CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
DIRECTOR'S OFFICE
POST OFFICE BOX 944209
SACRAMENTO, CA 94244-2090

CALIFORNIA ENVIRONMENTAL QUALITY ACT STATUTORY EXEMPTION FOR RESTORATION PROJECTS
CONCURRENCE NO. 21080.56-2023-037-R6

Project: Prescott Preserve Ecological Restoration Project

Location: Riverside County

Lead Agency: Wildlife Conservation Board

Lead Agency Contact: Amy Henderson; Amy.Henderson@wildlife.ca.gov

Background

Project Location: The Prescott Preserve Ecological Restoration Project (Project) is located in an urbanized area in the City of Palm Springs, which lies within the northwestern portion of Coachella Valley in Riverside County. The Project involves the restoration of native habitat on 90 of 120 acres of a former public golf course property located two miles from downtown Palm Springs, between S Sunrise Way and El Cielo Road (Property). The Property envelopes a reach of Tahquitz Creek, which originates in the San Jacinto Mountains to the west. The Santa Rosa and San Jacinto Mountains Conservation Area of the Coachella Valley Multiple Species Habitat Conservation Plan/Natural Communities Conservation Plan (CVMSHCP/NCCP) lies approximately two miles west of the Property. The Oswit Land Trust (OLT) was gifted the Property and will convert the Property's golf course to natural habitat and manage the Property as the Prescott Preserve (Preserve). The Project centers on Latitude 33.81206, Longitude -116.52582.

Project Description: OLT, in partnership with the Wildlife Conservation Board (WCB), proposes to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend and restore or provide habitat for California native fish and wildlife. The Project is designed to restore desert dry wash woodland, Sonoran creosote bush scrub, and desert fan palm habitat communities within an urbanized area of the City of Palm Springs. The west side of the Coachella Valley represents the interface between the San Jacinto Mountains and the Sonoran Desert, making its alluvial creeks essential corridors and refugia from the arid desert climate. Native desert vegetation communities have been nearly eliminated from the west side of Coachella Valley due to extensive urban, recreational, and agricultural development. Additionally, channelization has substantially disrupted the natural geomorphic and biologic processes of Tahquitz Creek. The Project is expected to expand habitat availability and connectivity, support climate change resilience, improve natural floodplain functions and water quality, and refocus and consolidate existing public access to help conserve and protect habitat.

In order to accomplish these restoration measures, the Project includes removal of Bermuda grass and other non-native plants with mechanized equipment, hand or mechanical

excavation of planting holes for native vegetation species, application of native seed, placement of boulders, demolition and decommissioning of golf cart pathways, and modification of existing irrigation infrastructure. These restoration measures of the Project are expected to establish 39 acres of desert dry wash woodland, 49 acres of Sonoran creosote bush scrub, and two acres of desert fan palm oasis.

Some legacy features on the Preserve will be retained and redesigned for habitat purposes. Existing ponds onsite that already support bird and wildlife use and food web production will be preserved. Some of the existing pedestrian loop trail and associated bridges will remain for designated public access, which will reduce the potential impact of public access on restored habitat. The loop trail will also serve to monitor the success of planted vegetation, and to perform ongoing maintenance and management. Interpretive signs will be installed to educate users on the ecological value of desert habitats and special-status species and deter trampling and illicit use of the restored habitat.

Tribal Engagement: As part of their ongoing tribal engagement process, OLT contacted the California Native American Heritage Commission (NAHC) to identify tribes with a potential interest in the Project. One tribe was identified through the NAHC, the Agua Caliente Band of Cahuilla Indians. From April to July 2023, OLT corresponded directly via email, with two representatives of the Agua Caliente Band of Cahuilla Indians about the Project, including discussions about OLT's suggestion for a potential educational signage component to the Project. OLT and the Tribe agreed to resume engagement and discussions once restoration efforts are initiated.

Interested Party Coordination: OLT has demonstrated various interested party coordination efforts through a dedicated social media presence that includes posts and updates about the Preserve. Other coordination efforts have involved collaboration and interaction with community and neighborhood groups that have included online video meetings and surveys. The public is also involved in grassroots stewardship of the Preserve and participate in bi-monthly bird watching events led by UC California certified Naturalists. Various locally elected officials, public agencies, and non-government organizations have written letters of support for the Project.

Anticipated Project Implementation Timeframes: Start date: December 2023
Completion date: March 2027

Lead Agency Request for CDFW Concurrence: On September 20, 2023, the Director of the California Department of Fish and Wildlife (CDFW Director) received a concurrence request from the Wildlife Conservation Board (Lead Agency) pursuant to Public Resources Code section 21080.56, subdivision (e) (Request). The Request seeks the CDFW Director's concurrence with the Lead Agency's determination on September 19, 2023, that the Project meets certain qualifying criteria set forth in subdivisions (a) to (d), inclusive, of the same section of the Public Resources Code (Lead Agency Determination). The CDFW Director's concurrence is required for the Lead Agency to approve the Project relying on this section of the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.).

Concurrence Determination

The CDFW Director concurs with the Lead Agency Determination that the Project meets the qualifying criteria set forth in Public Resources Code section 21080.56, subdivisions (a) to (d), inclusive (Concurrence).

Specifically, the CDFW Director concurs with the Lead Agency that the Project meets all of the following conditions: (1) the Project is exclusively to conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or is exclusively to restore or provide habitat for California native fish and wildlife; (2) the Project may have public benefits incidental to the Project's fundamental purpose; (3) the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery; and includes procedures and ongoing management for the protection of the environment; and (4) Project construction activities are solely related to habitat restoration. Pursuant to Public Resources Code section 21080.56, subdivision (g), CDFW will post this Concurrence on its CEQA Notices and Documents internet page: https://wildlife.ca.gov/Notices/CEQA.

This Concurrence is based on best available science and supported, as described below, by substantial evidence in CDFW's administrative record of proceedings for the Project.

This Concurrence is also based on a finding that the Project is consistent with and that its implementation will further CDFW's mandate as California's trustee agency for fish and wildlife, including the responsibility to hold and manage these resources in trust for all the people of California.

Discussion

A. Pursuant to Public Resources Code section 21080.56, subdivision (a), the CDFW Director concurs with the Lead Agency that the Project will exclusively conserve, restore, protect, or enhance, and assist in the recovery of California native fish and wildlife, and the habitat upon which they depend; or restore or provide habitat for California native fish and wildlife.

   The Project is exclusively a project to re-establish native desert scrub, desert wash, and palm oasis habitat in the densely urbanized Greater Palm Springs region. The current lack of natural habitat in the area's matrix of urban development and golf courses highlights the significant value of the Preserve for fish and wildlife. Restoration of native vegetation communities in the Preserve will improve the wildlife corridor function of Tahquitz Creek between the San Jacinto Mountains and the Sonoran Desert. Many species, including local Sonoran Desert species and migratory bird species on the Pacific Flyway, stand to benefit from habitat restoration at this location.

B. Pursuant to Public Resources Code section 21080.56, subdivision (b), the CDFW Director concurs with the Lead Agency that the Project may have incidental public benefits, such as public access and recreation.

The Project may have incidental public recreation and education benefits. The Preserve was established on a former golf course that had extensive public access including various bridge crossings and numerous interconnected paved golf cart paths throughout the interior of the Property. In addition, the Property included a perimeter trail that featured unrestricted public access including bike paths, designated equestrian use, and Americans with Disabilities Act (ADA) compliant access.

As part of this Project, and in order to facilitate its restoration and direct visitors away from the Property's central creek corridor where there is sensitive habitat, a small portion of the existing interior golf cart track and most of the perimeter public access trail including some bridges will be either retained or consolidated and repurposed into the existing loop trail on the Preserve. Furthermore, the loop trail will also serve to provide access for monitoring the success of planted vegetation and performing ongoing Project maintenance and management.

Furthermore, interpretive signage will be installed to educate and bring awareness to the public on the ecological value of desert habitats and special-status species and prevent trampling and illicit use of the restored habitat in the Preserve. Additionally, re-establishment of native desert vegetation communities will result in increased aesthetic values, wildlife-viewing, and outdoor educational opportunities.

C. Pursuant to Public Resources Code section 21080.56, subdivision (c), the CDFW Director concurs with the Lead Agency that the Project will result in long-term net benefits to climate resiliency, biodiversity, and sensitive species recovery, and includes procedures and ongoing management for the protection of the environment.

Long-term Net Benefits to Climate Resiliency: The Project's improvements to the Preserve will contribute to regional climate resiliency through its functions as a wildlife corridor, thermal refuge, and unobstructed floodplain. Tahquitz Creek connects the desert valley floor to the cooler elevations of the San Jacinto Mountains and facilitates wildlife movement and the flow of biological and non-biological subsidies between ecosystems, including nearby conserved land within the CVMSHCP/NCCP. As the climate warms, generalist species will have access to higher elevations along the creek corridor. Connectivity also facilitates genetic flow between populations that is necessary for genetic diversity, which confers resilience and redundancy so that species are better able to bounce back from climate variability. Furthermore, the establishment of native palm oasis habitat on former golf course water features will increase shade, shelter, and food web connections for native species as the climate becomes hotter and drier. The Project would also result in water sources to sustain wildlife and attenuate impacts of climate change and drought. In addition, Tahquitz Creek will be better able to interact with its floodplain on the Property. The ecological restoration of the Property will protect and maintain the Property's floodplain services, including attenuating and absorbing floodwaters.

Long-term Net Benefits to Biodiversity: The Project will involve restoration to establish three habitat types (Sonoran creosote bush scrub, desert dry wash woodland, and desert fan palm oasis) that will support a variety of taxa including invertebrates, birds,

mammals, and reptiles in the Coachella Valley. The Preserve already supports a high diversity of species, but the Project's restoration of native habitats will make it an essential refuge for native desert species that have been isolated due to habitat fragmentation caused by urbanization and for generalist species that utilize multiple ecosystems. CDFW's Areas of Conservation Emphasis dataset classifies the area containing the Preserve as 'high' for terrestrial biodiversity, indicating that it has high native species richness, rare species richness, and occurrence of endemic species. Elevated biodiversity in the area is due to the proximity to the San Jacinto Mountains, conserved land under the CVMSHCP/NCCP, and interconnectivity via alluvial creeks such as Tahquitz Creek. In particular, predatory animals that rely on broad home ranges, such as bobcats (*Lynx rufus*) and coyotes (*Canis latrans*), use such creek corridors. Furthermore, the Project will restore native vegetation species, including water-adjacent plants such as desert willows (*Chilopsis linearis*) and California fan palm (*Washingtonia filifera*), and support a variety of native desert wildlife and migratory species, including those moving between the mountains and the valley floor via Tahquitz Creek and migratory bird species on the Pacific Flyway.

Long-term Net Benefits to Sensitive Species Recovery: Restoration of the Preserve and creating valley floor desert habitats and enhanced connectivity will result in long-term net benefits and assist in the recovery of at least 19 sensitive animal species. Among these are nine Covered Species under the CVMSHCP/NCCP: burrowing owl (*Athene cunicularia*), Crissal thrasher (*Toxostoma crissale*), least Bell's vireo (*Vireo bellii pusillus*), summer tanager (*Piranga rubra*), yellow-breasted chat (*Icteria virens*), yellow warbler (*Setophaga petechia*), Palm Springs pocket mouse (*Perognathus longimembris bangsi*), Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), and western yellow bat (*Lasiurus xanthinus*).The western yellow bat, a Species of Special Concern, will have a moderate to high probability of roosting within the Project site. In addition, the Project will create habitat opportunities for other special status mammals, including the pallid San Diego pocket mouse (*Chaetodipus fallax pallidus)*. Furthermore, the Project will create habitat for an estimated 12 special status bird species, including the State and federally endangered least Bell's vireo. The Project will also create suitable habitat for insects such as the Monarch butterfly (*Danaus plexippus* pop. 1) and federally endangered Casey's June beetle (*Dinacoma caseyi*). In addition, rare plants currently not found on the Preserve that may be supported by the Project's habitat restoration measures include locally endemic species such as the Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*) and Payson's jewelflower (*Caulanthus simulans*).

Procedures for the Protection of the Environment: The Project is designed to minimize disturbance and includes additional procedures to protect the environment. The ground disturbing activities are limited to removal of turf grass and holes dug for native container stock and signage. Vegetation planting is expected to occur during the fall and winter months, which will minimize transplantation shock and reduce impacts to nesting birds. However, if planting should occur outside this timeframe, nesting bird surveys and buffers will be established as needed. The Project's Biological Resources Assessment includes additional avoidance and minimization measures for special-

status plants and animals, preconstruction surveys for burrowing owls roosting bat surveys, and worker environmental awareness training.

Ongoing Management for the Protection of the Environment: OLT, the landowner, will monitor, maintain, and conserve the Preserve in perpetuity. The Project includes a Long-Term Management Plan that contains provisions for hiring a Preserve Manager, removing invasive vegetation, limiting the impacts of illicit public use on wildlife, and monitoring the success of planted vegetation. Monitoring metrics will be described in an in-progress Performance Monitoring Plan and will include, but are not limited to, vegetation health (survival and cover), wildlife usage (richness and diversity of species and bird counts), and impacts of public use on the ecological restoration goals of the Project.

Long-term stewardship will be financially supported in part by a robust OLT fundraising plan and an endowment that OLT is currently establishing.

D. Pursuant to Public Resources Code section 21080.56, subdivision (d), the CDFW Director concurs with the Lead Agency that the Project does not include any construction activities, except those solely related to habitat restoration.

The Project's construction activities are limited to demolition of the golf cart pathways. Pathway demolition will be completed solely for habitat restoration purposes and will restrict any existing public access to the Preserve's perimeter and redirect visitors away from the Tahquitz Creek corridor and restored habitats.

Scope and Reservation of Concurrence

This Concurrence is based on the proposed Project as described by the Lead Agency Determination and the Request. If there are any subsequent changes to the Project that affect or otherwise change the Lead Agency Determination, the Lead Agency, or any other public agency that proposes to carry out or approve the Project, shall submit a new lead agency determination and request for concurrence from CDFW pursuant to Public Resources Code section 21080.56. If any other public agency proposes to carry out or approve the Project subsequent to the effective date of this Concurrence, this Concurrence shall remain in effect and no separate concurrence from CDFW shall be required so long as the other public agency is carrying out or approving the Project as described by the Lead Agency Determination and the Request.

Other Legal Obligations

The Project shall remain subject to all other applicable federal, state, and local laws and regulations, and this Concurrence shall not weaken or violate any applicable environmental or public health standards. (Pub. Resources Code, § 21080.56, subd. (f).)

CDFW Director's Certification

By:_____ Date: 11/8/23

Charlton H. Bonham, Director
California Department of Fish and Wildlife