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BIOLOGICAL ASSESSMENTS

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PRE-ACTIVITY CLEARANCE SURVEY 44± ACRES, LEXINGTON STREET DELANO, CALIFORNIA

1. THE PROJECT SITE: 44+ ACRES, LEXINGTON STREET, CITY OF DELANO, COUNTY OF KERN, CALIFORNIA. The proposed project consists of about forty-four (44) acres located along Lexington Street, Delano, California (Figure 1). The site is located between Lexington Avenue and State Route 99, generally south of Woollomes Avenue and north of Schuster Road. The site is owned and operated by Paramount Farms, Inc. The project area is generally fallow but is regularly maintained for vegetation/fire control by discing of about the top two inches of topsoil. A fenced drainage basin exists in the northwest area of the project site. Facilities for Paramount Farms, Inc. are adjacent to the project in the southeast corner (Figures 2 through 5).

The project "flats" have been disced for fire control. The berm slopes are relatively undisturbed. Beechy ground squirrel burrows exist throughout the project area. The site will be graded to prepare for the construction of a new citrus packing plant. The dirt berms will be removed and the existing drainage basin will be reconfigured.

2. PURPOSE AND METHODS.

2.1 Purpose. The primary purpose of this summary biological survey was to determine if any plants or animals that are listed by state or federal agencies as endangered, threatened, rare, or depleted and of special concern occur on the property. The term sensitive will be used hereafter to mean any species considered by state or federal agencies to be endangered, threatened, rare, or depleted and of special concern. The study also sought to determine if any sensitive species not known to the California Natural Diversity Database (CNDDDB) is presently using the property.

2.2 Survey Methods for Vegetation and Animals. Utilizing accepted methods within the guidelines established by the United States Fish and Wildlife Service (FWS) and the California Department of Fish and Game (DFG), qualified biologists surveyed the project site by walking transects at 0 – 50 foot intervals, ensuring 100 percent visual coverage. Habitat features were examined for the presence of dens, nests, or burrows utilized by sensitive species. Field reconnaissance for the project was conducted on 02 July 2010. A complete photographic record was made of the project site.

3. SUMMARY AND DISCUSSION OF FINDINGS.

3.1 *Vulpes macrotis mutica*, San Joaquin kit fox (SJKF). The author knows of no specific SJKF den sites in the Delano area. No active, inactive or potential fox dens were observed during the field study. No potential fox track or scat was noted. No other evidence, such as collected foraging trash or prey bones suggesting fox use was observed.

3.2 *Athene cunicularia*, burrowing owl. Burrowing owls are a highly vagile species utilizing ground squirrel burrows, fox and coyote dens, and artificial cover sites even in very limited spaces. No burrowing owls were observed during field reconnaissance. No active or potential owl burrows or other evidence suggesting current owl usage were noted during the survey.

3.3 Wildlife Corridors and Nursery Sites. No wildlife corridors were identified on the proposed project.

4. PROJECT POTENTIAL IMPACTS AND MITIGATION MEASURES.

Mitigation measures are used when it is impossible or unfeasible to avoid adverse impact to the biological resources. Mitigation measures should reduce, offset, or compensate for adverse impacts. The authors believe that the following measures will avoid, or reduce to less than significant, adverse impact to the biological resources found on the project site. These recommendations are not binding but represent the best biological judgment of the authors. The final decisions on avoidance and mitigation measures rest with the permitting and reviewing agencies: City of Delano, County of Kern, California Department of Fish and Game, and the U.S. Fish and Wildlife Service.

The basis of criteria for determining the level of significance impacting the biological resources of the proposed project are found in Appendix G of the California Environmental Quality Act (CEQA) Guidelines.

4.1 Substantially adversely impact, either directly or through habitat modification, any sensitive species as recognized by the California Department of Fish and Game or the United States Fish and Wildlife Service. Because sensitive animal species listed by state and/or federal regulatory agencies are known to occur on and in the vicinity of the project, direct impacts in the form of "incidental take" of an endangered, threatened, sensitive, or otherwise protected animal species or associated habitat, could occur as a result of the development of this project. Because no undisturbed native habitat exists on the site, development of this project will not result in the loss of any undisturbed native habitat.

Mitigation Measures.

4.1.1 It is recommended that a "tailgate" session for all construction personnel be conducted by a qualified biologist, prior to initial ground disturbance, relative to all environmental federal, state, and local law. It is recommended that all construction personnel be trained in sensitive species identification and avoidance techniques and that any evidence, such as sensitive species activity, dens, or burrows, observed at any time during construction be promptly reported to the reviewing agencies for resolution.

4.1.2 It is recommended that all pipes, culverts, or similar structures with a diameter of four inches or greater shall be kept capped to prevent entry of kit fox. All structures not capped or otherwise covered, shall be inspected prior to burial or closure to ensure no kit fox, or other protected species, become entrapped.

4.1.3 It is recommended that escape ramps be provided for any trenches or ditches left open during construction and deeper than two and a half feet.

4.1.4 It is recommended that closed trash containers be located on site during construction and that all trash or other food waste be placed in the designated containers.

Level of Significance After Mitigation.

Less than significant.

4.2 Substantially adversely impact riparian or wetlands habitat, or other sensitive natural communities as recognized by the California Department of Fish and Game, the United States Fish and Wildlife Service, or local or regional policies. Because no riparian or wetlands habitat exists within the proposed project boundaries, development of this project will not result in the loss of any riparian or wetlands habitat.

Mitigation Measures.

No mitigation measures are required.

Level of Significance After Mitigation.

No impact exists.

4.3 Substantially interfere with the movement of migratory wildlife species or impede the use of wildlife nursery sites. Because no wildlife corridors were identified on the project site, no direct or indirect impacts to wildlife corridors are expected to occur as a result of the development of this project.

Mitigation Measures.

Implementation of Mitigation Measures 4.1.1 through 4.1.4 would comply with Department of Fish and Game and Fish and Wildlife Service protocols in addressing the potential construction of dens by SJKF within the proposed project boundaries during related project activities.

Level of Significance After Mitigation.

Less than significant.

4.4 Conflict with any local policies protecting biological resources. Implementation of Mitigation Measures 4.1.1 through 4.1.4 would result in no conflict with local ordinances or regulatory polices protecting biological resources.

Mitigation Measures.

No additional mitigation measures are recommended.

Level of Significance After Mitigation.

Less than significant.

4.5 Conflict with the provisions of any adopted, or otherwise approved, local, regional, or state conservation plans. Implementation of Mitigation Measures 4.1.1 through 4.1.4 would result in no conflict with any adopted, or otherwise approved, local, regional, or state conservation plan.

Mitigation Measures.

No additional mitigation measures are recommended.

Level of Significance After Mitigation.

Less than significant.

It is our opinion implementation of the mitigation measures listed here, and any additional protection measures, if required or requested by local, state, or federal regulating authorities will reduce to less than significant any direct or indirect impacts to sensitive species occurring in the vicinity of the project site. If you have any further questions or we may provide further assistance, please contact our office.

Respectfully,

Steven P. Pruet
07 July 2010



Figure 1. Aerial photograph of the proposed project site and vicinity (www.co.kern.ca/gis/).



Figure 2. Photograph of the project site taken from about the northeast corner and facing southwest, showing typical terrain and vegetation (07Jul10).



Figure 3. Photograph taken from near the northeast corner and facing south (07Jul10).



Figure 4. Photograph taken from about the middle of the project site , facing northeast(07Jul10).



Figure 5. Photograph taken from near the southwest corner of the project site, facing northeast. Paramount Farms facilities show in the right background of the photograph (07Jul10).