5.4 Biological Resources

This section describes the environmental and regulatory setting and discusses impacts associated with the construction and operation of the Sanger Substation Expansion Project (proposed project) proposed by Pacific Gas and Electric Company (PG&E, or the applicant) with respect to biological resources.

5.4.1 Environmental and Regulatory Setting

The proposed expansion of the Sanger Substation would be located directly north of the existing Sanger Substation, with a small portion located adjacent to and west of the existing substation. The proposed expansion would be sited on land that is currently used for agriculture. The proposed transmission line work would occur within approximately 0.5 miles of the existing substation boundary. The area surrounding the Sanger Substation is primarily agricultural, dominated by vineyards and row crops with a few trees interspersed.

PG&E would mount two dishes, each measuring about 4 feet in diameter, on an existing tower at the Fence Meadow Repeater Station in the Sierra National Forest as part of the proposed project. No ground disturbance would occur as a result of the installation, and no additional tall structures would be installed. Existing roads would be used to access the site. There would be no impacts to biological resources as a result of work on the proposed project at the Fence Meadow Repeater Station. As a result, the antenna system at the Fence Meadow Repeater Station is not further discussed in this section.

Methodology

Literature Review

The California Public Utilities Commission (CPUC) conducted a literature review to identify biological resources in the project area. The CPUC reviewed the following information on biological resources:

- A California Natural Diversity Database (CNDDB) records search of a 10-mile radius around the project site (CDFW 2015a) for the following United States Geological Society 7.5-minute quadrangles: Sanger, Malaga, Wahtoke, Piedra, Round Mountain, Clovis, Fresno North, Fresno South, Conejo, Selma, and Reedley;
- The California Native Plant Society's (CNPS's) 2015 online *Inventory of Rare and Endangered Plants of California* for Fresno County (CNPS 2015);
- A U.S. Fish and Wildlife Service (USFWS) list of endangered, threatened, or proposed species for Fresno County (USFWS 2015a);
- USFWS Information for Planning and Conservation (IPaC) Resource Report for 10 square miles around the proposed project site (USFWS 2015b);
- Soil maps (NRCS 2015);
- California Department of Fish and Wildlife's (CDFW's) List of Vegetation Alliances and Associations (CDFW 2010);
- CDFW Threatened and Endangered Species Lists and Accounts (CDFW 2015b);
- A Manual of California Vegetation (CNPS 2016);
- eBird, an online database of bird distribution and abundance (eBird 2016);
- Aerial photographs (Google Earth 2016);
- Jepson Manual: Vascular Plants of California (Jepson Flora Project 2016); and

- PG&E's Proponent's Environmental Assessment (PG&E 2015) and Biological Resources Technical Report (NSR 2015) for the proposed project.

Biological Surveys

North State Resources, Inc., the applicant's consultant, conducted field reconnaissance surveys on March 30, 2012, and April 14, 2015 (NSR 2015). The surveys entailed walking meandering transects in the biological resources survey area, which included all areas within a 250- to 400-foot radius of the proposed project (Figure 5.4-1). Habitat types and plant communities were characterized within the survey area and then evaluated to determine habitat suitability for special status plants and animals. In addition, the survey area was searched for special status plant and animal species or signs of them (e.g., scat) and for any nesting birds and raptors; an additional 0.5 miles outside the survey area was also searched by vehicle for raptors. Protocol-level rare plant surveys were not conducted because the survey area contains little native vegetation and does not fit the protocol's criteria (CDFW 2009).

During field surveys, an assessment for potential waters of the United States as defined by Section 404 of the Clean Water Act (CWA) within the survey area was conducted, and it was determined that there are no features within the project area that would be considered potentially jurisdictional by the United States Army Corps of Engineers, Regional Water Quality Control Board, or CDFW. In addition to the applicant's surveys, general biological information was also collected by the CPUC's qualified professionals during a site visit to the proposed project location in February 2016 (Vick 2016).

Agency Consultation

CPUC's environmental consultant informally contacted USFWS and CDFW. USFWS did not provide comments. CDFW responded with several comments (Bahm pers. comm. 2016):

- Recommended general pre-activity/construction surveys for San Joaquin kit fox, their sign, and potential dens within 7 days prior to work commencing. Potential dens should be avoided by 50 feet, known dens by 100 feet, and natal den avoidance should be determined on a case-by-case basis in coordination with CDFW and USFWS.
- Recommended including bat species if there are any natural and/or man-made structures in the project area.
- Provided additional information regarding suggested Worker Environmental Awareness Plan (WEAP) training protocols.
- Recommended a detailed nesting bird mitigation measure rather than a nesting bird management plan.
- Suggested minimum buffer distance recommendations for birds.

Regulatory Setting

Federal

Federal Endangered Species Act (ESA)

The federal ESA of 1973 conserves plants and animals that are listed by the federal government as "endangered" or "threatened" and the ecosystems upon which they depend. Section 9 of the ESA prohibits the "take" of listed fish and wildlife. "Take" is defined as "harass, harm, pursue, hunt, shoot, wound, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). It is also unlawful to remove, cut, dig up, damage or destroy listed plant species from areas

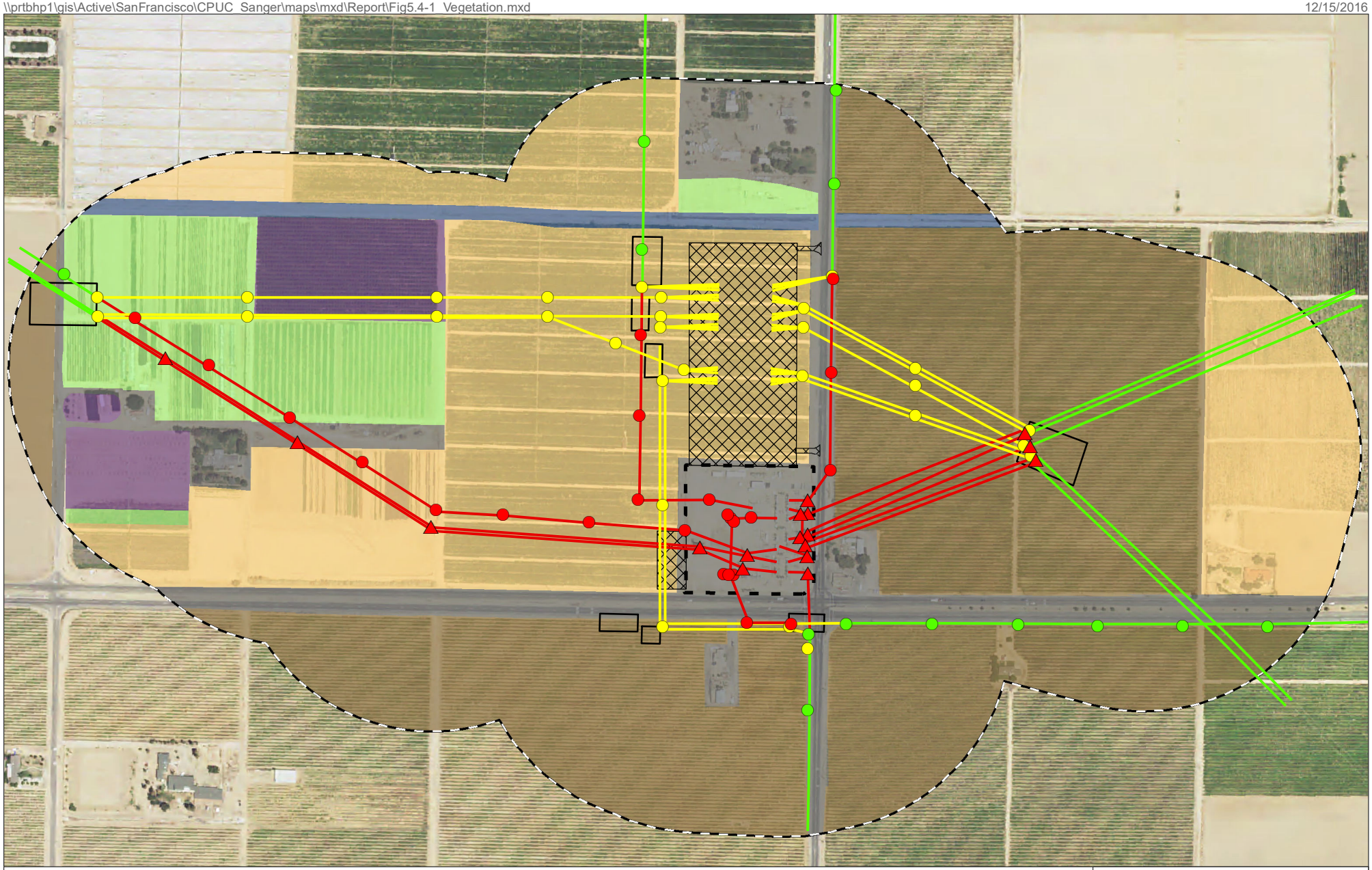

Figure 5.4-1
Vegetation and Land Cover Types
Sanger Substation
Fresno County, CA

under federal jurisdiction, or in knowing violation of state law or regulations without a permit. Provisions under the federal ESA allow USFWS to authorize "incidental" take of listed species occurring as a result of otherwise lawful activities under certain terms and conditions. Although incidental take is not anticipated for the proposed project, PG&E would consult under Section 10 of the ESA if an incidental take permit is needed. Under Section 10, a private party initiates consultation with USFWS to discuss target species in the area, the private party prepares a Habitat Conservation Plan (HCP) to assess the potential for the project to impact these species, and presents measures to minimize these impacts.

PG&E San Joaquin Valley Operations and Maintenance Habitat Conservation Plan

PG&E has an HCP, which has been approved by USFWS, for routine operations and maintenance (O&M) in nine counties in the San Joaquin Valley, including Fresno County. The HCP authorizes PG&E's incidental take of 23 wildlife and 42 plant special status species for 33 routine O&M activities. The proposed project is within the plan area, but construction of the proposed project is not a covered plan activity. However, once construction of the proposed project is completed, its routine O&M activities would be covered activities (Jones & Stokes 2006).

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) of 1918 (16 United States Code Sections 703-712) protects all migratory birds listed in 50 CFR 10.13, including active nests and eggs. The MBTA makes it unlawful to pursue, hunt, take, capture, kill, possess, or sell birds listed under the MBTA without the appropriate permits. Birds protected under the MBTA include all native waterfowl, shorebirds, hawks, eagles, owls, doves, and other common birds such as ravens, crows, sparrows, finches, and others, including their body parts (feathers and plumes), nests, and eggs.

Clean Water Act Sections 401 and 404

The CWA regulates restoration and maintenance of the chemical, physical, and biological integrity of the nation's water. The definition of "waters of the United States" includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Section 404 of the CWA regulates the discharge of dredge-and-fill material into waters of the United States, including wetlands. Section 401 of the CWA requires a State Water Quality Certification (or waiver thereof) for activities that require a U.S. Army Corps of Engineers Section 404 permit, to ensure consistency with state water quality standards.

United States Forest Service Sierra National Forest Land and Resource Management Plan

Two dishes would be installed on an existing tower at the Fence Meadow Repeater Station, which is on land managed by the U.S. Forest Service; there would be no impacts from this work. The Sierra National Forest Land and Resource Management Plan includes management directions for protection of sensitive species and their habitat (USFS 1991). The plan protects nests and dens of all sensitive wildlife species until young are gone and requires management activities occur in a way to preserve nests and dens.

State

California Endangered Species Act (CESA)

The CESA is similar to the federal ESA and is administered by the CDFW under California Fish and Game Code (CFGC) Section 2050 et seq. The CESA, as amended, protects endangered and threatened species and their habitats, and prohibits the take of CESA-listed species. The state definition of "take" is to hunt, pursue, catch, capture, or kill a member of a listed species or attempt to do so (Fish and Game Code Section 86). CDFW administers CESA and authorizes take through permits or memorandums of understanding issued under Section 2081 of CFGC, or through a consistency determination issued under

section 2080.1. Under the CESA, endangered, rare, or threatened species are those listed in Sections 670.2 (plants), and 670.5 (animals), Title 14, California Code of Regulations. The protections of the CESA also apply to species designated as candidate species.

Stream Protection (CFGC Sections 1600–1616)

The CDFW regulates activities that would interfere with the natural flow of or substantially alter the channel, bed, or bank of a lake, river, or stream. These activities are regulated under CFGC Sections 1600 to 1616 and require a Lake or Streambed Alteration Agreement (LSAA). Requirements to protect the integrity of biological resources and water quality are often conditions of LSAAs.

Fully Protected Species (CFGC Sections 3511, 4700, 5050, and 5515)

CFGC designates certain animal species as "fully protected" under Sections 3511 (birds), 4700 (mammals), 5050 (reptiles and amphibians), and 5515 (fish). Take of fully protected species may be for "scientific research"; incidental take of fully protected species may be authorized through an approved Natural Community Conservation Plan (CFGC Section 2835).

Protection for Birds (CFGC Sections 3503, 3503.5, 3513)

CFGC 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." Section 3503.5 states that it is "unlawful to take, possess, or destroy any birds in the orders of Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird." CDFW generally considers disturbance that results in the incidental loss of fertile eggs or nestlings, or otherwise leads to nest abandonment and/or loss of reproductive effort to be "take." Section 3513 provides for consistency with regulations that implement the MBTA.

California Species of Special Concern

Species of Special Concern is a category used by CDFW to identify fish and wildlife species that meet the state definition of threatened or endangered, but have not been formally listed (e.g., federally or state-listed species), or are considered at risk of qualifying for threatened or endangered status in the future based on known threats. Species of Special Concern is an administrative classification only, but these species should be considered "special-status" for the purposes of the California Environmental Quality Act analysis (see the Significance Criteria section of this document).

California Native Plant Protection Act of 1977 (CFGC Sections 1900–1913, 2062, and 2067)

The California Native Plant Protection Act identifies the types of plant species eligible for state listing. Eligible species include those identified on CNPS Rare Plant Ranks 1A, 1B, and 2, and meet the definitions of Sections 1901, Chapter 10 (Native Plant Protection Act). Under California Fish and Game Code Section 2062, any plant species determined by the CFGC (Commission) as "endangered" on or before January 1, 1985 is an endangered species under CESA and under Section 2067 any plant species determined by the Commission as "rare" is a "threatened species" under CESA.

Porter–Cologne Water Quality Control Act

Article 4 of the Porter-Cologne Water Quality Control Act (California Water Code Section 13260 et seq.) states that discharge of waste in an area that could affect Waters of the State requires filing a report of discharge with the Regional Water Quality Control Board. Waters of the State include surface water and groundwater in the state. Dischargers must obtain Waste Discharge Requirements. If waters are also

Waters of the U.S., then the Waste Discharge Requirement is covered by the section 401 Water Quality Certification, discussed above under the CWA.

Local

Fresno County General Plan

The Fresno County General Plan was created to meet state general plan requirements and "is a comprehensive, long-term framework for the protection of the county's agriculture, natural, and cultural resources and for development in the county" (Fresno County 2000). In particular, the Open Space and Conservation Element is "concerned with protecting and preserving natural resources, preserving open space areas, managing the production of commodity resources, protecting and enhancing cultural resources, and providing recreational opportunities." Section E focuses on Fish and Wildlife Habitat and states:

- ***Policy OS-E.9:*** *Prior to approval of discretionary development permits, the County shall require, as part of any required environmental review process, a biological resources evaluation of the project site by a qualified biologist. The evaluation shall be based upon field reconnaissance performed at the appropriate time of year to determine the presence or absence of significant resources and/or special-status plant or animals. Such evaluation will consider the potential for significant impact on these resources and will either identify feasible mitigation measures or indicate why mitigation is not feasible.*

Vegetation and Wildlife Habitats

Agriculture is the primary land use in the survey area, consisting of row crops and vineyards. The heavy land modification from agriculture has resulted in relatively little native vegetation in the survey area. Several vegetation and ground cover categories were identified during the field surveys (Table 5.4-1, Figure 5.4-1). None of these are considered special status natural communities (CDFW 2010). There is no USFWS-designated critical habitat for special status species in the survey area (USFWS 2015b).

Table 5.4-1 Approximate Extent of Vegetation and Other Land Cover Types within the Survey Area

Vegetation and Land Cover Types	Area (acres)
Vineyards	77.8
Row Crops	63.9
Urban/Semi-urban	27.4
Specialty Crops/Greenhouse	17.1
Orchards	8.5
Agriculture Irrigation Ditch	3.8

Vineyards

Vineyards are found in the eastern and southern portions of the survey area, with a small additional portion of vineyards on the western edge. These vineyards are intensively farmed and leave very little vegetation between rows. In a few areas, ground cover was found to contain non-native species, including Mediterranean barley (*Hordeum marinum*), ripgut brome (*Bromus diandrus*), common burclover (*Medicago polymorpha*), and redstem stork's bill (*Erodium cicutarium*).

Row Crops

The area directly north and west of the existing substation is made up of row crops. Row crops are also found in the fringes of the northern, western, and eastern boundaries of the survey area. The proposed expansion area is located entirely within land planted with row crops. At the time of the March 30, 2012 survey and the February 2016 site visit, the proposed expansion area was mostly disked; however, during

the April 14, 2015 survey, the proposed expansion area was predominately planted with squash. Along the edges of row crops and access roads, non-native grasses and forbs were found sporadically, including bermudagrass (*Cynodon dactylon*) and shepherd's purse (*Capsella bursa-pastoris*), as well as native species such as fiddleneck (*Amsinckia* sp.).

Urban/Semi-urban

Within the survey area, the existing Sanger Substation, as well as a few isolated residences, make up the urban/semi-urban category. There is agriculture infrastructure within the survey area as well, but all of these areas are largely unvegetated, with the exception of a few ornamental trees.

Specialty Crops/Greenhouses

In the northwestern portion of the survey area, and in a small area between the irrigation ditch and an urban area, there are specialty crops and greenhouse structures. The crops include Chinese broccoli, Chinese spinach, kohlrabi, lemongrass, sugar peas, peppers, cucumbers, yams, and lettuce. This area is intensively farmed.

Orchards

In the northwest portion of the survey area, just south of the irrigation ditch, there is a young plum orchard. In the western portion of the survey area, there are two young orchards situated between a residence and South Thompson Avenue. The surrounding soil is well maintained, with few occurrences of the non-native plants and weeds under row crops.

Agriculture Irrigation Ditch

An actively managed agriculture irrigation ditch is located in the northern portion of the survey area and approximately 80 feet north of the proposed northern boundary of the expanded substation footprint. There is a semi-paved access road that runs parallel between the south side of the ditch and the proposed project. There is a levee of approximately 3 feet high on either side of the ditch, which regulates water levels. The ditch and the levee are regularly maintained by mechanically clearing them of vegetation. The levee is also cleared using chemicals. The bottom of the ditch was found to have sparse vegetation, including natives smartweed (*Polygonum lapathifolium*) and fringed willowherb (*Epilobium ciliatum*), and non-natives white sweetclover (*Melilotus alba*), bermudagrass, shepherd's purse, and redstem stork's bill. The steep banks of the ditch, which were largely clear of vegetation during both surveys, contained sporadic patches of non-native vegetation, including mouse-tail (*Festuca bromoides*), Canada horseweed (*Erigeron canadensis*), common mallow (*Malva neglecta*), and ripgut brome.

Special Status Species

Special status species include plants and animals that are either formally listed under federal or state endangered species law, or not formally listed but which, in the judgement of the CPUC's qualified professionals, meet the definitions of "Endangered" or "Rare" under California Environmental Quality Act Guidelines Section 15380, such as species considered to be rare by resource agencies, professional organizations (e.g., CNPS), local ordinances, and the scientific community. In this document "special status species" include species listed as Endangered, Threatened, Candidate, or Proposed under the Federal ESA; listed as Endangered, Threatened, or Rare under CESA; designated as Watch List, Fully Protected, or Species of Special Concern or listed under the California Native Plant Protection Act by CDFW; USFWS Birds of Conservation Concern; or CNPS Rare Plant Ranks 1-4.

The potential for special status species to occur within the proposed project area was assessed using the data sources and survey results described in above. The species that have potential to occur in the project area based on the above definitions for low, moderate, and high potential are described in Table 5.4-2.

The likelihood of each special status species occurrence in the project area was determined based on known occurrences and natural history parameters, including but not limited to the species' range, habitat, foraging needs, migration routes, and reproductive requirements according to the following categories:

High: CNDDB or other documentation of occurrence of the species within a 3-mile radius of the project area. Suitable habitat for foraging and/or breeding is present within the project area.

Moderate: CNDDB or other documentation of occurrence of the species between a 3- and 5-mile radius of the project area. Suitable habitat for foraging and/or breeding is present within the project area.

Low: CNDDB or other documentation within 10 miles of the project area, but limited suitable habitat or poor quality habitat for foraging and/or breeding is present within the project area; or there are no CNDDB or other records within 10 miles of the project area, but known suitable habitat for foraging and/or breeding is present within the project area.

Table 5.4-2 Special Status Wildlife Species with Potential to Occur within Project Area

Common and Scientific Names	Status Federal/State[a]	Habitat Requirements[b]	Potential Occurrence in Project Area[c]
Birds			
Burrowing owl *(Athene cunicularia)*	—/SSC	Level, open, dry, heavily grazed, or low stature grassland or desert vegetation with available burrows. Can excavate their own burrows, but often use ground squirrel, fox, or badger burrows or dens. During breeding season, will typically forage near their burrows, but have been reported 2.7 kilometers away.	Low: CNDDB occurrence 8 miles north-northeast of the town of Sanger in 2006 in open non-native grassland habitat. Four observations on eBird, three of which were at the same point approximately 8 miles from the project area from 2011 to 2015. The other location was approximately 7.5 miles from the project area in 2015. Suitable habitat in terms of burrows (the irrigation ditch) and foraging occurs in survey area. No evidence of burrowing owl or burrowing owl sign (white wash, pellets, feathers, etc.), and limited prey were observed during reconnaissance field surveys.
Loggerhead shrike (*Lanius ludovicanus*)	—/SSC	Forages in open grassland habitats throughout the Central Valley of California. Nests in shrubs and trees. Generally requires thorny trees or shrubs, or barbed-wire fences, which it uses to help store and tear apart larger prey.	Low: No CNDDB occurrence within 10 miles. Fifteen eBird observations at eight locations 5 to 9 miles from the project area from 2000 to 2016. Limited habitat is present in the form of marginal quality foraging habitat within and adjacent to project site and minimal shrubs for nesting. Barbed-wire fencing present.
Swainson's hawk *(Buteo swainsoni)*	—/T	Nests in oaks or cottonwoods in or near riparian habitats, will utilize lone trees in agricultural fields. Forages in grasslands, irrigated pastures, and grain fields. Sometimes utilizes man-made structures, such as power poles, for nesting.	Moderate: Last CNDDB recorded sighting within a 10-mile radius of project location in 1956. One eBird observation 3.5 miles from project area in 2015. Three more eBird observation 6 to 8 miles from project area between 2004 and 2015. Suitable habitat is present in the form of foraging habitat and potential nesting sites within 0.5 miles of the project area.

Table 5.4-2 Special Status Wildlife Species with Potential to Occur within Project Area

Common and Scientific Names	Status Federal/State[a]	Habitat Requirements[b]	Potential Occurrence in Project Area[c]
White-tailed kite (*Elanus leucurus*)	—/FP	Nests in dense tree stands, forages in grasslands, agriculture fields and marshes. Uses trees with dense canopies for cover. Nests located near open foraging area.	Low: No CNDDB occurrences within 10 miles. Four eBird observations in a 3- to 5-mile radius of the project area in 2013 and 2014 and 22 observations within a 5- to 10-mile radius between 2000 and 2015. Limited foraging habitat within and adjacent to the project area; no dense canopies for potential nesting sites within 1 mile of project area.
Mammals			
Pallid Bat (*Antrozous pallidus*)	—/SSC	Daytime roosts in caves and crevices, and occasionally in buildings and hollow trees. Range includes low elevations throughout California. Roosts must protect bat from high temperatures.	Low: No reported observations within a 10-mile radius of the project area. Poor quality habitat is present in the form of isolated tree stands and buildings.
San Joaquin kit fox *(Vulpes macrotis mutica)*	E/T	Open habitats in deserts and grasslands, dens in open, level areas with loose textured soils. Denning sites may be found in agricultural and urban areas associated with fallowed areas or areas of natural vegetation.	Low: Last CNDDB occurrence within 10 miles was in 1980 with a location represented as "Sanger" (no specific coordinates provided). Because of heavily modified agricultural lands, limited habitat is located within 1.5 miles and limited amount of prey is present in the area. No known denning habitat in survey area.
Western red bat (*Lasiurus blossevillii)*	—/SSC	Roosts primarily in trees that are in edge habitats adjacent to streams, fields, or urban areas. Preferred roost sites are protected from above and open below to minimize water loss.	Low: No reported observations within a 10-mile radius of the project area. Poor quality habitat is present in the form of isolated tree stands.

Notes:

[a] Status explanations:

Federal

E listed as endangered under the federal Endangered Species Act.

State

T listed as threatened under the California Endangered Species Act.

FP fully protected under the California Fish and Game Code.

SSC species of special concern in California.

[b] As reported in the 2015 CDFW Threatened and Endangered Species Lists and Accounts (CDFW 2015b), California Wildlife Habitat Relationships (CDFW 2000b, 2005, Undated a, Undated b), Shuford and Gardali (2008), and 2015 USFWS Endangered Species List (USFWS 2015a),

[c] Potential Occurrence in the Project Area

Moderate: CNDDB or other documentation of occurrence of the species between a 3- and 5-mile radius of the project area. Suitable habitat for foraging and/or breeding is present within the project area.

Low: CNDDB or other documentation within 10 miles of the project area, but limited suitable habitat or poor quality habitat for foraging and/or breeding is present within the project area; or there are no CNDDB or other records within 10 miles of the project area, but known suitable habitat for foraging and/or breeding is present within the project area.

Key:

CNDDB California Natural Diversity Database

1

A number of plant and wildlife species identified in the literature review were determined to have no potential to occur within the project area because no CNDDB records or other documentation within 10 miles of the project area were found, or suitable habitat is not present in the project area in any condition. Species with no potential to occur were not included in this document.

5.4.2 Environmental Impacts and Assessment

Applicant Proposed Measures

The applicant has incorporated applicant-proposed measures (APMs) into the proposed project to minimize or avoid impacts on biological resources. Not all APMs were applied to reduce impacts; however, APMs BIO-1, BIO-2, BIO-3, BIO-6, BIO-7, and BIO-8 were not applied in the analysis to determine whether and to what extent impacts to biological resources would be reduced because no impacts were identified that could be minimized through application of these APMs. Nonetheless, these APMs would be implemented by PG&E because they are considered to be part of the proposed project. A list of all project APMs is included in Table 4-5.

APM BIO-1: Work area minimization. The number of access routes, staging areas, and total area of the work sites will be kept to the minimum necessary.

APM BIO-2: Erosion and sediment control measures. A Stormwater Pollution Prevention Plan (SWPPP) will be implemented to ensure effective erosion and sediment control measures will be in place at all times during construction.

APM BIO-3: Weed management. To prevent the spread of noxious weeds, only equipment which has been washed and is free of caked on mud, dirt, and other debris, which could house plant seeds, will be allowed in the project area.

APM BIO-4: Avoidance of impacts to wildlife and natural habitats. All work will be done in a manner that minimizes disturbance to wildlife and habitat.

APM BIO-5: Litter and trash management. All food waste and associated containers will be disposed of in closed lid containers.

APM BIO-6: Maintenance and refueling. No vehicle maintenance or refueling will occur within 100 feet of the agricultural irrigation ditch located near the north boundary of the project footprint.

APM BIO-7: Spill prevention and cleanup. Proper spill prevention and cleanup equipment will be readily available.

APM BIO-8: Route limitations. Vehicles will remain on designated access roads and within designated worksites.

APM BIO-9: Pets and firearms. No pets or firearms are permitted within the project area.

APM BIO-10: Vehicle speed limits. Construction crews will abide all County road speed limits.

APM BIO-11: Backfilling. Prior to backfilling or placement of structures, all excavation sites (e.g., holes excavated for pole butts, trenches, etc.) will be inspected to ensure no small vertebrates have been entrapped. All excavations with a potential for entrapment of wildlife will be backfilled or fully covered at the end of the work day. Alternatively, holes or trenches will include one or more escape ramps constructed of earth fill or wooden planks no less than 10 inches wide and reaching to bottom of trench at the close of each working day.

APM BIO-12: Avoidance and minimization of potential impacts on Swainson's hawk. If construction activities are scheduled to occur during the nesting season (February 1 to August 31), a preconstruction survey for nesting Swainson's hawk will be conducted within 0.5 mile of the project area by a qualified biologist. If active nests are found, a qualified biologist will designate an appropriate buffer between construction activities and the nest to avoid disturbance to the nesting. Work within the buffer will not proceed until the nestlings have fledged or the nest becomes inactive.

APM BIO-13: Avoidance and minimization of potential impacts on burrowing owl. Within 30 days of beginning ground-disturbing activities, a preconstruction survey for burrowing owl will be conducted along the agricultural irrigation ditch and any other suitable habitat within 500 feet of the project area by a qualified biologist. If no burrowing owls are detected no further measures are required. If burrowing owls are detected, no construction activities will occur within 250 feet of occupied burrows during the nesting season or within 160 feet of occupied burrows during the non-nesting season. For the purposes of this measure, the nesting season is February 1st to August 31st. Additionally, the burrowing owls will be monitored by a qualified biologist during construction to assess the sensitivity of the burrowing owls to the construction activities. The size of the avoidance buffer may be increased or decreased as determined by the monitoring biologist based on the planned construction activities and the sensitivity of the burrowing owls. If impacts on an active burrow cannot be avoided, passive relocation may be considered. Relocation will be conducted during the nonnesting season and only after a site-specific plan has been developed and implemented in coordination with the CDFW.

APM BIO-14: Avoidance and minimization of potential impacts on nesting birds. If work is scheduled to occur during the avian nesting season (February 1st through August 31st), active work areas will be surveyed by a qualified biologist within 15 days before work begins to determine if any nesting birds are present. Exclusionary buffer zones will be established by a qualified biologist around any active nests within the project area. The size of the buffer zone will be established at the discretion of the biologist based on the following factors: 1) the species' sensitivity to disturbance, 2) the topography surrounding the nest site, and 3) its concealment from project activities. If construction activities are required within an exclusionary buffer zone, the nest will be monitored for disturbance by a qualified biologist until the young have fledged and are independent of the adults. Nest disturbance will be assessed based on behavioral cues such as time off the nest, hesitation approaching the nest, incessant chattering and bill swiping, and other indications. If no nest disturbance is observed, work may continue. If the biologist determines that construction activities are causing nest disturbance, work will not be allowed to continue within the buffer zone until the nest becomes inactive or the young have fledged.

Additional APM cited in this section:

APM AES-2: New source of substantial light or glare avoidance.

Impacts on Biological Resources

Table 5.4-3 includes the significance criteria from Appendix G of the California Environmental Quality Act Guidelines' biological resources section to evaluate the environmental impacts of the proposed project.

Table 5.4-3 Biological Resources Checklist

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. 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?	☐	☐	☐	☒
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

The applicant is independently required to comply with the federal and state endangered species acts. Specific biological resource mitigation measure requirements in this document may be satisfied through compliance with permit conditions, or other authorizations that may be obtained by the applicant, if these requirements are equally or more effective than the mitigation identified in this document. The applicant shall provide the CPUC with copies of permits or other authorizations, and supporting documentation, to show that compliance with permitting conditions will be equally or more effective as mitigation for impacts to biological resources. The CPUC shall have sole discretion to determine whether compliance with permit conditions will also satisfy the performance standards or requirements identified in mitigation measures in this IS/MND. If the CPUC determines that compliance with permit conditions would also satisfy the mitigation measures in this IS/MND, the applicant shall submit reports to the CPUC documenting compliance, consistent with the reporting requirements of the equivalent mitigation measure or measures.

a. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

LESS THAN SIGNIFICANT WITH MITIGATION

Construction

Special Status Plants

Reconnaissance field surveys were conducted during blooming season and found no special status plant species or potential habitat within the survey area. Database searches of CNDDB and CNPS found 20 special status plant species within the Sanger quadrangle and the eight surrounding quadrangles. Analysis of the known habitat requirements of each plant species found that no special status plant species have a potential to occur in the project area. There is no suitable habitat for the 20 special status species due to the heavy land modification of agriculture in the area and lack of required soil or substrate. Therefore, the project would have no impact on special status plants.

Special Status Wildlife

No special status wildlife species were identified in the area during field surveys. CNDDB, USFWS, and eBird searches found 15 federally or state listed special status species within 10 miles of the project area. In addition, special status wildlife species with no known CNDDB or other documentation of occurrence were considered if required habitat was identified in the project area during applicant or CPUC surveys. During analysis, most species were eliminated from having the potential to occur in the project area based on range or habitat requirements. There is a moderate potential for one special status species—Swainson's hawk *(Buteo swainsoni)*—to occur in the area, and low potential for burrowing owl *(Athene cunicularia)*, loggerhead shrike (*Lanius ludovicanus*), pallid bat (*Antrozous pallidus*), San Joaquin kit fox *(Vulpes macrotis mutica)*, western red bat (*Lasiurus blossevillii*), and white-tailed kite (*Elanus leucurus*).

Birds

The one special status species with moderate potential to occur and three of the species with low potential to occur are migratory birds that may appear on the project site during nesting season. In addition, field surveys found that migratory birds protected by the MBTA and CFGC use the existing substation and its associated utility structures as nesting sites. Impacts on these special status bird species, as well as on nesting birds protected by the MBTA or CFGC, could result from construction activities associated with substation upgrades and expansion, replacement and installation of utility poles, and access road and staging area construction. These activities could result in indirect and direct impacts on special status bird species and nesting birds.

Indirect impacts on special status bird species, including burrowing owl, loggerhead shrike, Swainson's hawk, and white-tailed kite, could result from loss of foraging or nesting habitat. Construction activities across the proposed project may discourage foraging within the immediate vicinity of an active work site; this disruption in foraging is expected to be localized and temporary. A minimal number of lattice structures and vegetation that provide nesting habitat would be removed as part of the proposed project. In addition, the proposed project would include the addition of new substation equipment and a telecommunications tower, which would provide new nesting habitat, and the project site is relatively small; therefore, the loss of habitat would not be significant. These indirect impacts would not be significant.

Construction activities could result in direct mortality or injury of individual special status or nesting bird species resulting from collisions with vehicles and equipment, removal of active nests through tower or vegetation removal. In addition, visual (e.g., night lighting, equipment use) or noise disturbance could result in nest abandonment or nest avoidance. The operation of the current substation creates a low level of noise disturbance (i.e., operational noise levels from existing transformers are a component of ambient noise levels). Ambient noise levels in the project vicinity would increase above baseline conditions on a temporary and intermittent basis during construction. Construction disturbance that results in loss of individual birds, eggs, or nestlings would be a significant impact. Specific construction impacts for each special status bird species are discussed below.

Burrowing Owl

The burrowing owl is designated as a species of special concern by the CDFW and is protected by the MTBA and CFGC. Burrowing owls prefer dry, open habitat with short grass and no trees (Shuford and Gardali 2008). They are frequently associated with burrowing mammals that provide burrows for nesting. Burrowing owls can dig their own burrows; however, they are known to nest in burrows abandoned by mammals or tortoises. Common suitable habitat in agricultural areas includes roadside embankments and levees. Burrowing owls feed on insects, reptiles, birds, and small mammals and are known to hunt both day and night.

Several burrowing owls were recently observed approximately 7 to 8 miles from the proposed project area (Table 5.4-3). No burrowing owls were observed during the field surveys, and no burrowing owl sign (white wash, pellets, feathers, etc.) was seen in the survey area. There is suitable habitat in the survey area in the irrigation ditch, which is 100 feet north of the proposed substation expansion footprint. Numerous ground squirrel burrows were observed in the ditch and one ground squirrel was observed during field surveys; several rodent bait traps were observed along the ditch. The potential for burrowing owl to occur in the project area is low.

Construction activities such as the proposed expansion of the substation would occur within 100 feet of the irrigation ditch. Construction activities could disturb a nesting burrowing owl and result in the loss of eggs or fledglings, interfere with foraging activities, or result in a collision with construction vehicles. This would be a significant impact.

APM BIO-4 would avoid impacts to wildlife and natural habitats, APM BIO-5 would require trash to be disposed of in closed lid containers, APM BIO-10 would limit vehicle speeds, APM BIO-13 would require pre-construction surveys for burrowing owl, and APM BIO-14 would avoid potential impacts on nesting birds. APMs BIO-4, BIO-5, BIO-10, BIO-13, and BIO-14 would reduce impacts, but not to less than significant. APM BIO-4 does not require any specific actions to ensure impact avoidance, APM BIO-5 does not specify that trash containers need to be animal proof, and APM BIO-10 does not provide specific speed limits for project roads. APM BIO-13 proposes buffers for burrowing owl nests that are smaller than CDFW's recommendations and allows the biologist to decrease buffer distances without agency consultation. APM BIO-14 does not describe specific buffer distances for nesting birds and does not outline monitoring and reporting requirements.

In order to reduce the project's impacts on burrowing owls, the applicant would be required to implement Mitigation Measures (MM) BIO-1 through BIO-6. MM BIO-1 would require that all construction personnel participate in an environmental awareness program designed to provide information and training regarding special status species in the area, as well as all mitigation measures and APMs specific to species' impact reduction. MM BIO-2 would require the applicant to perform preconstruction surveys for special status species prior to construction, and MM BIO-3 would require that special status species in the project vicinity are monitored in order to reduce disturbance by project activities. MM BIO-4

supersedes APM BIO-14 by increasing the length of the nesting bird season, adding survey requirements for nesting birds, providing standard buffer distances, and detailing reporting requirements for all nesting birds. MM BIO-5 supersedes APMs BIO-4, BIO-5, and BIO-10 by providing avoidance measures to reduce harassment of wildlife, detailing trash removal efforts to prevent attraction of predators, and providing specific speed limits to reduce potential vehicle strikes of wildlife. MM BIO-6 supersedes APM BIO-13 by providing additional monitoring requirements for burrowing owl nesting season and increasing burrowing owl nest buffer distances. Specifically, MM BIO-6 would require the implementation of an appropriate buffer around any identified occupied burrow, approved by the CPUC, which would be based on the particular owl's tolerance and the disturbance level. Implementation of the appropriate buffer would reduce visual and noise disturbance and thus reduce potential impacts on burrowing owl and nesting birds in general. With the implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, and MM BIO-6, the project's impacts on burrowing owl would be less than significant.

MM BIO-1: Biological Resources Worker Environmental Awareness Program. The applicant shall develop a WEAP. Prior to the start of construction, all construction crew members and contractors shall be required to attend the WEAP training presented by a CPUC-approved, qualified biologist. All construction crew members and contractors who attend the training shall sign a form indicating that they attended the training and understood the information. Follow-up training shall be conducted as needed; new workers shall attend WEAP training prior to beginning at the work site. A record of all trained personnel shall be kept on site, and a sticker indicating training completion shall be worn on all worker hard hats.

The WEAP training shall include a review of the special status species and other sensitive resources (e.g., nesting birds) that could exist in the project area, the locations where sensitive biological resources do or may occur, the limits of the work area, applicable laws and regulations, penalties for non-compliance, and APMs and mitigation measures to be implemented for avoidance of these sensitive resources. Additionally, personnel shall be trained for situations where it is necessary to contact a qualified biologist (e.g., should any sensitive biological resources such as an active nest be found during construction). If sensitive resources are found, the qualified biologist shall provide guidelines for the personnel to avoid impacts on them. All WEAP participants shall receive a brochure that outlines all this information including contact information for the appropriate environmental personnel.

MM BIO-2: Pre-activity surveys for sensitive species. A CPUC-approved qualified biologist shall conduct a pre-activity survey for all activities occurring near where sensitive resources may be found within 7 days prior to work commencing. If there is no work in an area for 7 days, it shall be considered a new work area if construction begins again. The biologist shall survey all suitable habitat for sensitive species within 100 feet of the activities (see MM BIO-4, MM BIO-6, or MM BIO-7 for additional nesting bird procedures). If any species listed by the state or federal endangered species acts or protected by other statutes, or their signs, are found, the CPUC and the appropriate wildlife agencies shall be notified within 48 hours to confirm appropriate avoidance measures. If it is determined that construction activity cannot avoid areas where sensitive biological resources are present, the qualified biologist shall coordinate with the CPUC, CDFW, and/or USFWS, as necessary.

If a potential San Joaquin kit fox den is found then a minimum buffer of 50 feet shall be implemented. For a known den, the buffer shall be 100 feet and for a natal den the avoidance buffer shall be determined on a case-by-case basis in coordination with CDFW and USFWS. If dens cannot be avoided by these distances, a CPUC-qualified biologist shall determine occupation following the procedures outlined in USFWS Standardized Recommendations for Protection of the Endangered San Joaquin Kit Fox Prior to and During Ground Disturbance (USFWS 2011) and consult and coordinate with CDFW and USFWS.

MM BIO-3: Biological Monitoring. A CPUC-approved qualified biological monitor shall develop an appropriate schedule of monitoring to ensure that disturbance is minimized to sensitive resources to the greatest extent possible during project activities. The schedule shall ensure that a CPUC-approved qualified biological monitor (1.) visits the project area regularly (at a minimum of every 7 days); (2.) is present to monitor all ground disturbing activities, such as grading and trenching; and (3.) is present to monitor any observed special status species (observed sign or individual) that may be disturbed by project activities. Biological monitors shall be familiar with San Joaquin kit fox and burrowing owl. Avian biologists present during nesting bird season may act as the biological monitor if qualified.

The biological monitor shall be responsible for ensuring that impacts on special status species, their associated habitat, and/or sensitive resources are avoided to the fullest extent possible, and the monitor shall have full authority to halt construction if the monitor observes actual or potential disturbances to sensitive resources. At a minimum of once per 7 days, the monitor shall survey all project components near where construction activities may occur in the next 7 days, as well as the irrigation ditch area. Where appropriate, monitors shall flag the boundaries of areas where activities need to be restricted to protect special status species. If a special status species is present in the project area while construction activities are occurring, the restricted areas shall be monitored to ensure their protection during construction.

MM BIO-4: Mitigation for nesting birds (Supersedes APM BIO-14). The applicant shall implement the measures below in all work areas where any construction-related activities are conducted during the nesting bird season (February 1 to September 15) for all species except Swainson's hawk and white-tailed kite (see MM BIO-7), and burrowing owl (see MM BIO-6).

Nesting Bird Survey Requirements. If work is scheduled to occur during nesting bird season, then the following provisions shall be employed:

- A CPUC-approved qualified avian biologist shall conduct surveys for nesting birds within 7 days prior to the start of any construction-related activities. Areas shall be re-surveyed every 7 days while construction activities are occurring. If there is no work in an area for 7 days, it shall be considered a new work area if construction resumes. In addition, a CPUC-approved qualified monitor shall conduct pre-construction clearance sweeps for nesting birds at all access, staging and, work areas where suitable habitat is present within approximately 24 hours of construction activities each day during the nesting season.
- Surveys shall be conducted with the appropriate buffer, duration, level of effort, and timing based on level of construction disturbance, time of day, and environmental factors. Surveys shall be conducted within a 500 foot buffer of active work areas for raptors and a 250 foot buffer for non-raptors, at a minimum.
- Surveys shall be conducted at a minimum between February 1 and September 15; however, the survey season may need to begin earlier or end later depending on species and weather conditions.
- Survey results shall be provided to the CPUC each week.

Avoid Impacts on Nesting Birds.

- When a nest of any avian or raptor species is located within 500 feet of a construction site, a CPUC-approved qualified avian biologist shall determine whether the nest is active. A nest shall be defined as active once a bird begins nest construction or when a raptor begins "nest decoration." An inactive nest is defined as a nest that has been abandoned by the adult bird or once fledglings are no longer dependent on the nest site or parental care.

- If the nest is active, then the qualified biologist shall implement an exclusionary buffer to prevent construction activities from occurring within a specified distance from the active nest. For active raptor nests located more than 500 feet from the nearest work site, and non-raptor active nests located more than 250 feet from the nearest work site, no additional measures shall be implemented. A minimum standard buffer of 500 feet for an active raptor nest or 250 feet for an active non-raptor nest, as recommended by CDFW (Bahm pers. comm. 2016), shall be implemented when construction activities are occurring. Buffers shall not apply to construction-related traffic using existing roads that are not limited to project-specific use (i.e., county roads, highways, etc.).
- If any active nest of a species listed by the state or federal endangered species acts or fully protected species (other than those specified MM BIO-7) is found, then the minimum standard buffer shall be implemented and the CPUC and the appropriate wildlife agencies shall be notified immediately (within 48 hours).
- As appropriate, nest deterrent strategies may be used to prevent birds from nesting in construction equipment or staged materials. This includes covering equipment with tarps or covering small holes. Bird netting may not be used due to risk of entanglement.
- If construction requires removal of a structure or tree that contains a known or historic nest, then removal of that structure must occur when the nest is determined to be inactive and, if feasible, outside of nesting season.
- PG&E shall adhere to recommendations published by APLIC's Reducing Avian Collisions with Power Lines: The State of the Art in 2012 (APLIC 2012), as feasible.

Monitoring and Reporting. Nest locations and exclusion buffers shall be mapped (using a geographic information system [GIS]) for all identified nests. The information shall be maintained in a database; shall be provided to the CPUC weekly and to USFWS and CDFW monthly; and shall include the following information:

- Date, time, and length of observation period
- Status (active or inactive)
- Species
- Nest location, including nest height
- Behavioral observations
- Site conditions, including construction activities
- Nest exposure
- Estimated date of nest establishment
- Estimated fledge date
- Number of eggs or hatchlings, if observed
- Buffer size implemented

Nests protected by a standard buffer shall be observed by a CPUC-approved qualified avian biologist at a frequency and length of time the avian biologist deems necessary to ensure activities are not causing disturbance to the nest (minimum of once a week during construction) until the biologist has determined that the nest is inactive or until after construction ends in the work area (whichever occurs first). If the biologist observes the birds becoming agitated or the incubating adult leaves the nest as a result of construction activities, he or she shall have the authority to halt work and expand the buffer.

No avian reporting shall be required for construction outside of the nesting season unless species are observed nesting outside of the normal season or special status bird species are observed in the project area.

Buffer Reductions. The specified buffer sizes for nests may be reduced on a case-by-case basis based on compelling biological and ecological reasoning (e.g., the biology of the bird species, concealment of the nest by topography, land use type, vegetation, and the level of project activity), and if a CPUC-approved qualified avian biologist determines that a reduced buffer size would not result in the abandonment of the nest or failure. Buffer reduction requests shall be submitted to the independent avian biologist (a qualified avian biologist approved by the CPUC and who reports directly to the CPUC) to be reviewed and approved. The independent avian biologist shall respond to PG&E's request for a buffer reduction within 48 hours. Buffer reduction requests for special status species (other than those specified in MM BIO-6 and MM BIO-7) shall be submitted to the appropriate wildlife agencies and to the CPUC for approval. The request must include the following:

- Species
- Location
- Pre-existing conditions present on site
- Description of the work to be conducted within the reduced buffer, including equipment type and start date
- Size and expected duration of proposed buffer reduction
- Reason for buffer reduction
- Name and contact information of the CPUC-approved qualified avian biologist who requested the buffer reduction and who shall conduct subsequent monitoring
- Proposed frequency and methods of monitoring necessary for the nest given the type of bird and surrounding conditions as recommended by the CPUC-approved qualified avian biologist

Nests shall be monitored until the avian biologist has determined that the nest is inactive; or construction ends within the standard buffer (whichever occurs first). The biologist shall halt construction and increase the reduced buffer size if it is determined that the nesting bird(s) are agitated or the incubating adult leaves the nest as a result of construction activities.

Nesting in Active Work Areas. Non-special status species found building nests within the standard buffer zone after specific project activities begin and the activities are not expected to increase in duration, intensity, or distance from the nest, shall be assumed tolerant of that specific project activity and such nests shall be protected by the immediate implementation of the maximum buffer practicable (as determined by the CPUC-approved avian biologist). Notification, which includes the same data in the above reduction request, shall then be sent to the CPUC's independent avian biologist within 24 hours and the independent avian biologist shall have the authority to increase the buffer distance. These nests shall be monitored on a schedule determined by the qualified CPUC-approved avian biologist during construction activities until the avian biologist has determined that the nest is inactive; or construction ends within the standard buffer zone (whichever occurs first). If the CPUC-approved avian biologist determines that the nesting bird(s) are not tolerant of project activities, the buffer shall be expanded, and may be expanded beyond the standard buffer distance.

MM BIO-5: Wildlife Protection (Supersedes APM BIO-4, -5, and -10). The applicant shall implement the following measures to ensure protection of all wildlife species.

- Vehicle speed limits on existing unpaved access routes shall not exceed 15 miles per hour and shall not exceed 10 miles per hour on overland access roads. County speed limits shall be followed on existing paved roads. Construction personnel shall avoid collision with wildlife.
- If night work is required, all lighting shall be shielded and point downward and away from any identified sensitive biological resources.
- All trash and debris shall be secured in animal-proof containers before the end of each workday. Containers shall be emptied at least once per week and disposed of at an appropriate off-site location.
- All construction personnel shall not harass any wildlife and shall allow wildlife to leave the work area on their own volition.
- Disturbance limits shall be visibly flagged to ensure construction personnel minimize the construction footprint.

MM BIO-6: Specific Requirements for Burrowing Owl (Supersedes APM BIO-13). A CPUC-approved qualified avian biologist familiar with burrowing owl biology and survey methods shall conduct a pre-construction survey for this species no more than 30 days prior to construction activities during the non-breeding season and no more than 14 days prior to construction during the breeding season (February 1 to August 31 with some variance by geographic location and climatic conditions; CDFW 2012). The biologist shall confirm whether the owls are occupying the site and whether they are actively nesting. If any burrowing owl or sign of an occupied burrow is observed, the CPUC shall be informed as soon as possible (and within 48 hours). Surveys shall include the irrigation ditch and any area with suitable habitat within 656 feet (200 meters) of the project activities. If access to areas with suitable habitat is restricted, the biologist shall visually survey with a spotting scope, binoculars, or other visual techniques.

If an occupied burrow is identified, the CPUC-approved qualified biologist shall immediately implement a minimum 200 meter (656 foot) buffer. Then an appropriate burrow-specific buffer shall be recommended by the CPUC-approved qualified biologist based on the circumstances (e.g., owl tolerance and construction activity level) and as explained by the Staff Report on Burrowing Owl Mitigation (CDFW 2012 or more recent), which shall be approved by the CPUC and then implemented.

In areas where owl presence or owl sign is not found, weekly surveys for burrowing owl and its sign shall be conducted for the remainder of the first breeding season and all following breeding seasons. Survey areas shall include work areas where construction-related activities are occurring, and surveys shall adhere to the following procedures:

- A CPUC-approved qualified avian biologist shall conduct surveys for nesting birds within 7 days prior to the start of any construction-related activities. Areas shall be re-surveyed every 7 days while construction activities are occurring. If there is no work in an area for 7 days, it shall be considered a new work area if construction resumes. In addition, a CPUC-approved qualified monitor shall conduct pre-construction clearance sweeps for nesting birds at all work areas where suitable habitat is present within approximately 24 hours of construction activities each day during the nesting season.
- Surveys shall be conducted with the appropriate duration, level of effort, and timing based on level of construction disturbance, time of day, and environmental factors. Surveys shall be conducted in the irrigation ditch, and any area with suitable habitat within 656 feet (200 meters)

of project activities, at a minimum. If access to areas with suitable habitat is restricted, the biologist shall visually survey with a spotting scope, binoculars, or other visual techniques.

- Surveys shall be conducted at a minimum between February 1 and September 15; however, the survey season may need to begin earlier or end later depending on species and weather conditions.
- Survey results shall be provided to the CPUC each week.

Loggerhead Shrike

The loggerhead shrike is listed as a species of special concern by the CDFW and is protected under the MBTA and CFGC. Loggerhead shrikes are present year-round throughout most of their California range, which includes the Central Valley, where the proposed project would be located. They forage in open grasslands and nest in shrubs and trees. Loggerhead shrikes also depend on thorny bushes or shrubs or barbed wire to impale larger prey, which they then manipulate or store (Shuford and Gardali 2008).

Several observations of loggerhead shrikes are recorded on eBird 5 to 10 miles from the project site (Table 5.4-3). There is a moderate amount of foraging habitat within or adjacent to the project site, but few potential nesting sites. Although no thorny bushes or shrubs were observed during the reconnaissance field surveys, there is barbed wire around the Sanger Substation and a greenhouse area north of the substation that could be utilized by loggerhead shrikes to store and tear apart prey. No evidence of prey storage on the fences was observed during field surveys. The potential for loggerhead shrikes to occur in the project area is low.

Construction activities such as excavation and grading, removal of existing equipment, tree trimming or removal, night lighting for nighttime work, and installation of new substation equipment could result in direct impacts to the breeding and nesting animals. These activities could cause the nesting birds to flush from their nests, potentially resulting in the loss of eggs or fledglings or result in a collision with construction vehicles. These impacts would be significant. The applicant would be required to implement MM BIO-1, which would require all construction personnel participate in an environmental awareness program designed to provide information and training regarding special status species in the area, as well as all mitigation measures and APMs specific to species' impact reduction; MM BIO-2, which would require the applicant to perform preconstruction surveys for special status species prior to construction; MM BIO-3, which would require special status species in the project vicinity to be monitored in order to reduce disturbance by project activities; MM BIO-4, which outlines detailed protocols required for nesting bird surveys and provides specific standard nest buffer distances recommended by CDFW with procedures for buffer reductions; and MM BIO-5, which would reduce harassment and potential vehicle strikes of wildlife. With the implementation of, MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, and MM BIO-5, the impacts on loggerhead shrike would be less than significant.

Swainson's Hawk

Swainson's hawk is listed as threatened under CESA and protected under the MBTA and CFGC. The Swainson's hawk breeds in the western United States and Canada during the summer and winters in South America. Most will return to their traditional nest territories in the Central Valley of California by April 1. The majority of their territories in the Central Valley are located in riparian systems with adjacent suitable foraging habitat; there are no riparian systems in the project area. Swainson's hawks typically feed on small mammals and insects, with mammals making up the majority of their diet during breeding season; however, they are opportunistic feeders and will eat bats, snakes, lizards, and birds. They tend to forage in open habitats, including agricultural areas, as most of their foraging habitat has been converted to agricultural use. Vineyards and orchards are typically unsuitable foraging habitat because they provide

few foraging opportunities. Swainson's hawks require scattered tree stands, preferably native trees, or structures near their foraging habitat for nesting (CDFW 2015b).

No Swainson's hawks were observed by biologists during the field surveys. There is a moderate likelihood of occurrence in the proposed project area (Table 5.4-3). The biologists surveyed the proposed project area and all areas accessible by vehicle within a 0.5-mile radius of the project site as recommended by CDFW (CDFW 2000a). Most of the area in a 0.5-mile radius is agriculture and contains very little suitable nesting habitat; nesting habitat is limited to remaining lattice structures, transmission poles, and a small number of trees primarily on the western side of the project area. Four observations have been recorded on eBird over 3 miles from the project site, two of which were in 2015.

Construction activities such as removal of existing towers, excavation and grading, removal of existing equipment, tree trimming or removal, night lighting for nighttime work, and installation of new substation equipment could result in direct impacts to breeding and nesting hawks. These activities could remove nests or cause the nesting birds to flush from their nests, potentially resulting in the loss of eggs or fledglings or result in a collision with construction vehicles. Even though there are no known nests in the 0.5-mile radius, Swainson's hawks have been known to utilize existing raven nests, and ravens were observed in the survey area during field surveys. These impacts on Swainson's hawks would be significant. The applicant would be required to implement MM BIO-1 through MM BIO-5 and MM BIO-7. MM BIO-1 would require all construction personnel to participate in an environmental awareness program designed to provide information and training regarding special status species in the area, as well as all mitigation measures and APMs specific to species' impact reduction; MM BIO-2 would require the applicant to perform preconstruction surveys for special status species prior to construction; MM BIO-3 would require special status species in the project vicinity to be monitored in order to reduce disturbance by project activities; MM BIO-4 outlines detailed protocols required for nesting bird surveys and for reducing impacts on nesting birds; and MM BIO-5 would reduce harassment and potential vehicle strikes of wildlife. The applicant proposed APM BIO-12 to avoid and minimize impacts on Swainson's hawk; however, this measure would not reduce the impacts to less than significant because APM BIO-12 allows a biologist to designate buffers without a minimum buffer distance and does not require protocol level surveys or agency consultation. MM BIO-7 supersedes APM BIO-12 by providing survey method protocols written by CDFW, identifies a minimum buffer, and requires CDFW coordination for a buffer reduction. MM BIO-7 would ensure that CDFW is informed of nest locations, and that CDFW approval would be required for any buffer reductions. With the implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, and MM BIO-7, the impacts on Swainson's hawk would be less than significant.

MM BIO-7: Specific Requirements for Special Status Raptors (Except Burrowing Owl) (Supersedes APM BIO-12). A CPUC-approved qualified avian biologist shall conduct pre-construction surveys for Swainson's hawk and white-tailed kite in appropriate habitat within 0.5 miles of project construction activities prior to the start of construction during breeding season (i.e., the "first" breeding season). The avian biologist shall be familiar with the survey methods and biology of these species. Surveys for Swainson's hawk shall follow the protocols outlined in the Recommended Timing and Methodology for Swainson's Hawk Nesting Surveys in California's Central Valley (CDFW 2000a or more recent).

If an active nest (i.e., when nest decoration begins) is identified within 0.5 miles of construction activities, then a CPUC-approved qualified avian biologist shall implement a 0.5 miles buffer around the nest. The CPUC and CDFW shall be informed of the nest as soon as possible (and within 48 hours). Requests to reduce standard buffers must be sent to the CPUC to be reviewed in coordination with CDFW.

If no indication of Swainson's hawk or white-tailed hawk nesting (indications include vocalizations or observations of nesting activities, nests, perched adults, displaying adults, eggs, chicks) is found during protocol-level surveys, weekly surveys for nesting Swainson's hawk and white-tailed kite shall be conducted for the remainder of the breeding season in all work areas where any construction-related activities are occurring, according to the following procedures:

- A CPUC-approved qualified avian biologist shall conduct surveys for nesting birds within 7 days prior to the start of any construction-related activities. Areas shall be re-surveyed every 7 days while construction activities are occurring. If there is no work in an area for 7 days, it shall be considered a new work area if construction resumes. In addition, a CPUC-approved qualified monitor shall conduct pre-construction clearance sweeps for nesting birds at all work areas where suitable habitat is present within approximately 24 hours of construction activities each day during the nesting season.
- Surveys shall be conducted with the appropriate duration, level of effort, and timing based on level of construction disturbance, time of day, and environmental factors. Survey areas shall include work areas and a 500-foot buffer, at a minimum.
- Surveys shall be conducted at a minimum between February 1 and September 15; however, the survey season may need to begin earlier or end later depending on species and weather conditions.
- Survey results shall be provided to the CPUC each week.

During subsequent breeding seasons following the first season, reconnaissance surveys for Swainson's hawk and white-tailed kite shall be performed in appropriate habitat and at the appropriate time within 0.5 miles of project construction activities in order to detect any new nesting activity. If no indication of nesting is found during reconnaissance surveys, weekly surveys for nesting Swainson's hawk and white-tailed kite shall be conducted for the remainder of the breeding season in all work areas where any construction-related activities are occurring (following procedures in the bullet points above).

White-tailed Kite

White-tailed kite is designated as a fully protected species by CDFW and is protected under the MBTA and CFGC. White-tailed kites are found year-round in their habitat range in California, which includes the Central Valley, and are rarely found away from agriculture land. They forage in undisturbed, open grasslands, meadows, and farmlands. White-tailed kites use trees with dense canopies for cover (CDFW 2005).

Several eBird observations have been recorded within 3 to 5 miles of the project area in recent years. Suitable habitat in the proposed project area is present in the form of agriculture land for foraging. However, the project area contains no trees with dense canopies that would be suitable for nesting. During the field reconnaissance surveys, white-tailed kite nests were searched for within a 0.5-mile radius of the project area and no nests were observed. There is a low potential for white-tailed kites to occur in the project area due to lack of nesting habitat.

Construction activities such as excavation and grading, removal of existing equipment, tree trimming or removal, night lighting for nighttime work, and installation of new substation equipment could result in direct impacts to the breeding and nesting birds. These activities could cause nesting birds to flush from their nests, potentially resulting in the loss of eggs or fledglings or result in a collision with a construction vehicle. Impacts on this fully protected species would be significant. The applicant would be required to implement MM BIO-1 through MM BIO-5 and MM BIO-7. MM BIO-1 would require all construction personnel to participate in an environmental awareness program designed to provide information and

training regarding special status species in the area, as well as all mitigation measures and APMs specific to species' impact reduction; MM BIO-2 would require the applicant to perform preconstruction surveys for special status species prior to construction; MM BIO-3 would require that special status species in the project vicinity are monitored in order to reduce disturbance by project activities; MM BIO-4 outlines detailed protocols required for nesting birds surveys and for reducing impacts on nesting birds; MM BIO-5 would reduce harassment and potential vehicle strikes of wildlife; and MM BIO-7 describes required protocols for white-tailed kite in particular.MM BIO-7 would ensure that CDFW is informed of nest locations, and that CDFW approval would be required for any buffer reductions. The implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, MM BIO-5, and MM BIO-7 would reduce the proposed project's impacts on white-tailed kite to less than significant.

Nesting Birds

Nesting birds protected by the MBTA and CFGC may be present in the project area. The MBTA protects all native migratory birds, including active nests and eggs. Birds protected under this act include all native waterfowl, shorebirds, hawks, eagles, owls, doves, and other common birds such as ravens, crows, sparrows, finches, and swallows. The CFGC also protects native migratory birds and provides additional protection for raptors, including common species and their nests. During the reconnaissance field surveys, several nests were observed on structures associated with the existing Sanger Substation. These species, which included house finch (*Carpodacus mexicanus*), mourning dove (*Zenaida macroura*), and western kingbird (*Tyrannus verticalis*), had nests on a lattice structure, a support arm, and a frame structure of the substation, respectively. In addition, a red-tailed hawk (*Buteo jamaicensis*) nest was observed in a lattice tower approximately 600 feet east of the substation. The red-tailed hawk was observed using a nest in the same lattice structure in 2012, 2015, and 2016. The proposed project would remove this lattice structure and replace it with a tubular steel pole, which may not provide the same nesting opportunities. A number of lattice structures would be removed as part of the proposed project; however, other structures would be installed that may provide new nesting opportunities.

Raptors and other birds may nest in trees, in shrubs, on the ground, or on structures in the project area. Birds vary in their tolerance to human presence and activities; however, in general, birds are more likely to abandon a nest early in the nesting cycle while less is invested in the nest. Birds may abandon eggs and fledglings if disturbed by human activities, including the types of construction activities that would be employed by the proposed project. In addition, the removal of vegetation or a tower could impact nesting birds if it contains an active nest. Construction activities that result in the loss of individual birds, fertile eggs or nestlings, that otherwise leads to nest abandonment, or that results in a collision with a construction vehicle, would be a significant impact on nesting birds protected by the MBTA or CFGC.

The applicant would be required to implement MM BIO-1 through BIO-5. MM BIO-1 would require that all construction personnel participate in an Worker Environmental Awareness Program designed to provide information and training regarding special status species in the area and in particular birds protected by the MBTA and CFGC, as well as the project commitments required to reduce impacts. MM BIO-2 would require the applicant to perform pre-construction surveys for sensitive species; MM BIO-3 would require sensitive species to be monitored in order to reduce disturbance by project activities; MM BIO-4 outlines detailed protocols for reducing impacts to nesting birds, including having a qualified avian biologist identify active nests prior to construction and implement buffer size recommended by CDFW, which would reduce visual and noise impacts; and MM BIO-5 would decrease the potential for vehicle strikes and harassment of wildlife. With the implementation of MM BIO-1, MM BIO-2, MM BIO-3, MM BIO-4, and MM BIO-5, impacts on nesting birds would be reduced to less than significant.

Mammals

No special status wildlife species were observed during the field reconnaissance surveys; however, three special status mammal species, pallid bat, San Joaquin kit fox, and western red bat, have a low potential for occurrence on the project site.

Pallid Bat

The pallid bat is listed as a species of special concern by CDFW. It is found throughout California in a variety of habitats including grassland, shrub lands, woodlands, and forests and feed on insects and arachnids (CDFW Undated a). This species is most commonly found in dry, open habitats with rocky outcrops for roosting. Day roosts include caves and crevices, and occasionally hollow trees and buildings. Night roosts can be more open, like buildings and porches (CDFW Undated a).

There are no recorded observations of this species within a 10-mile radius of the project area. The project is within the species habitat range and poor quality roost habitat is available in the form of isolated tree stands and small buildings; therefore, this species has a low potential to occur in the project area. Construction activities would not include removal of trees (other than agricultural trees) or buildings. Noise from the project activities are not expected to significantly increase ambient noise levels near the potential roost sites or foraging areas when foraging is expected to occur. The only construction activities expected at dusk, dawn, or night time, when foraging occurs, are equipment testing and line work, which would only occur during a limited timeframe in Phase 4c of construction and would not significantly interfere with bat foraging, or increase the existing night time background noise levels. Lighting associated with this night time construction could attract insects and, therefore, foraging western red bats. Many bat species are predators that rely on acoustic cues for hunting and could be disturbed by louder environments (Bunkley and Barber 2015). However, any impacts from noise near the lighting associated with any night time construction work would be temporary and intermittent. Construction impacts on pallid bat would be less than significant.

San Joaquin Kit Fox

The San Joaquin kit fox is listed as endangered under the federal ESA and as threatened under the CESA. It is found in open habitats in desert and grassland areas with little human disturbance; however, some agricultural areas may support these foxes. This species inhabits dens in open and level areas that have loose textured soils. It feeds on rodents, insects, reptiles, and some small birds (CDFW 2000b).

The only CNDDB-recorded occurrence within 10 miles of the project area was in 1980, and the location was represented as “Sanger.” The project area is within the species’ range, and suitable foraging habitat may be present. Suitable den habitat is limited to the irrigation ditch and culverts. It is unknown how abundant rodent prey is in the area; a ground squirrel was observed during the CPUC site visit, but several rodent bait stations were observed during site visits along the irrigation ditch. No dens were observed, and feral dogs were seen roaming in the area, which may prey on kit foxes. The potential for occurrence of this species in the project area is low.

Construction activities such as excavating and grading and increased number of vehicles in the area have the potential to directly impact San Joaquin kit foxes. Kit foxes may become entrapped in an open trench or excavation or struck by a vehicle. Although the likelihood of kit foxes to be present on the project site during construction of the proposed project is low, if a kit fox was injured or killed during construction, this impact would be significant. To reduce the level of impact, the applicant would implement the following APMs: APM BIO-9 would reduce the potential for a pet to attack a kit fox, and APM BIO-11 would minimize the potential for a kit fox to become entrapped. Implementation of these APMs would reduce the potential impacts, but not to a less than significant level. Therefore, the applicant would be required to implement MM BIO-1, which would ensure that all construction personnel participate in an

environmental awareness program designed to provide information and training regarding special status species in the area; MM BIO-2, which would require pre-activity surveys; MM BIO-3, which would require that biological monitors would be present year round; and MM BIO-5, which would reduce harassment of wildlife and the potential for vehicle strikes, and would minimize the amount of trash on site, which attracts kit foxes. Implementation of APM BIO-9, APM BIO-11, MM BIO-1, MM BIO-2, MM BIO-3, and MM BIO-5 would reduce impacts on San Joaquin kit fox to less than significant.

Western Red Bat

The western red bat is listed as a species of special concern by CDFW. It is found at low elevations in portions of California, including the Central Valley. The western red bat roosts in forests and woodlands and will feed on a variety of insects in various habitats including grasslands, shrub lands, open woodlands, and croplands (CDFW Undated b). It roosts primarily in edge habitats (CDFW Undated b).

There are no recorded observations of this species within a 10-mile radius of the project area. The project is within the species habitat range and poor quality roost habitat is available in the form of isolated tree stands. Construction activities will not include removal of these trees. Noise from the project activities are not expected to significantly increase ambient levels near the potential roost sites or night time foraging areas. The only construction activities expected at dusk, dawn, or night time, when foraging occurs, are equipment testing and line work, which would only occur during a limited timeframe in Phase 4c of construction and would not significantly interfere with bat foraging, or increase the existing night time background noise levels. Many bat species are predators that rely on acoustic cues for hunting and could be disturbed by louder environments (Bunkley and Barber 2015). Lighting associated with night time construction could attract insects and, consequently, expose foraging western red bats to increased noise that could interfere with their hunting. However, given that any impacts from increased noise levels associated with night time construction work would be temporary and intermittent, there would be no significant impact on bat hunting with the increase in lighting. Construction impacts on western red bat would be less than significant.

Operation and Maintenance

The Sanger Substation would continue to be operated remotely, with routine inspections occurring monthly or as needed under emergency conditions. Power line inspections would not change from those currently conducted on the existing lines. Traffic in the area is not anticipated to increase. The *Pacific Gas & Electric Company San Joaquin Valley Operations and Maintenance Habitat Conservation Plan*, which has been approved by USFWS and CDFW, for routine O&M, including in Fresno County, would cover the proposed project once completed (Jones & Stokes 2006).

Additional permanent substation lighting would be installed. APM AES-2 would require new security lighting to be hooded and designed to avoid lighting offsite locations. With the implementation of APM AES-2, impacts from added lighting on birds and San Joaquin kit fox would be less than significant.

Many bat species are predators that rely on acoustic cues for hunting and could be disturbed by louder environments (Bunkley and Barber 2015). New substation lighting could attract insects and, therefore, foraging pallid bats and western red bats, and thus expose them to noise at the substation that could disrupt their hunting. However, given that there would be no permanent increase in noise levels during substation equipment operation, there would be no impact on bat hunting with the increase in substation lighting.

Direct impacts on birds could result from electrocution by power lines and collision with structures. Lines and structures can be difficult for birds to detect for various reasons such as during night flight or inclement weather conditions.

Electrocution can be caused if conductors and groundwires are placed close enough together that larger birds can touch them simultaneously with their wings or other body parts. Recommendations to avoid electrocution by power lines have been well described by the Avian Power Line Interaction Committee (APLIC 2006), and the applicant has committed to designing structures consistent with these guidelines for the project (PG&E 2015). The current structures identified for removal and replacement were designed and constructed prior to the publication of APLIC recommendations, but are consistent with the current recommendations regarding separation of power lines (PG&E 2015).[1] Thus, the electrocution risk during operations would be similar to the current risk and operational impacts from electrocution would not be significant.

Collisions with structures could have direct impacts on birds. Additional collisions with new structures, including tubular steel poles and the microwave telecommunications tower, would be a significant impact on birds. The implementation of MM BIO-4 would require the applicant to design structures in accordance with the APLIC's guidance for reducing collisions as described in *Reducing Avian Collisions with Power Lines: The State of Art in 2012* (APLIC 2012) as feasible. With the implementation of MM BIO-4, impacts during operations would be less than significant.

b. Would the project 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 Wildlife or U.S. Fish and Wildlife Service?

NO IMPACT

No riparian habitat or other sensitive natural communities were identified in the survey area. The proposed project area is located entirely within heavily modified agricultural land. Database searches confirm that no USFWS-designated critical habitat, CDFW jurisdictional waters, or special status natural communities occur in the project area; therefore, there would be no impact during construction or operations.

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

NO IMPACT

There are no federally protected wetlands as defined by Section 404 of the CWA within project components. North of the substation expansion footprint there is a manmade irrigation ditch that does not drain into permanent or a traditional navigable water source. The irrigation ditch will not be impacted by the proposed project. There would be no impact to federally protected wetlands as defined by Section 404 of the CWA during construction or operations.

[1] During the CPUC visit to the project area in February 2016, three deceased birds were observed between the perimeter of the existing substation and the road. Cause of death is unknown.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

NO IMPACT

There are no known native wildlife nursery sites or migratory routes for any native resident or migratory fish or wildlife species in the project area. The substation expansion would be implemented on highly modified agricultural land with little wildlife habitat. It is unlikely the new structures, including the expanded substation and power lines, would create a new barrier that would inhibit migration during construction or operation. Therefore, there would be no impact.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

NO IMPACT

Construction and operation of the proposed project would not conflict with local policies or ordinances protecting biological resources, based on a review of the Fresno County General Plan. Policy OS-E9 of the Fresno County General Plan Open Space and Conservation Element would apply to the proposed project. This policy requires that before any discretionary development permit is issued, a biological resources evaluation that considers the potential for significant impacts on any significant natural resources or special status species is completed, and feasible mitigation measures that protect natural resources are identified for the project (Fresno County 2000). The proposed project would not be inconsistent with this policy. The proposed project would not conflict with any additional local policies or ordinances.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

NO IMPACT

The *Pacific Gas & Electric Company San Joaquin Valley Operations and Maintenance Habitat Conservation Plan*, which has been approved by USFWS for routine operation and maintenance (O&M) in nine counties in the San Joaquin Valley, including Fresno County, would cover routine operation and maintenance activities for the proposed project once construction is completed (Jones & Stokes 2006). The HCP authorizes PG&E's incidental take of 23 wildlife and 42 plant special status species for 33 routine O&M activities. Construction for the proposed project is not a covered activity under the HCP and, thus, PG&E will not rely on the HCP to comply with the federal Endangered Species Act for construction activities. Construction of the proposed project in the same areas as existing infrastructure would not prevent any ongoing implementation of the HCP.

Current O&M activities for the Sanger Substation and existing transmission lines near the Sanger Substation, such as substation inspection, equipment or pole replacement, and fencing repairs, do not necessitate implementation of the Avoidance Minimization Measures from the HCP because the current activities do not result in impacts to natural vegetation and do not result in take of a species covered by the HCP (PG&E 2015). Current operational activities would continue after implementation of the proposed project. Because no HCP Avoidance Minimization Measures are triggered under current operation, none would be expected to be triggered during operation of the expanded substation.

The United States Forest Service Sierra National Forest Land and Resource Management Plan provides forest-wide goals and objectives for managing habitat for state and federally listed threatened and endangered fish, wildlife, and plant species; however, the plan does not provide specific avoidance measures (USFS 1991). The proposed installation of dishes at the Fence Meadow Repeater Station would add an antenna system to an existing tower and utilize existing roads. This work is not expected to impact any habitat or wildlife.

The project would not conflict with the provisions of PG&E's adopted HCP, nor the Sierra National Forest Land and Resource Management Plan, and no other HCPs, Natural Community Conservation Plans, or other conservation plans are known to exist for the proposed project area. Therefore, there would be no impact as a result of conflict with an adopted conservation plan.