5.2.2.2.3 Cooling Tower Drift

The CVEUP project does not have cooling towers; therefore, potential impacts to biological resources from cooling tower drift are not applicable.

5.2.2.2.4 Water Discharge

Process water for CVEUP power plant operations will be supplied from the site's existing water supply that connects to the Sweetwater Authority's water distribution system. This system is further discussed in Section 5.15 (Water Resources). The CVEUP will use water for various power plant processes. Although the majority of the water will evaporate, small amounts of water will be disposed of in the sanitary sewer. Water will be discharged to the plant wastewater sump, and then to the City of Chula Vista's sanitary sewer system. Because the CVEUP will draw process water from an existing water supply system and then discharge minimal wastewater into the sanitary sewer system, there will be no mechanism to affect fish or other aquatic biota from securing or discharging water during operations. Therefore, there will be no significant impacts to biological resources from wastewater effluent.

5.2.2.2.5 Combustion Turbine Emissions

Air emissions from the two combustion turbine exhaust stacks include nitrogen oxides (NO_x), sulfur oxides (SO_x), and particulates (PM_{10}). Nitrogen oxide gases (NO, NO_2) convert to nitrate particulates in a form that is suitable for uptake by most plants. The effect of this nitrogen could be to promote plant growth that could potentially encourage non-native plant species at the expense of native species. The CVEUP's nitrogen deposition rates

would be 0.1 to 0.35 kilograms per hectare per year, depending on the location, on the basis of its permit to operate 4,000 hours per year or approximately half the time. However, as a peaking power plant, the CVEUP will operate a relatively small percentage of the time, so that actual deposition would be much less.

Furthermore, the level of nitrogen deposition from the CVEUP on plant-available nitrogen would actually be less than the calculated amount because the deposition will be distributed in small amounts during the year and not all of the nitrogen added to the soil during each deposition event is available for plant use because of losses associated with soil processes. Therefore, there will be no significant impacts to biological resources from nitrogen deposition.

5.2.2.2.6 Noise and Lights from Plant Operations

The CVEUP site is zoned Light Industrial and is surrounded by several industrial facilities adjacent to the site. These facilities have standard industrial lighting and noise emissions. Operation of the plant will produce some noise, as described in Section 5.7 (Noise). However, as discussed in earlier, plant operations would not adversely impact wildlife, due to existing noise levels of the current plant and surrounding industrial land uses and various design features that would reduce noise levels to meet the 60 dBA threshold.

Bright night lighting could disturb wildlife (e.g., nesting birds, foraging mammals, and flying insects). Night lighting is also suspected to attract migratory birds to some areas and, if the lights are on tall buildings or the stacks, then collisions could occur. As described in Section 5.13 (Visual Resources), any required stack and facility lighting will be pointed downwards, which will reduce impacts on wildlife and migrating birds to less than significant levels. Currently, outdoor lighting is limited to minimal security lighting in the form of pole-mounted fixtures around the southern end of the site. Operational lighting is anticipated to remain at approximately the same level as existing conditions with the potential addition of pole-mounted light fixtures in the northern end of the site. However, any additional lighting in the northern portion of the site will be located farther from the MSCP area, consistent with the proposed site plan to construct the new facility on the north half of the site and remove the existing facility at the south end closer to the MSCP area. If nighttime construction occurs, then nighttime lighting will be limited to minimal security-level lighting. The existing 18-foot high wall along the southern property line will remain and will continue to reduce the potential for light pollution in the MSCP area. Therefore, construction and operational light impacts to wildlife and migrating birds will be reduced to be less than significant.

5.2.2.2.7 Potential for Collision and Electrocution Hazard to Birds

The CVEUP would include two 70-foot-high stacks that could potentially result in bird collisions. The transmission line will tie into existing lines and, therefore, is not expected to result in increased potential for bird electrocutions and collisions with aboveground lines. Most collisions involve nocturnal migrants flying at night in inclement weather and low-visibility conditions, colliding with tall guyed television or radio transmission towers (California Energy Commission [CEC], 1995; Kerlinger, 2000 in Final Staff Assessment for Contra Costa Power Plant). Migratory birds generally fly at an altitude that would avoid ground structures, except when crossing over topographic features (e.g., ridge tops) or when inclement weather forces them down closer to the ground. There are no topographic or ecological features that would attract birds to this location or “funnel” them into the

vicinity of exhaust stacks or other elevated features of the project. Raptor species expected to occur in the general area, such as the red-tailed hawk and the Cooper's hawk, could potentially collide with the stacks during inclement weather (fog and rain). Smaller birds such as the least Bell's vireo and the yellow-breasted chat are smaller and more agile and are not likely to collide with these stacks. Although the 70-foot height of the proposed stacks are nearly twice as high as the current exhaust stack, the 70-foot height is approximately the same height as some of the surrounding development, such as the existing transmission lines and industrial park to the east. Because of the relatively low structure heights and lack of guy wires, the potential for bird collisions with stacks and other project structures is considered less than significant. In addition, placement of downward-facing lighting on the stacks to reduce attracting birds would minimize the potential for collisions and the impact is considered less than significant.

Large raptors, herons, and egrets can be electrocuted by transmission lines when a bird's wings simultaneously contact two conductors of different phases, or a conductor and a ground. The CVEUP, however, does not involve construction of any new electrical transmission facilities and the existing facilities are relatively low in height and run between warehouses and an automobile salvage yard to the Otay Substation, which is located on a city street. Additionally, the industrial setting does not attract large numbers of birds. Therefore, there would be no significant impacts of the project resulting from bird encounters with the transmission lines.

5.2.2.3 Impacts of Natural Gas and Water Pipeline Tie-in and Operation

Natural gas currently serves the existing plant. The proposed CVEUP will tie into San Diego Gas and Electric Company's (SDG&E) existing 8-inch high-pressure natural gas pipeline located on site. The project will connect to the existing power plant's water supply system that connects to the Sweetwater Authority water supply system through a 4-inch-diameter connection. Because the proposed project will tie into existing natural gas and water pipelines, no additional ground disturbance will be necessary. Therefore, tie-in and operation is not anticipated to impact biological resources.

5.2.2.3.1 Special-status Species

Because the proposed project will tie into existing natural gas and water pipelines, no additional ground disturbance will be necessary. Therefore, tie-in and operation is not anticipated to impact special-status plant and wildlife species.

5.2.2.3.2 Wetlands and Waters

The currently proposed project design would not result in impacts to jurisdictional waters (LSA, 2007). The onsite pipelines will require pressure testing after tie-in to ensure welds are tight and to remove any accumulated dust or welding residue from the pipeline. To do this, the pipe is filled with water and pressurized, resulting in a potentially large volume of water. If disposed improperly, this water could cause adverse effects on the water quality of receiving waters. The pipe-testing water will be disposed of in the sanitary sewer system. Disposal to the sewer would ensure that impacts relating to wastewater disposal are less than significant.

5.2.2.4 Conflict with Regional Habitat Conservation Plans

The proposed project will not result in any direct impacts to Covered Species or to protected habitat types. Due to the potential for five Covered Species, two of which are federally and/or state listed, (Cooper's hawk, yellow warbler, yellow-breasted chat, southwestern willow flycatcher, and least Bell's vireo) to occur adjacent to the project boundary to the south, potential indirect effects from noise during demolition and construction operations are possible. However, with the implementation of mitigation measures discussed, impacts are anticipated to be less than significant.

5.2.3 Cumulative Effects

A cumulative impact refers to a proposed project's incremental effect together with other closely related past, present, and reasonably foreseeable future projects whose impacts may compound or increase the incremental effect of the proposed project (Pub. Resources Code § 21083; Cal. Code Regs., tit. 14, §§ 15064(h), 15065(c), 15130, and 15355).

Applications for 26 proposed projects have been filed in the City of Chula Vista. These are mostly residential development projects, with some commercial developments, and one warehouse development and one manufacturing development. One of these projects, a proposed sewing manufacturing and wholesale sales business, is located within 1,000 feet of the CVEUP.

As described above, the CVEUP will not cause any adverse impacts to biological resources, fill any wetlands, or consume biological resources habitat. The potential impact to nesting birds in the adjacent Preserve will be fully mitigated by pre-construction surveys, noise attenuation measures, and a sound wall. Existing projects have been considered as part of the project's ambient noise monitoring. New projects in this area are unlikely to be important sources of noise that could disturb wildlife in the Preserve. As these projects are subjected to CEQA review, furthermore, any potentially significant adverse impacts to biological resources are considered and mitigated, if necessary. For these reasons, the CVEUP will not cause any adverse cumulative impacts to biological resources.

5.2.4 Proposed Mitigation and Monitoring

The construction and operation of the CVEUP is not expected to result in significant biological impacts. However, the following avoidance and mitigation measures will be incorporated to minimize avian impacts due to temporary noise impacts and possible electrocution.

Migratory Bird Treaty Act and California Fish and Game Code. Most native birds are protected by the Migratory Bird Treaty Act (MBTA). Additionally, all birds are provided protection under Sections 3500, 3503.5, and 3800 of the California Fish and Game Code. The California Fish and Game Code prohibits the take, possession, needless destruction of any bird of prey or nests or eggs of any species on the MBTA list except as otherwise provided in the codes and regulations. Disturbance of any active bird nest during the breeding season is prohibited by the California Fish and Game Code. When nesting birds are present on a specific property, take must be avoided, and project proponents are required to reduce or eliminate disturbances within the active nesting territories or during the nesting season (LSA, 2007).

5.2.4.1 Noise Impacts

A preconstruction survey should be conducted prior to demolition and construction activities, between March 15 and August 31. The survey should be conducted no more than two weeks prior to demolition and construction activities and should be conducted by a qualified biologist familiar with the identification and vocalizations of the southwestern willow flycatcher and least Bell's vireo. If nesting bird species are detected, then noise monitoring will be incorporated. Should noise levels near the nesting site exceed 60 dBA, noise reduction measures will be implemented to reduce noise levels to below 60 dBA. Once the average noise level returns to below 60 dBA, the construction activities may resume.

The presence of any nesting raptors in the vicinity of the site should be considered and addressed prior to the start of construction. The CDFG typically imposes a 300-foot radius for protection of nesting raptors. However, this can be addressed on a case-by-case basis as some raptors have been observed to nest much closer to human activities without exhibiting any stress, and raptors in this location may be habituated to human activity. Surveys conducted by a qualified biologist will also be conducted for nesting raptors within 300 feet of the project site prior to the start of construction between January 1 and August 31. Should a raptor nest be observed within 300 feet of the project site, a qualified biologist will determine whether or not construction activities could potentially disturb nesting raptors and implement appropriate measures to adequately protect nesting raptors.

5.2.4.2 Avian Electrocution or Collision

Safety lighting on the stacks will point downward to reduce avian collisions, if such lighting is required.

5.2.5 Applicable Laws, Ordinances, Regulations, and Standards

The following sections describe the primary LORS that apply to potential impacts on biological resources in the project area, and list the agencies responsible for enforcing the regulations. A summary of the LORS is provided in Table 5.2-5, at the end of this section.

5.2.5.1 Federal LORS

Federal Endangered Species Act (16 United States Code [USC] 153 et seq.). Applicants for projects that could result in adverse impacts on any federally listed species are required to consult with and mitigate potential impacts in consultation with USFWS. Adverse impacts are defined as "take," which is prohibited except through authorization of a Section 7 or Section 10 consultation and Incidental Take Authorization. "Take" under federal definition includes "such act as may include significant habitat modification or degradation" (50 Code of Federal Regulations [CFR] §17.3). Species that are not listed are not protected by federal ESA, even if they are candidates for listing; however, USFWS advises that a candidate species (as well as species of concern) could be elevated to listed status at any time, and therefore, applicants should regard these species with special consideration.

Migratory Bird Treaty Act (16 USC 703 to 711) protects all migratory birds, including nests and eggs.

Bald and Golden Eagle Protection Act (16 USC 668) specifically protects bald and golden eagles from harm or trade in parts of these species.

5.2.5.2 State LORS

California Endangered Species Act (Fish and Game Code Section 2050 et seq.). Species listed under this act cannot be "taken" or harmed, except under specific permit. At present, "take" means to do or attempt to do the following: hunt, pursue, catch, capture, or kill.

Fish and Game Code Section 3511 describes bird species, primarily raptors, that are "fully protected." Fully protected birds may not be taken or possessed, except under specific permit requirements.

Fish and Game Code Section 3503 states that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

Fish and Game Code Section 3503.5 protects all birds of prey and their eggs and nests.

Fish and Game Code Section 3513 makes it unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird.

Fish and Game Code Sections 4700, 5050, and 5515 lists mammal, amphibian, and reptile species that are fully protected in California.

Fish and Game Code Sections 1900 et seq., the Native Plant Protection Act lists threatened, endangered, and rare plants listed by the state.

Title 14, California Code of Regulations, Sections 670.2 and 670.5 lists animals designated as threatened or endangered in California. CSC is a category conferred by CDFG on those species that are indicators of regional habitat changes or are considered potential future protected species. CSC do not have any special legal status, but are intended by CDFG for use as a management tool to take these species into special consideration when decisions are made concerning the future of any land parcel.

California Fish and Game Code (Sections 1601 through 1607) prohibits alteration of any stream, including intermittent and seasonal channels and many artificial channels, without a permit from CDFG. CDFG jurisdiction is limited to areas within the 100-year floodplain. Within this zone, CDFG jurisdiction is subject to the judgment of the department. This applies to any channel modifications that would be required to meet drainage, transportation, or flood control objectives of a project.

California Environmental Quality Act (CEQA) (Public Resources Code Section 15380) defines "rare" in a broader sense than the definitions of threatened, endangered, or species of special concern. Under this definition, CDFG can request additional consideration of species not otherwise protected. CEQA requires that the effects of a project on environmental resources must be analyzed and assessed using criteria determined by the lead agency.

Warren Alquist Act (Public Resources Code Section 25000, et seq.) is a CEQA-equivalent process implemented by the CEC. Preparation of this application will result in an assessment prepared by the CEC staff to fulfill the requirements of CEQA.

5.2.5.3 Local and Other Jurisdictions LORS

5.2.5.3.1 Applicable Habitat Conservation Plans and Critical Habitat Designations

The proposed CVEUP site is located within the Chula Vista Subarea Plan (Subarea Plan) of the San Diego MSCP. Additionally, the Otay River Preserve, an MSCP Preserve Area is located to the south of the site. The MSCP is a regional plan under the California Natural Community Conservation Planning (NCCP) Act of 1991. The MSCP is a long-term conservation program that addresses existing biological resources, proposed urban growth, habitat losses, and direct, indirect, and cumulative impacts on sensitive species throughout the San Diego region. The MSCP requires the preparation of subarea plans in order for specific jurisdictions in the region to obtain Take Authorization. The Subarea Plan was prepared in compliance with the general outline developed by the CDFG and the USFWS to meet NCCP requirements and was adopted in 2003. The Subarea Plan provides the mechanism for a federal 10(a)(10)(b) permit and a State 2835 permit. The City of Chula Vista has entered into an Implementing Agreement with CDFG and USFWS. The Subarea Plan and Implementing Agreement allows for take of Covered Species. Implementation of the Subarea Plan ensures conservation of core biological resource areas, Covered Species, and habitat linkages located within the City of Chula Vista Subarea (LSA, 2007).

5.2.5.3.2 City of Chula Vista General Plan

The project is located entirely within the City of Chula Vista's jurisdiction. The Land Use and Transportation and Environmental Elements of the City's General Plan contains objectives that include the planned management, preservation, and wise utilization of natural resources to assure their continued availability for use, appreciation, and enjoyment (City of Chula Vista, 2005). Specific objectives include consistency with the MSCP, protecting water quality, meeting water demand through conservation and efficient use, preserving the opportunity for agricultural uses, wise use of mineral resources, promoting clean air, creating a sustainable energy future, promoting solid waste reduction strategies, and protecting Chula Vista's cultural and paleontological resources.

5.2.6 Involved Agencies and Agency Contacts

Because the project requires no discretionary federal approvals, and it will not impact any state or federal listed species or state species of concern and will not cross any jurisdictional streams or wetlands, no agency contacts are provided.

5.2.7 Required Permits

Because no streams will be crossed, and no special-status species would be adversely affected, no federal, state, or local permits are required for Biological Resources.

5.2.8 References

California Department of Fish and Game (CDFG). 2007. *California Natural Diversity Data Base*. Search of the Point Loma, National City, Jamul Mountains, Imperial Beach, and Otay Mesa 7.5-minute USGS quadrangles., 2007.

California Energy Commission (CEC). 1995. *Avian Collision and Electrocution: An Annotated Bibliography*. P. 114.

California Native Plant Society (CNPS). 2007. Inventory of Rare and Endangered Vascular Plants of California, 7th edition.

City of Chula Vista. 2003. MSCP, Chula Vista Subarea Plan. February 2003.

City of Chula Vista. 2005. Chula Vista, Vision 2020 General Plan. Adopted on December 13, 2005.

Kerlinger, Paul. 2000. *Avian Mortality at Communication Towers: A Review of the Recent Literature, Research; and Methodology*. Prepared for U.S. Fish and Wildlife Service, Office of Migratory Bird Management. 38 pp.

Lerman, S. L., and E. F. Darley. 1975. "Particulates," pp. 141-158. In J.B. Mudd and T.T. Kozlowski (eds.). *Responses of Plants to Air Pollution.* Academic Press. New York, NY.

LSA Associates, Inc. (LSA). 2007. Biological Resources Survey Letter Report for Chula Vista Energy Efficient Upgrade Project in the City of Chula Vista, California, LSA Project No. MME0601.

Pahwa, S., and B. Shipley. 1979. A Pilot Study to Detect Vegetation Stress around a Cooling Tower. Presented at the 1979 Cooling Tower Institute Annual Meeting, Houston, Texas. Paper TP7903.

U.S. Fish and Wildlife Service (USFWS). 2007. Draft Species List from the Carlsbad Field Office. http://www.fws.gov/pacific/carlsbad/CFWO_Species_List.htm.

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White. 1990a. *California's Wildlife, Volume 2: Birds.* California Department of Fish and Game. Sacramento.

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White. 1990b. *California's Wildlife, Volume 3: Mammals*. California Department of Fish and Game. Sacramento.

Zeiner, D. C., W. F. Laudenslayer, Jr., K. E. Mayer, and M. White. 1990c. *California's Wildlife, Volume 1: Amphibians.* California Department of Fish and Game. Sacramento.

TABLE 5.2-1
Plant Species Observed Around the Proposed CVEUP Site

Scientific Name	Common Name
Pinaceae	
Pinus sp.	pine
Aizoaceae	
Carpobrotus edulis	Hottentot-fig
Mesembryanthemum crystallinum	crystalline iceplant
Anacardiaceae	
Malosma laurina	laurel sumac
Rhus integrifolia	lemonadeberry
Schinus molle	Peruvian pepper tree
Toxicodendron diversilobum	poison oak
Apiaceae	
Daucus pusillus	rattlesnake weed
Foeniculum vulgare	fennel
Apocynaceae	
Nerium oleander	oleander
Asteraceae	
Ambrosia acanthicarpa	annual bur-sage
Ambrosia psilostachya	western ragweed
Artemisia californica	California sagebrush
Artemisia douglasiana	mugwort
Artemisia dracunculus	tarragon
Baccharis salicifolia	mule fat
Baccharis sarothroides	broom baccharis
Carduus pycnocephalus	Italian thistle
Centaurea melitensis	tocalote
Chrysanthemum coronarium	garland daisy
Cirsium vulgare	bull thistle
Encelia californica	California bush sunflower
Gnaphalium californicum	California everlasting
Hazardia squarrosa	saw-toothed goldenbush
Isocoma menziesii	coastal goldenbush
Lactuca serriola	prickly lettuce
Picris echioides	bristly ox-tongue
Pluchea odorata	salt marsh fleabane
Sonchus oleraceus	common sow thistle
Arecaceae	
Washingtonia robusta	Mexican fan palm
Brassicaceae	
Hirshfeldia incana	short-pod mustard
Raphanus sativus	radish
Rorippa nasturtium-aquaticum	water-cress
Caprifoliaceae	
Sambucus mexicana	Mexican elderberry
Chenopodiaceae	
Chenopodium album	lamb’s quarters
Salsola tragus	Russian thistle
Cucurbitaceae	
Cucurbita foetidissima	calabazilla
Marah macrocarpus	wild cucumber

TABLE 5.2-1
Plant Species Observed Around the Proposed CVEUP Site

Scientific Name	Common Name
Cyperaceae	
Carex sp.	sedge
Eleocharis macrostachya	pale spike-rush
Scirpus pungens	common three-square
Scirpus robustus	coastal bulrush
Ericaceae	
Arctostaphylos sp.	manzanita sp.
Euphorbiaceae	
Eremocarpus setigerus	doveweed
Ricinus communis	castor bean
Fabaceae	
Acacia sp.	acacia
Lotus scoparius	deerweed
Lotus strigosus	strigose lotus
Melilotus alba	white sweetclover
Juncaceae	
Juncus acutus ssp. *leopoldii*	spiny rush
Lamiaceae	
Salvia columbariae	chia
Salvia leucophylla	purple sage
Salvia mellifera	black sage
Malvaceae	
Malva parviflora	cheeseweed
Myoporaceae	
Myoporum laetum	myoporum
Myrtaceae	
Eucalyptus sp.	eucalyptus
Oleaceae	
Fraxinus velutina	velvet ash
Onagraceae	
Oenothera elata ssp. *hirsutissima*	marsh evening primrose
Poaceae	
Bromus diandrus	ripgut brome
Bromus hordeaceus	soft chess
Bromus madritensis ssp. *rubens*	foxtail chess
Cortaderia selloana	pampas grass
Cynodon dactylon	Bermuda grass
Lolium multiflorum	Italian ryegrass
Lolium perenne	perennial ryegrass
Nassella pulchra	purple needlegrass
Pennisetum setaceum	fountain grass
Polypogon monspeliensis	annual beard grass
Polygonaceae	
Eriogonum fasciculatum	California buckwheat
Polygonum arenastrum	spreading knotweed
Primulaceae	
Anagallis arvensis	scarlet pimpernel
Rosaceae	
Rubus ursinus	California blackberry

TABLE 5.2-1
Plant Species Observed Around the Proposed CVEUP Site

Scientific Name	Common Name
Salicaceae	
Populus fremontii ssp. *fremontii*	Fremont's cottonwood
Salix exigua	narrow-leaved willow
Salix gooddingii	black willow
Salix laevigata	red willow
Salix lasiolepis	arroyo willow
Scrophulariaceae	
Mimulus aurantiacus	orange bush monkey-flower
Solanaceae	
Datura stramonium	Jimsonweed
Nicotiana glauca	Tree tobacco
Tamaricaceae	
Tamarix ramosissima	Mediterranean tamarisk
Typhaceae	
Vitis girdiana	desert wild grape
Urticaceae	
Urtica dioica ssp. *holosericea*	giant creek nettle
Urtica urens	dwarf nettle
Vitaceae	
Typha sp.	cattail sp.

TABLE 5.2-2
Wildlife Species Observed Around the Proposed CVEUP Site During the Biological Reconnaissance Survey (July 2007)

Common Name	Scientific Name	Location
Insects		
Whites & sulphurs	**Pieridae**	
common white	*Pontia protodice*	Otay River Preserve
Brush-footed butterflies	**Nymphalidae**	
mourning cloak	*Nymphalis antiopa*	Otay River Preserve
Gossamer wings	**Lycaenidae**	
California hairstreak	*Satyrium californica*	Offsite construction laydown (1-mile radius)
Birds		
New world vultures	**Cathartidae**	
turkey vulture	*Cathartes aura*	Offsite construction laydown (1-mile radius)
Pigeons & doves	**Columbidae**	
rock pigeon	*Columba livia*	Both 1-mile radius areas
mourning dove	*Zenaida macroura*	Both 1-mile radius areas
Barn owls	**Tytonidae**	
barn owl	*Tyto alba*	Pellets observed within the MMC plant (existing stacks)
Hummingbirds	**Trochilidae**	
Anna's hummingbird	*Calypte anna*	Both 1-mile radius areas
Tyrant flycatchers	**Tyrannidae**	
Pacific-slope flycatcher	*Empidonax difficilis*	Otay River Preserve
Swallows	**Hirundinidae**	
cliff swallow	*Petrochelidon pyrrhonota*	Offsite construction laydown (1-mile radius)
northern rough-winged swallow	*Stelgidopteryx serripennis*	Otay River Preserve
Jays & crows	**Corvidae**	
American crow	*Corvus brachyrhynchos*	Both 1-mile radius areas
Bushtits	**Aegithalidae**	
bushtit	*Psaltriparus minimus*	Both 1-mile radius areas
Wrens	**Troglodytidae**	
Bewick's wren	*Thryomanes bewickii*	Otay River Preserve
Old world warblers, gnatcatchers	**Sylviidae**	
coastal California gnatcatcher	*Polioptila californica californica*	DSS habitat within MMC site and pallet laydown 1-mile radius
Mockingbirds, thrashers	**Mimidae**	
northern mockingbird	*Mimus polyglottos*	MMC site and pallet laydown (1-mile radius)
Wood warblers	**Parulidae**	
Wilson's warbler	*Wilsonia pusilla*	Otay River Preserve
common yellowthroat	*Geothlypis trichas*	Otay River Preserve
Blackbirds	**Icteridae**	
Bullock's oriole	*Icterus bullockii*	Otay River Preserve
brown-headed cowbird	*Molothrus ater*	Otay River Preserve
Emberizids	**Emberizidae**	
song sparrow	*Melospiza melodia*	Otay River Preserve
California towhee	*Pipilo crissalis*	Offsite construction laydown (1-mile radius)
Finches	**Fringillidae**	
lesser goldfinch	*Carduelis psaltria*	Otay River Preserve
American goldfinch	*Carduelis tristis*	Otay River Preserve
house finch	*Carpodacus mexicanus*	Both 1-mile radius areas
Old world sparrows	**Passeridae**	
house sparrow	*Passer domesticus*	Both 1-mile radius areas

TABLE 5.2-2
Wildlife Species Observed Around the Proposed CVEUP Site During the Biological Reconnaissance Survey (July 2007)

Mammals		
Hares & rabbits	**Leporidae**	
desert cottontail	*Sylvilagus audubonii*	Otay River Preserve; DSS habitat within offsite construction laydown (1-mile radius)
Wolves & foxes	**Canidae**	
coyote	*Canis latrans*	Otay River Preserve; DSS habitat within offsite construction laydown (1-mile radius)

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Plants						
Acanthomintha ilicifolia	San Diego thorn-mint	FT, CE, CNPS 1B.1, MSCP: Yes, NE	April-June	Chaparral, coastal scrub, grassland, vernal pools.	Low	Low-Moderate
Adolphia californica	California adolphia	CNPS 2.1, MSCP: No	Dec-May	Chaparral, coastal sage scrub, grassland.	Low	Present within 1-mile radius (CNDDB 2007).
Ambrosia chenopodiifolia	San Diego bur-sage	CNPS 2.1, MSCP: No	Apr-June	Coastal scrub,	Low	Present within 1-mile radius (CNDDB 2007).
Ambrosia pumila	San Diego ambrosia	FE, CNPS 1B.1, MSCP: Yes, NE	Apr-Oct	Chaparral, coastal scrub, grassland, vernal pools.	Low	Present within 1-mile radius (CNDDB 2007).
Astragalus deanei	Dean's milk-vetch	CNPS 1B.1, MSCP: No	Feb-May	Chaparral, coastal scrub, riparian forest.	Low	Low-Moderate
Atriplex pacifica	South Coast saltscale	CNPS 1B.2, MSCP: No	Mar-Oct	Coastal scrub, coastal bluff scrub, playas, chenopod scrub.	Low	Low-Moderate
Bergerocactus emoryi	golden-spined cereus	CNPS 2.2, MSCP: No	May-Jun	Coastal scrub, sometimes chaparral margins.	Present within 1-mile radius (CNDDB 2007).	Present within 1-mile radius (CNDDB 2007).
Brodiaea orcuttii	Orcutt's brodiaea	CNPS 1B.1, MSCP: Yes, NE	May-Jul	Vernal pools, grassland, forest, woodland.	Low	Moderate
California macrophyllum	round-leaved filaree	CNPS 1B.1, MSCP: No	Mar-May	Woodland, grassland.	Not Likely	Low-Moderate
Ceanothus verrucosus	wart-stemmed ceanothus	CNPS 2.2, MSCP: Yes	Dec-May	Chaparral.	Not Likely	Low
Chorizanthe orcuttiana	Orcutt's spineflower	FE, CE, CNPS 1B.1, MSCP: No	Mar-May	Coastal scrub, chaparral, closed-cone coniferous forest.	Not Likely	Low
Chorizanthe polygonoides var. *longispina*	long-spined spineflower	CNPS 1B.2, MSCP: No	Apr-Jul	Chaparral, coastal scrub, meadows, grassland.	Low	Low-Moderate
Comarostaphylis diversifolia ssp. *diversifolia*	summer holly	CNPS 1B.2, MSCP: No	Apr-Jun	Chaparral.	Not Likely	Low-Moderate

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Cordylanthus orcuttianus	Orcutt's bird's-beak	CNPS 2.1, MSCP: Yes	Apr-Jul	Coastal scrub. moist swales, washes.	Present within 1-mile radius (CNDDB 2007).	Moderate
Corethrogyne filaginifolia var. *incana*	San Diego sand aster	CNPS 1B.1, MSCP: No	Jun-Sep	Coastal scrub, coastal bluff scrub, chaparral.	Low.	Low
Cupressus forbesii	Tecate cypress	CNPS 1B.1, MSCP: Yes	N/A	Closed-cone coniferous forest, chaparral.	Not Likely	Present within 1-mile radius (CNDDB 2007).
Deinandra conjugens	Otay tarplant	FT, CE, CNPS 1B.1, MSCP: Yes, NE	May-Jun	Coastal scrub, grassland.	Present within 1-mile radius (CNDDB 2007).	Present within 1-mile radius (CNDDB 2007).
Dudleya attenuata ssp. *orcuttii*	Orcutt's dudleya	CNPS 2.1, MSCP: No	May-Jul	Coastal scrub, coastal bluff scrub, chaparral.	Low	Low-Modertae
Dudleya blochmaniae ssp. *blochmaniae*	Blochman's dudleya	CNPS 1B.1, MSCP: No	Apr-Jun	Coastal scrub, coastal bluff scrub, grassland.	Low	Low-Modertae
Dudleya variegata	variegated dudleya	CNPS 1B.2, MSCP: Yes, NE	May-Jun	Chaparral, coastal scrub, woodland, grassland, vernal pools.	Low	Present within 1-mile radius (CNDDB 2007).
Dudleya viscida	sticky dudleya	CNPS 1B.2, MSCP: Yes	May-Jun	Coastal scrub, coastal bluff scrub, chaparral.	Low	Low-Moderate
Ericameria palmeri ssp. *palmeri*	Palmer's goldenbush	CNPS 2.2, MSCP: Yes, NE	Sep-Nov	Coastal scrub, chaparral.	Present within 1-mile radius (CNDDB 2007).	Low-Moderate
Eryngium aristulatum var. *parishii*	San Diego button-celery	FE, CE, CNPS 1B.1, MSCP: Yes	Apr-Jun	Vernal pools, coastal scrub, grassland.	Low	Present within 1-mile radius (CNDDB 2007).
Euphorbia misera	cliff spurge	CNPS 2.2, MSCP: No	Dec-Aug	Coastal bluff scrub, coastal scrub.	Low	Present within 1-mile radius (CNDDB 2007).
Ferocactus viridescens	San Diego barrel cactus	CNPS 2.1, MSCP: Yes	May-Jun	Chaparral, Diegan coastal scrub, grassland.	Present within 1-mile radius (CNDDB 2007).	Present within 1-mile radius (CNDDB 2007).
Geothallus tuberosus	Campbell's liverwort	CNPS 1B.1, MSCP: No	N/A	Coastal scrub, vernal pools.	Low	Moderate

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Isocoma menziesii var. *decumbens*	decumbent goldenbush	CNPS 1B.2, MSCP: No	Apr-Nov	Coastal scrub.	Low	Low-Moderate
Iva hayesiana	San Diego marsh-elder	CNPS 2.2, MSCP: No	Apr-Oct	Marshes and swamps, playas.	Present within 1-mile radius (CNDDB 2007).	Present within 1-mile radius (CNDDB 2007).
Lasthenia glabrata ssp. *coulteri*	Coulter's goldfields	CNPS 1B.1, MSCP: No	Feb-Jun	Coastal salt marshes, playas, grassland, vernal pools.	Low	Moderate-High
Lepidium virginicum var. *robinsonii*	Robinson's pepper-grass	CNPS 1B.2, MSCP: No	Jan-Jul	Chaparral, coastal scrub.	Low.	Present within 1-mile radius (CNDDB 2007).
Monardella stoneana	Jennifer's monardella	CNPS 1B.2, MSCP: No	Jun-Sep	Coastal scrub, chaparral, closed cone coniferous forest, riparian scrub.	Low	Low
Muilla clevelandii	San Diego goldenstar	CNPS 1B.1, MSCP: Yes	Apr-May	Chaparral, coastal scrub, grassland, vernal pools.	Low	Present within 1-mile radius (CNDDB 2007).
Navarretia fossalis	spreading navarretia	FT, CNPS 1B.1, MSCP: Yes	Apr-Jun	Vernal pools, chenopod scrub, marshes, swamps, playas.	Low	Moderate
Navarretia prostrata	prostrate navarretia	CNPS 1B.1, MSCP: No	Apr-Jul	Coastal scrub, grassland, vernal pools.	Low	Moderate
Opuntia californica var. *californica*	snake cholla	CNPS 1B.1, MSCP: Yes, NE	Apr-May	Chaparral, coastal scrub.	Low	Low-Moderate
Orcuttia californica	California Orcutt grass	FE, CE, CNPS 1B.1, MSCP: Yes	Apr-Aug	Vernal pools.	Not Likely	Low-Moderate
Ornithostaphylos oppositifolia	Baja California birdbush	CE, CNPS 2.1, MSCP: No	Jan-Apr	Chaparral.	Not Likely	Low
Pogogyne nudiuscula	Otay Mesa mint	FE, CE, CNPS 1B.1, MSCP: Yes	May-Jul	Vernal pools.	Not Likely	Low-Moderate
Quercus dumosa	Nuttall's scrub oak	CNPS 1B.1, MSCP: No	Feb-Apr	Closed-cone coniferous forest, chaparral, coastal scrub.	Not Likely	Present within 1-mile radius (CNDDB 2007).

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Ribes viburnifolium	Santa Catalina Island currant	CNPS 1B.2, MSCP: No	Feb-Apr	Chaparral.	Not Likely	Low
Salvia munzii	Munz' sage	CNPS 2.2, MSCP: No	Feb-Apr	Coastal scrub, chaparral.	Low	Low-Moderate
Satureja chandleri	San Miguel savory	CNPS 1B.2, MSCP: Yes	Mar-Jul	Chaparral, woodland, coastal scrub, riparian woodland, grassland.	Low	Low-Moderate
Sphaerocarpos drewei	bottle liverwort	CNPS 1B.1, MSCP: No	N/A	Chaparral, coastal scrub.	Low	Low
Stemodia durantifolia	purple stemodia	CNPS 2.1, MSCP: No	Jan-Dec	Sonoran desert scrub.	Present within 1-mile radius (CNDDB 2007).	Low
Stylocline citroleum	oil neststraw	CNPS 1B.1, MSCP: No	Mar-Apr	Chenopod scrub, coastal scrub.	Low	Low
Tetracoccus dioicus	Parry's tetracoccus	CNPS 1B.2, MSCP: Yes	Apr-May	Chaparral, coastal scrub.	Low	Present within 1-mile radius (CNDDB 2007).
Insects and Crustacea						
Branchinecta sandiegonensis	San Diego fairy shrimp	FE, MSCP: Yes	RES	Endemic to San Diego vernal pools.	Not Likely	Low-Moderate
Euphydryas editha quino	quino checkerspot butterfly	FE, MSCP: Yes	RES	Open canopy chaparral & coastal sage scrub.	Low	Low-Moderate
Streptocephalus woottoni	Riverside fairy shrimp	FE, MSCP: Yes	RES	Vernal pools, seasonal depressions.	Not Likely	Low-Moderate
Amphibians						
Bufo californicus	arroyo toad	FE, CSC, MSCP: Yes	RES	Washes or intermittent streams, rivers.	Low-Moderate	Low-Moderate
Spea (=Scaphiopus) hammondii	western spadefoot	CSC, MSCP: No	RES	Breeds in vernal pools, winters in adjacent uplands.	Not Likely	Low-Moderate
Reptiles						
Anniella pulchra pulchra	silvery legless lizard	CSC, MSCP: No	RES	Moist sandy or loose loamy soils under sparse vegetation.	Low	Low
Aspidoscelis hyperythra	orange-throated whiptail	CSC, MSCP: Yes	RES	Coastal scrub, chaparral, and valley-foothill hardwood habitats.	Low	Present within 1-mile radius (CNDDB 2007).

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Crotalus ruber ruber	northern red-diamond rattlesnake	CSC, MSCP: No	RES	Chaparral, woodland, grassland, & desert areas.	Low	Moderate-High
Eumeces skiltonianus interparietalis	Coronado skink	CSC, MSCP: No	RES	Grassland, chaparral, pinon-juniper & juniper sage woodland, pine-oak & pine forests.	Not Likely	Low
Phrynosoma coronatum (blainvillii population)	Coast (San Diego) horned lizard	CSC, MSCP: Yes	RES	Friable, rocky, or shallow sandy soils in coastal sage scrub and chaparral.	Present within 1-mile radius (CNDDB 2007).	Moderate-High
Salvadora hexalepis virgultea	coast patch-nosed snake	CSC, MSCP: No	RES	Brushy or shrubby vegetation.	Low	Low
Thamnophis hammondii	two-striped garter snake	CSC, MSCP: No	RES	Permanent fresh water, rocky beds and riparian growth.	Low-Moderate	Low-Moderate
Birds						
Accipiter cooperii	Cooper's hawk	CSC, MSCP: Yes	RES	Riparian, oak, urban woodlands.	High	High
Agelaius tricolor	Tricolored blackbird	CSC, MSCP: Yes	SUMR	Requires open water, riparian areas.	Low-Moderate	Low-Moderate
Aimophila ruficeps canescens	Southern California rufous-crowned sparrow	CSC, MSCP: Yes	RES	Coastal sage scrub and chaparral.	Moderate-High	Present within 1-mile radius (CNDDB 2007).
Athene cunicularia	Burrowing owl	CSC, MSCP: Yes	RES	Grasslands.	Not Likely	Moderate
Campylorhynchus brunneicapillus sandiegensis	coastal cactus wren	CSC, MSCP: Yes	RES	Coastal sage scrub with cactus patches.	Low	Present within 1-mile radius (CNDDB 2007).
Circus cyaneus	northern harrier	CSC, MSCP: Yes	RES	Nests in grassland adjacent to coastal salt & fresh-water marsh.	Not Likely	Low-Moderate
Dendroica petechia brewsteri	Yellow warbler	CSC, MSCP: No	SUMR	Riparian,	High	High
Empidonax traillii extimus	southwestern willow flycatcher	FE, MSCP: Yes	SUMR	Riparian woodlands.	High	High
Eremophila alpestris actia	California horned lark	CSC, MSCP: No	RES	Grasslands, open coastal plains.	Not Likely	Moderate-High

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Icteria virens	yellow-breasted chat	CSC, MSCP: Yes	SUMR	Riparian.	High	High
Laterallus jamaicensis coturniculus	California black rail	CT, MSCP: No	SUMR	Inhabits freshwater and saltwater marshes.	Low	Low
Pandion haliaetus	osprey	CSC, MSCP: No	RES	Ocean shore, bays, fresh-water lakes, and larger streams.	Low-Moderate	Low-Moderate
Phalacrocorax auritus	double-crested cormorant	CSC, MSCP: No	RES	Colonial nester on coastal cliffs, offshore islands, & along lake margins.	Low-Moderate	Low-Moderate
Polioptila californica californica	Coastal California gnatcatcher	FT, CSC, MSCP: Yes	RES	Coastal sage scrub.	Present (CH2M HILL 2007).	Present within 1-mile radius (CNDDB 2007).
Vireo bellii pusillus	least Bell's vireo	FE, CE, MSCP: Yes	SUMR	Riparian.	High	Present within 1-mile radius (CNDDB 2007).
Mammals						
Antrozous pallidus	pallid bat	CSC, MSCP: No	RES	Deserts, grasslands, shrublands, woodlands & forests and rocky areas.	Not Likely	Low-Moderate
Chaetodipus fallax fallax	northwestern San Diego pocket mouse	CSC, MSCP: No	RES	Coastal scrub, chaparral, grasslands, sagebrush.	Low-Moderate	Present within 1-mile radius (CNDDB 2007).
Choeronycteris mexicana	Mexican long-tongued bat	CSC, MSCP: No	RES	Feeds on nectar & pollen of night-blooming succulents. Roosts in caves, and in & around buildings.	Low-Moderate	Low-Moderate
Eumops perotis californicus	western mastiff bat	CSC, MSCP: No	RES	Many open, semi-arid to arid habitats. Roosts in crevices in cliff faces, high buildings, trees & tunnels.	Present within 1-mile radius (CNDDB 2007).	Low-Moderate
Lasiurus xanthinus	Western yellow bat	MSCP: No	RES	Riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Rare visitor.	Low	Low
Lepus californicus bennettii	San Diego black-tailed jackrabbit	CSC, MSCP: No	RES	Sage scrub.	Low	Present within 1-mile radius (CNDDB 2007).

TABLE 5.2-3
Special-Status Species Potentially Occurring in the CVEUP Project Area.

Scientific Name	Common Name	Status[a]	Season[b]	Primary Habitat[c]	Potential Occurrence in Project Area	Potential Occurrence in Offsite Construction Area
Neotoma lepida intermedia	San Diego desert woodrat	CSC, MSCP: No	RES	Coastal sage scrub and chaparral.	High	Present within 1-mile radius (CNDDB 2007).
Nyctinomops macrotis	big free-tailed bat	CSC, MSCP: No	RES	Low-lying arid areas in southern California. Need high cliffs or rocky outcrops for roosting sites.	Not Likely	Low-Moderate
Taxidea taxus	American badger	CSC, MSCP: Yes	RES	Shrub, forest, and herbaceous habitats,	Not Likely	Low

Notes:

[a] **Status.**

Federal Status
FE = federally listed as endangered
FT = federally listed as threatened
FD = federally delisted
State Status
CE = state listed as endangered
CT = state listed as threatened
CR = state rare
CSC = state species of concern
California Native Plant Society (CNPS) Status
1A = plants presumed extinct in California
1B = plants rare, threatened, or endangered in California, but more common elsewhere
2 = plants rare, threatened, or endangered in California, but more common elsewhere
Multiple Species Conservation Plan (MSCP), Chula Vista Subarea Plan
Yes = covered species
No = not a covered species
NE = narrow endemic species

[b] **Season**. Blooming period for plants. Season of use for animals. RES = Resident; SUMR = Summer; WNTR = Winter

[c] **Primary Habitat.** Most likely habitat association

Sources: (Imperial Beach, Jamul Mountains, National City, Otay Mesa, and Point Loma Quads searched) California Department of Fish and Game. Natural Diversity Database Program "Rarefind" California Natural Diversity Database. The Resources Agency, Sacramento.
California Native Plant Society. 2007. Inventory of Rare and Endangered Plants (online 7th edition). California Native Plant Society. Sacramento, CA.

TABLE 5.2-5
Applicable Laws, Ordinances, Regulations, and Standards for Biological Resources

Element	Goal/Policy	Conformance
Federal		
Federal Endangered Species Act (Federal ESA, 16 USC 153)	Applicants for projects that could result in adverse impacts on any federally listed species are required to consult with and mitigate potential impacts in consultation with USFWS.	The CVEUP site does not include habitat for federally listed species. Construction and operation will avoid significant impacts to federally listed species and their habitat.
Migratory Bird Treaty Act (16 USC 703 to 711)	Protects all migratory birds, including nests and eggs.	The CVEUP site does not include habitat or other features that would likely attract migratory birds. Stacks will be low in profile (80 ft) and are not likely to result in significant bird strikes. Transmission line will tie-in to the existing corridor.
Bald and Golden Eagle Protection Act (16 USC 668)	Specifically protects bald and golden eagles from harm or trade in parts of these species.	The CVEUP site does not include habitat or other features that would likely attract eagles. Stacks will be low in profile (80 ft) and are not likely to result in significant bird strikes. Transmission line will tie-in to the existing corridor.
State		
California Endangered Species Act (Fish and Game Code Section 2050 et seq.).	Species listed under this act cannot be “taken” or harmed, except under specific permit.	The CVEUP site and vicinity was analyzed and it was determined that CVEUP construction or operation will not affect listed species and, therefore, not result in “take.”
Fish and Game Code Section 3511	Describes bird species, primarily raptors, that are “fully protected.” Fully protected birds may not be taken or possessed, except under specific permit requirements.	CVEUP construction or operation will not result in “take.” Stacks will be low in profile (80 ft) and are not likely to result in significant bird strikes. Transmission line will tie-in to the existing corridor.
Fish and Game Code Section 3503	States that it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.	The CVEUP site was analyzed and does not include features that would encourage or accommodate nest building. Any encountered nests would be avoided during the species’ breeding season.

TABLE 5.2-5
Applicable Laws, Ordinances, Regulations, and Standards for Biological Resources

Element	Goal/Policy	Conformance
Fish and Game Code Section 3503.5	Protects all birds of prey and their eggs and nests.	The CVEUP site was analyzed and does not include habitat or other features that would likely attract birds of prey. Stacks will be low in profile (80 ft) and are not likely to result in significant bird strikes. Transmission line will tie-in to the existing corridor. The CVEUP site was analyzed and does not include features that would encourage or accommodate nest building.
Fish and Game Code Section 3513	Makes it unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird.	CVEUP construction or operation will not result in “take” of birds of prey, their nests, or eggs. Site features have been designed to avoid avian strikes. The CVEUP site does not include features that would encourage or accommodate nest building.
Fish and Game Code Sections 4700, 5050, and 5515	Lists mammal, amphibian, and reptile species that are fully protected in California.	The CVEUP site was analyzed and does not include likely habitat for fully protected mammal, amphibian, or reptile species.
Fish and Game Code Sections 1900 et seq.,	The Native Plant Protection Act lists threatened, endangered, and rare plants listed by the state.	The CVEUP site was analyzed and does not include likely habitat for protected plant species.
Title 14, California Code of Regulations, Sections 670.2 and 670.5	Lists animals designated as threatened or endangered in California.	The CVEUP site was analyzed and does not include likely habitat for state-listed species.
California Fish and Game Code (Sections 1601 through 1607)	Prohibits alteration of any stream, including intermittent and seasonal channels and many artificial channels, without a permit from CDFG.	The CVEUP site construction was analyzed and will not include alteration of any stream or channel.
CEQA (Public Resources Code Section 15380)	CEQA requires that the effects of a project on environmental resources must be analyzed and assessed using criteria determined by the lead agency.	The AFC analysis and process is CEQA equivalent. All requirements under CEQA are met with the analysis in the CVEUP AFC.
Warren Alquist Act (Public Resources Code Section 25000, et seq.)	Warren-Alquist Act is a CEQA-equivalent process implemented by the CEC.	The AFC analysis and process is CEQA-equivalent. All requirements under the Warren-Alquist Act are met with the analysis in the CVEUP AFC.

TABLE 5.2-5
Applicable Laws, Ordinances, Regulations, and Standards for Biological Resources

Element	Goal/Policy	Conformance
Local and Other Jurisdictions		
San Diego Multiple Species Conservation Program (MSCP), Chula Vista Subarea Plan (subarea plan)	Long-term conservation goals that address existing biological resources, proposed urban growth, habitat losses, and direct, indirect, and cumulative impacts on sensitive species throughout the San Diego region and specifically, the Chula Vista subarea.	The CVEUP site will not affect the long-term conservation goals for the MSCP, subarea plan, or the Otay River Preserve. Potential noise impacts to wildlife in adjacent habitat will be less than significant.
City of Chula Vista General Plan		
Land Use and Transportation Element	Maintain an open space network throughout the City of Chula Vista.	The CVEUP site will not affect the City of Chula Vista's ability to maintain an open space network.
Environmental Element	Manage, preserve, and utilize natural resources wisely to assure their continued availability for use, appreciation, and enjoyment.	The CVEUP site will not affect the City of Chula Vista's ability to manage environmental elements in a sustainable manner. Native landscaping is proposed as part of the efficiency upgrade. The native landscaping is proposed along the edge of the site that is adjacent to the Preserve and is intended to reduce the potential to introduce non-native and invasive plant species. In addition, the approximately 14–foot high wall along the southern property line will reduce the potential for light spillover in the Preserve.

Source: City of Chula Vista, 2003 and 2005.