

Appendix C: Biological Resources Supporting Information

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C.1 - Biological Resources Assessment

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**Biological Resources Assessment
Barton Road Logistics Facility Project
City of Colton, San Bernardino County, California**

Prepared for:

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SECTION 1: INTRODUCTION

At the request of the City of Colton, FirstCarbon Solutions (FCS) conducted a Biological Resources Assessment to document the existing biological conditions and analyze any potential impacts to biological resources within a proposed project site located at 21700 Barton Road, 275 De Berry Street, 280 De Berry Street, and 375 De Berry Street in the City of Colton in San Bernardino County, California.

Analysis of the biological resources associated with the project site or having the potential to occur on-site began with a thorough review of relevant literature followed by a field review to determine presence/absence, evaluate potential to occur based on suitable habitats, and analyze potential impacts to special-status species or other sensitive biological resources. The purpose of this assessment is to describe on-site vegetation communities, identify potentially jurisdictional waters of the United States, and assess the potential for special-status plant and wildlife species to occur within the project site.

1.1 - Project Site Location and History

Regional Location

The City of Colton is in southwestern San Bernardino County, California, approximately 57 miles east of Los Angeles, in the Inland Empire region of Southern California (Exhibit 1). The City is bordered to the east by the City of San Bernardino and the City of Loma Linda; to the south by the City of Grand Terrace, the City of Riverside, and unincorporated Riverside County; to the west by the City of Rialto; and to the north by the City of San Bernardino. The planning area of the City of Colton, which includes the city boundary and sphere of influence, encompasses 18 square miles. The City is historically known for its industrial land uses and as a hub for major railroads. The City is known as Hub City due to the presence of rail yards for the Union Pacific Railroad (formerly Southern Pacific Railroad). The BNSF Railway (formerly Burlington Northern and Santa Fe Railway) also has a line that runs through the City and terminates at the BNSF rail yard in San Bernardino. Major highway networks, including Interstate 10 (I-10) and Interstate 215 (I-215), provide regional access to the site.

Local Setting

The project site is approximately 43.85 acres and is part of a larger 53.15-acre site. The remaining 9.3 acres are located at 280 De Berry Street. The existing 125,801-square-foot cold storage warehouse at 280 De Berry Street will remain in operation, with only access improvements proposed as part of the project (Exhibit 2). Embedded within the project site is a groundwater well site located at the northeast corner of Barton Road and South Terrace Avenue. This site is not a part of the proposed project. The project site is within the southwestern portion of the City of Colton and borders the boundary of the City of Grand Terrace on the east, north, and northwest portions of the site. The site is roughly bound by the I-215 to the south and southeast, industrial and commercial uses to the east, Walnut Avenue to the north, and South Terrace Avenue to the west. Local access to the site is provided by Barton Road, which connects to the I-215 approximately 2,000 feet northeast of the site and intersects with South La Cadena Drive at its terminus to the west of the site. The expected

primary truck access point to freeways would be from the I-215 at the Barton Road interchange and potentially from the I-215 at the La Cadena Drive interchange.

1.2 - Project Description

The project applicant, EBS Realty Partners, proposes to redevelop the northerly 43.85 acres of a 53.15-acre site designated as Light Industrial within the Light Industrial (M-1) District in the City of Colton (Exhibit 3). The site is the former location of the Stater Bros. Markets headquarters and warehousing/distribution campus and consists of six industrial buildings and one office building situated on 13 legal lots. The project site is currently developed with three buildings north of Barton Road and three buildings south of Barton Road. The site also contains a large vacant lot southeast of the intersection of South Terrace Avenue and Barton Road. The proposed project would include the demolition of four industrial buildings and the office building, as well as the construction of two state-of-the-art speculative concrete tilt-up industrial warehouse logistics facilities. The existing building located at 280 De Berry Street would remain in place. Site improvements would be limited to the drive approach and drive aisle, including the relocation of an existing guard shack. No improvements to the building on this parcel are anticipated.



Source: Census 2000 Data, The CaSIL

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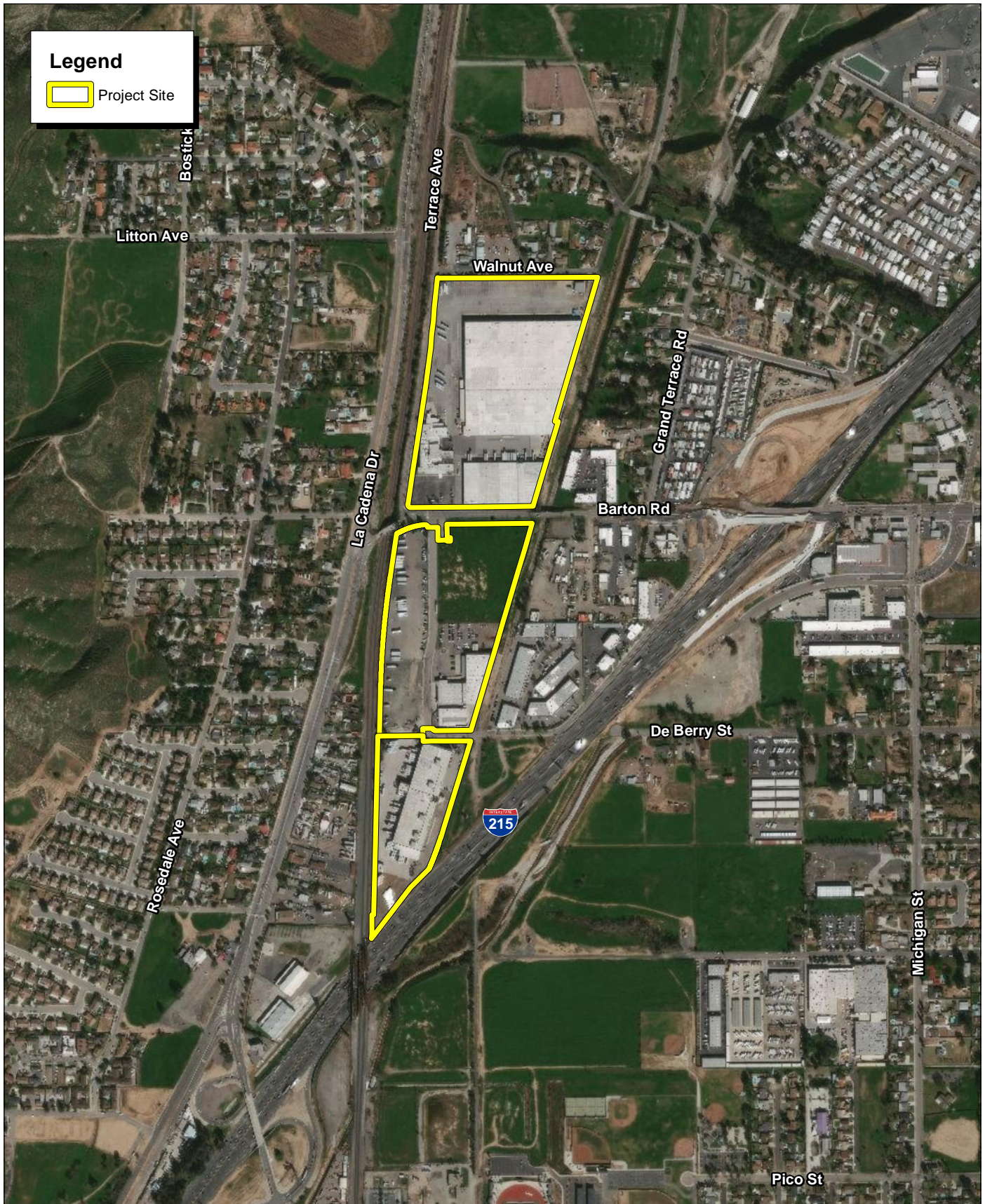
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Exhibit 1 Regional Location Map

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CITY OF COLTON
BARTON ROAD LOGISTICS CENTER
BIOLOGICAL RESOURCES ASSESSMENT

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Source: ESRI Aerial Imagery.



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SECTION 2: REGULATORY SETTING

2.1 - Federal

2.1.1 - Federal Endangered Species Act

The United States Fish and Wildlife Service (USFWS) has jurisdiction over species listed as threatened or endangered under the Federal Endangered Species Act (FESA). Section 9 of FESA protects listed species from “take,” which is broadly defined as actions taken to “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to engage in any such conduct.” FESA protects threatened and endangered plants and animals and their critical habitat. Candidate species are those proposed for listing; these species are usually treated by resource agencies as if they are actually listed during the environmental review process. Procedures for addressing impacts to federally listed species follow two principal pathways, both of which require consultation with the USFWS, which administers the FESA for all terrestrial species. The first pathway is the Section 10(a) incidental take permit, which applies to situations where a non-federal government entity must resolve potential adverse impacts to species protected under FESA. The second pathway is Section 7 consultation, which applies to projects directly undertaken by a federal agency or private projects requiring a federal permit or approval.

2.1.2 - Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the Fish and Game Code. All raptors and their nests are protected from take or disturbance under the MBTA (16 United States Code [USC] § 703, *et seq.*) and California statute (Fish and Game Code [FGC] § 3503.5). The golden eagle (*Aquila chrysaetos*) and bald eagle (*Haliaeetus leucocephalus*) are also afforded additional protection under the Eagle Protection Act, amended in 1973 (16 USC § 669, *et seq.*) and the Bald and Golden Eagle Protection Act (16 USC §§ 668–668d).

2.1.3 - Clean Water Act

Section 404

The United States Army Corps of Engineers (USACE) administers Section 404 of the federal Clean Water Act (CWA), which regulates the discharge of dredge and fill material into waters of the United States. The USACE has established a series of nationwide permits that authorize certain activities in waters of the United States if a proposed activity can demonstrate compliance with standard conditions. Normally, the USACE requires an individual permit for an activity that will affect an area equal to or in excess of 0.5 acre of waters of the United States. Projects that result in impacts to less than 0.5 acre can normally be conducted pursuant to one of the nationwide permits, if consistent with the standard permit conditions. The USACE also has discretionary authority to require an Environmental Impact

Statement for projects that result in impacts to an area between 0.1 and 0.5 acre. Use of any nationwide permit is contingent on the activities having no impacts to endangered species.

Section 401

As stated in Section 401 of the CWA, “any applicant for a federal permit for activities that involve a discharge to waters of the State, shall provide the federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the Federal Clean Water Act.” Therefore, before the USACE will issue a Section 404 permit, applicants must apply for and receive a Section 401 Water Quality Certification from the Regional Water Quality Control Board (RWQCB).

2.2 - State

2.2.1 - CEQA Guidelines

The following California Environmental Quality Act (CEQA) Guidelines serve as thresholds of significance for determining the potential impacts to the biological resources identified in this report:

- Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as being a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or USFWS.
- Has a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by CDFW or USFWS.
- Has a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interferes substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impedes the use of native wildlife nursery sites.
- Conflicts with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflicts with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan.

2.2.2 - California Endangered Species Act

The State of California enacted the California Endangered Species Act (CESA) in 1984. CESA is similar to FESA but pertains to State-listed endangered and threatened species. CESA requires State agencies to consult with the CDFW when preparing CEQA documents. The purpose is to ensure that the State lead agency actions do not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of habitat essential to the continued existence of those species if there are reasonable and prudent alternatives available (FGC § 2080). CESA directs

agencies to consult with CDFW on projects or actions that could affect listed species, directs CDFW to determine whether jeopardy would occur, and allows CDFW to identify “reasonable and prudent alternatives” to the project consistent with conserving the species. CESA allows CDFW to authorize exceptions to the State’s prohibition against take of a listed species if the “take” of a listed species is incidental to carrying out an otherwise lawful project that has been approved under CEQA (FGC § 2081).

2.2.3 - California Fish and Game Code

Under CESA, the CDFW has the responsibility for maintaining a list of endangered and threatened species (FGC § 2070). Sections 2050 through 2098 of the Fish and Game Code outline the protection provided to California’s rare, endangered, and threatened species. Section 2080 of the Fish and Game Code prohibits the taking of plants and animals listed under the CESA. Section 2081 established an incidental take permit program for State-listed species. The CDFW maintains a list of “candidate species,” which it formally notices as being under review for addition to the list of endangered or threatened species.

In addition, the Native Plant Protection Act of 1977 (NPPA) (FGC § 1900, *et seq.*) prohibits the taking, possessing, or sale within the State of any plants with a State designation of rare, threatened, or endangered (as defined by CDFW). An exception to this prohibition in the NPPA allows landowners, under specified circumstances, to take listed plant species, provided that the owners first notify the CDFW and give the agency at least 10 days to come and retrieve (and presumably replant) the plants before they are plowed under or otherwise destroyed. Fish and Game Code Section 1913 exempts from “take” prohibition “the removal of endangered or rare native plants from a canal, lateral ditch, building site, or road, or other right of way.” Project impacts to these species are not considered significant unless the species are known to have a high potential to occur within the area of disturbance associated with construction of the proposed project.

The CDFW also maintains lists of “Species of Special Concern” that serve as species “watch lists.” The CDFW has identified many Species of Special Concern. Species with this status have limited distribution or the extent of their habitats has been reduced substantially, such that their populations may be threatened. Thus, their populations are monitored, and they may receive special attention during environmental review. While they do not have statutory protection, they may be considered rare under CEQA and thereby warrant specific protection measures.

Sensitive species that would qualify for listing but are not currently listed are afforded protection under CEQA. CEQA Guidelines Section 15065 (Mandatory Findings of Significance) requires that a substantial reduction in numbers of a rare or endangered species be considered a significant effect. CEQA Guidelines Section 15380 (Rare or Endangered Species) provides for the assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the California Native Plant Society’s (CNPS’s) Lists 1A, 1B, and 2 would typically be considered under CEQA.

Sections 3500 to 5500 of the Fish and Game Code outline protection for fully protected species of mammals, birds, reptiles, amphibians, and fish. Species that are fully protected by these sections may not be taken or possessed at any time. The CDFW cannot issue permits or licenses that

authorize the take of any fully protected species, except under certain circumstances such as scientific research and live capture and relocation of such species pursuant to a permit for the protection of livestock.

Under Section 3503.5 of the Fish and Game Code, 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 except as otherwise provided by this code or any regulation adopted pursuant thereto. To comply with the requirements of CESA, an agency reviewing a proposed project within its jurisdiction must determine whether any State-listed endangered or threatened species may be present in the project study area and determine whether the proposed project will have a potentially significant impact on such species. In addition, the CDFW encourages informal consultation on any proposed project that may impact a candidate species.

Project-related impacts to species on the CESA endangered or threatened list would be considered significant. State-listed species are fully protected under the mandates of CESA. “Take” of protected species incidental to otherwise lawful management activities may be authorized under Fish and Game Code Section 206.591. Authorization from the CDFW would be in the form of an Incidental Take Permit.

Section 1602 of the Fish and Game Code requires any entity to notify the CDFW before beginning any activity that “may substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of any river, stream, or lake” or “deposit debris, waste, or other materials that could pass into any river, stream, or lake.” “River, stream, or lake” includes waters that are episodic and perennial, and ephemeral streams, desert washes, and watercourses with a subsurface flow. A Lake or Streambed Alteration Agreement will be required if the CDFW determines that project activities may substantially adversely affect fish or wildlife resources through alterations to a covered body of water.

2.2.4 - California Porter-Cologne Water Quality Control Act

The RWQCB regulates actions that would involve “discharging waste, or proposing to discharge waste, within any region that could affect the water of the state” (Water Code § 13260[a]), pursuant to provisions of the Porter-Cologne Water Quality Act. “Waters of the State” are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (Water Code § 13050[e]).

2.2.5 - California Department of Fish and Wildlife Species of Concern

In addition to formal listing under FESA and CESA, species receive additional consideration by the CDFW and local lead agencies during the CEQA process. Species that may be considered for review are included on a list of “Species of Special Concern,” developed by the CDFW. It tracks species in California whose numbers, reproductive success, or habitat may be threatened. In addition to Species of Special Concern, the CDFW identifies animals that are tracked by the California Natural Diversity Database (CNDDB) but warrant no federal interest and no legal protection. These species are identified as California Special Animals.

2.2.6 - California Native Plant Society

The CNPS maintains a rank of plant species native to California that has low population numbers, limited distribution, or are otherwise threatened with extinction. This information is published in the CNPS Inventory of Rare and Endangered Vascular Plants of California. Potential impacts to populations of CNPS ranked plants receive consideration under CEQA review. The following identifies the definitions of the CNPS ranks:

- **Rank 1A:** Plants presumed Extinct in California
- **Rank 1B:** Plants Rare, Threatened, or Endangered in California and elsewhere
- **Rank 2:** Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere
- **Rank 3:** Plants about which we need more information—A Review List
- **Rank 4:** Plants of limited distribution—A Watch List

All plants appearing on CNPS List 1 or 2 are considered to meet the CEQA Guidelines Section 15380 criteria. While only some of the plants ranked 3 and 4 meet the definitions of threatened or endangered species, the CNPS recommends that all Rank 3 and Rank 4 plants be evaluated for consideration under CEQA.

2.2.7 - Habitat Conservation Plan

The project site is not subject to any adopted Habitat Conservation Plan and is therefore subject to regulation by local, State, and federal laws on a case-by-case basis. As there is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan applicable to the project site, no impact would occur in this regard, and as such, no additional requirements of mitigation measures are recommended.

2.2.8 - Regional and Local

If deemed applicable, the proposed project will be required to comply with local and regional ordinances and regulations. Specially, the following:

Colton Municipal Code

- **Chapter 12.20:** Tree protection, removal and preservation

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SECTION 3: METHODS

3.1 - Literature Review

The literature review provides a baseline from which to evaluate the biological resources potentially occurring on the project site, as well as within the surrounding area.

3.1.1 - Existing Documentation

As part of the literature review, an FCS Biologist examined existing environmental documentation for the project site and local vicinity. This documentation included biological studies for the area; literature pertaining to habitat requirements of special-status species potentially occurring in the project vicinity; and federal register listings, protocols, and species data provided by the USFWS and CDFW. These and other documents are listed in the references section of this report.

3.1.2 - Topographic Maps and Aerial Photographs

An FCS Biologist reviewed current United States Geological Survey (USGS) 7.5-minute topographic quadrangle maps and aerial photographs as a preliminary analysis of the existing conditions within the project site and immediate vicinity. Information obtained from the review of the topographic maps included elevation range, general watershed information, and potential drainage feature locations (USGS 1986). Aerial photographs provide a perspective of the most current site conditions relative to on-site and off-site land use, plant community locations, and potential locations of wildlife movement corridors.

3.1.3 - Soil Surveys

The United States Department of Agriculture (USDA) has published soil surveys that describe the soil series (i.e., group of soils with similar profiles) occurring within a particular area (USDA 1980). These profiles include major horizons with similar thickness, arrangement, and other important characteristics. These series are further subdivided into soil mapping units that provide specific information regarding soil characteristics. Many special-status plant species have a limited distribution based exclusively on soil type. Therefore, pertinent USDA soil survey maps were reviewed to determine the existing soil mapping units within the project site and to establish if soil conditions on-site are suitable for any special-status plant species (Web Soil Survey [WSS] 2019).

3.1.4 - Special-Status Species Database Search

An FCS Biologist compiled a list of threatened, endangered, and otherwise special-status species previously recorded within the general project vicinity (Appendix C). The list was based on a search of the CDFW CNDDDB (CDFW 2020), a special-status species and plant community account database, and the CNPS Electronic Inventory (CNPSEI) of Rare and Endangered Vascular Plants of California database (CNPS 2020) for the *San Bernardino South, California* USGS 7.5-minute topographic quadrangle map.

The CNDDB Biogeographic Information and Observation System database (BIOS 5) was used to determine the distance between known recorded occurrences of special-status species and the project site (CDFW 2020).

3.1.5 - Trees

Prior to conducting the reconnaissance-level survey, FCS Biologists reviewed applicable City ordinances pertaining to tree preservation and protective measures and the tree replacement conditions or permit requirements. Species listed in any applicable ordinances identified on-site were noted and the location was recorded using a handheld GPS unit and identified on a topographic map.

3.1.6 - Jurisdictional Waters and Wetlands

Prior to conducting the reconnaissance-level survey, FCS biologists reviewed USGS topographic maps and aerial photography to identify any potential natural drainage features and water bodies. In general, all surface drainage features identified as blue-line streams on USGS maps and linear patches of vegetation are expected to exhibit evidence of flows and considered potentially subject to state and federal regulatory authority as “waters of the United States and/or State.” A preliminary assessment was conducted to determine the location of any existing drainages and limits of project-related grading activities, to aid in determining if a formal delineation of waters of the United States or State is necessary.

3.2 - Field Survey

FCS Biologist Alec Villanueva conducted the reconnaissance-level field survey on February 28, 2020, from 8:15 a.m. to 12:00 p.m. The reconnaissance-level survey was conducted on foot during daylight hours. Weather conditions during the field survey were sunny to partly cloudy. The objective of the survey was not to extensively search for every species occurring within the project site, but to ascertain general site conditions and identify potentially suitable habitat areas for various special-status plant and wildlife species. Special-status or unusual biological resources identified during the literature review were ground-truthed during the reconnaissance-level survey for mapping accuracy. Special attention was paid to sensitive habitats and areas potentially supporting special-status floral and faunal species.

3.2.1 - Vegetation

Common plant species observed during the reconnaissance-level survey were identified by visual characteristics and morphology in the field and recorded in a field notebook. Uncommon and less familiar plants were identified off-site with the use of taxonomical guides, such as Clarke et al. (2007), Hitchcock (1971), McAuley (1996), and Munz (1974). Taxonomic nomenclature used in this study follows Baldwin et al. (2012). Common plant names, when not available from Baldwin et al. (2012), were taken from other regionally specific references. Vegetation types and boundaries were noted on aerial photographs and through field observation and digitized using Esri ArcGIS software® ArcMap 10.0. By incorporating collected field data and interpreting aerial photography, a map of habitat types, land cover types, and other biological resources within the project site was prepared.

Habitat types were based on the classification system from Mayer et al. (1988). Vegetation community and land cover types used to help classify habitat types are based on Sawyer et al. (2009) and cross-referenced with the CDFW's California Natural Diversity Database (CDFW 2020).

3.2.2 - Wildlife

Wildlife species detected during the reconnaissance-level survey by sight, calls, tracks, scat, or other signs were recorded in a field notebook. Notations were made regarding suitable habitat for those special-status species determined to potentially occur within the project site (CDFW 2020). Appropriate field guides were used to assist with species identification during surveys, such as Peterson (2010), Reid (2006), and Stebbins (2003).

3.2.3 - Wildlife Movement Corridors

Wildlife movement corridors link areas of suitable wildlife habitats that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. Urbanization and the resulting fragmentation of open space areas create isolated "islands" of wildlife habitats, forming separated populations. Corridors act as an effective link between populations.

The project site was evaluated for evidence of a wildlife movement corridor during the reconnaissance-level survey. The focus of this evaluation was to determine if the proposed change in land use at the project site may have significant impacts on the regional movement of wildlife. Conclusions were made based on the information compiled during the literature review, including aerial photographs, USGS topographic maps and resource maps for the vicinity, the field survey conducted, and professional knowledge of desired topography and resource requirements for wildlife potentially utilizing the project site and vicinity.

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SECTION 4: RESULTS

4.1 - Environmental Setting

The project site includes six buildings within the following addresses: 21700 Barton Road (three buildings), 275 De Berry Street (one building), 280 De Berry Street (one building), and 375 De Berry Street (one building). The Assessor's Parcel Numbers (APNs) associated with the site include the following:

- APNs 0275-223-23, -44, -45, and -46,
- APNs 1167-051-15, -16, -18, -19, and -20,
- APN 1167-061-06
- APNs 1167-131-03 and -04
- APN 1167-151-03

A large vacant 6.3-acre lot is located at the southeast corner of the intersection of South Terrace Avenue and Barton Road APNs 1167-051-18, -19, and -20). The vacant lot contains dry brush and several trees along the north property line. The vacant parcel shows evidence of periodic mowing and is littered with garbage and other debris.

4.1.1 - Topography

The project site has an average elevation of approximately 940 feet above sea level. The surrounding areas are relatively flat with the La Loma Hills immediately to the west of the project site rising to a maximum elevation of 1,478 feet.

4.1.2 - Soils

The USDA, Natural Resources Conservation Service indicates that the soils on the site consist of Greenfield sandy loam (GtC) at 42.2 acres, Hanford coarse sandy loam (HaC) at 0.45 acre, and Monserate sandy loam (MoC) at 12.17 acres (Exhibit 4).

1. Greenfield series soils consist of deep, well-drained soils that formed in moderately coarse and coarse-textured alluvium derived from granitic and mixed rock sources. Greenfield soils are on alluvial fans and terraces and have slopes of 0 to 30 percent.
2. Hanford series soils consist of very deep, well-drained soils that formed in moderately coarse-textured alluvium dominantly from granite. Hanford soils are on stream bottoms, floodplains, and alluvial fans and have slopes of 0 to 15 percent.
3. Monserate series soils are a member of the fine-loamy, mixed, thermic family of Typic Durixeralfs. Typically, Monserate soils have brown and yellowish red, slightly acid, sandy loam A horizons, reddish-brown, neutral, sandy clay loam B2t horizons underlain by silica-cemented duripans.

4.2 - Vegetation Communities and Land Cover Types

The predominant natural vegetation community in the project area is ruderal/disturbed and urban/developed (Exhibit 5).

4.2.1 - Ruderal/Disturbed—6.42 Acres

Disturbed land is classified as areas that have been physically disturbed (by previous legal human activity) and are no longer recognizable as a native or naturalized vegetation association but continues to retain a soil substrate. Typically, vegetation, if present, is nearly exclusively composed of non-native plant species such as ornamentals or ruderal exotic species that take advantage of disturbance or shows signs of past or present animal usage that removes any capability of providing viable natural habitat for uses other than dispersal. Examples of disturbed land include areas that have been graded, repeatedly cleared for fuel management purposes and/or experienced repeated use that prevents natural revegetation (i.e., dirt parking lots, trails that have been present for several decades), recently graded firebreaks, graded construction pads, construction staging areas, off-road vehicle trails, and old home-sites.

The project site contains approximately 6.42 acres of ruderal/disturbed habitat, mostly concentrated in the vacant parcel located along the northeast corner of South Terrace Avenue and Barton Road. This ruderal habitat is dominated by species including Russian thistle (*Salsola tragus*), telegraph weed (*Heterotheca grandiflora*), sow thistle (*Sonchus oleraceus*), London Rocket (*Sisymbrium irio*), heron's bill (*Erodium* sp.) and castor bean (*Ricinus communis*) as well as non-native annual grasses including wild oat (*Avena* sp.) and foxtail (*Bromus madritensis*).

4.2.2 - Urban/Developed —48.40 Acres

Urban/Developed land is classified as areas that have been constructed upon or otherwise physically altered to an extent that native vegetation is no longer supported and retains no soil substrate. Developed land is characterized by permanent or semi-permanent structures, pavement, or hardscape, and landscaped areas that often require irrigation. Areas where no natural land is evident because of large amount of debris or other materials have been placed upon it may also be considered urban/developed (e.g., car recycling plant, quarry). Characteristic vegetation includes unvegetated or landscaped with a variety of ornamental (usually non-native) plants.

The project site with the exception of the vacant parcel south of Barton Road is almost entirely developed. The project site consists of several warehouse buildings, parking lots, paved roads and loading docks for trucks. Vegetation in these developed areas consists of grass lawns, hedges, and ornamental trees.

4.3 - Wildlife

The vegetation community and land cover types discussed above provide habitat for a number of local wildlife species adapted to human-altered environments. Wildlife activity was low during the field survey and species observed consisted of primarily avian species. The following section is a brief discussions of wildlife species observed within the project site during the field survey, separated into

taxonomic groups. Each discussion contains representative examples of a particular taxonomic group either observed on-site or expected to occur.

4.3.1 - Birds

Wildlife activity at the time of FCS's site visit was low with most of the species observed consisting of avian species. Avian species observed on-site included Anna's hummingbird (*Calypte anna*), house sparrow (*Passer domesticus*), lesser goldfinch (*Spinus psaltria*), northern mockingbird (*Mimus polyglottos*), scrub jay (*Aphelocoma californica*), black phoebe (*Sayornis nigricans*) and white-crowned sparrow (*Zonotrichia leucophrys*). Common raven (*Corvus corvax*), American crow (*Corvus brachyrhynchos*) and red-tailed hawk (*Buteo jamaicanensis*) were observed flying overhead.

4.3.2 - Invertebrates

Insect species observed on-site included honeybees (*Apis mellifera*) as well as tiger swallowtail (*Papilio rutulus*) and painted lady (*Vanessa cardui*) butterflies.

4.3.3 - Reptiles

Western fence lizard (*Sceloporus occidentalis*) was the only reptile observed on-site.

4.3.4 - Mammals

Many small mammal burrows 3 inches or less in diameter were observed in the vacant parcel in the center of the project site (Appendix A). Based on the site of these burrows, FCS Biologists concluded that these burrows are most likely the work of gophers (species of the family *Geomyidae*) based on their size and position. However, the exact species that may inhabit them could not be determined as no other indicators of occupation were observed. The CNDDDB records search do show records of San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Stephen's kangaroo rat (*Dipodomys stephensi*), southern grasshopper mouse (*Onychomys torridus ramona*) and Los Angeles pocket mouse (*Perognathus longimembris brevinasus*) in the vicinity of the project site (CDFW 2020). However, the project site does not contain suitable habitat for any of these species. Additionally, tracks from what appear to be a domestic cat (*Felis catus*) were also observed on site (Appendix A).

4.4 - Trees

The project site contains numerous ornamental trees such as pines (*Pinus* sp.), Mexican fan palm (*Washingtonia robusta*), liquid amber (*Liquidambar styraciflua*), and willows (*Salix* sp.)

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SECTION 5: SENSITIVE BIOLOGICAL RESOURCES

The following section discusses the existing site conditions and potential for special-status biological resources to occur within or near the project site.

5.1 - Special-Status Plant Communities and Critical Habitat

Special-status plant communities are considered sensitive biological resources based on federal, State, or local laws regulating their development, limited distributions, and habitat requirements of special-status plant or wildlife species that occur within them.

The project site does not contain any special-status communities or California Sensitive Natural Communities (CDFW 2020). Impacts to any of these plant communities are considered significant under CEQA.

A search of the USFWS Critical Habitat Mapper revealed that the project does not contain identified critical habitat for any federally listed species (USFWS 2020). The proposed project will have no impacts on any USFWS designated Critical Habitat and there are no designated refuges within the project boundaries.

5.2 - Special-Status Plant Species

The Special-Status Plant Species Table (Appendix B-1) identifies 24 special-status plant species and CNPS sensitive species that have been recorded to occur within the *San Bernardino South, California* topographic quadrangle (USGS 1986), as recorded by the CNDDDB and CNPSEI (CDFW 2020; CNPS 2020). The table also includes the species' status, required habitat, and potential to occur within the project site. The vast majority of special-status plant species recorded in the CNDDDB have been determined unlikely to occur on-site, primarily based on the absence of suitable habitat and no recorded occurrence in the vicinity of the project site, have also been included in the table, in order to justify their exclusion from further discussion.

The majority of the special-status plant species recorded in the CNDDDB and CNPS search queries are typically found growing in chaparral, cismontane woodlands or wetlands, and riparian habitats. None of these habitat types are present on the project site.

Smooth tarplant (*Centromadia pungens* ssp. *laevis*) has potential to occur on the project site. This species has been recorded within 3 miles of the project site. Smooth tarplant has been known to occur to in disturbed habitats such as the vacant lot in the middle of the project site or along the utility easement east of the project site. Vegetation clearing and grading of this area could potentially impact this species. However, the project site lacks suitable alkali meadow/alkali scrub microhabitat in which the species prefers. Thus, the likelihood that this species would be present on-site remains relatively low.

5.3 - Special-Status Wildlife Species

The Special-status Wildlife Species Table (Appendix B.2) identifies 16 federal and State-listed threatened and/or endangered wildlife species and 17 State Species of Special Concern that have been recorded in the CNDDDB (CDFW 2020) as occurring within the *San Bernardino South, California* topographic quadrangle (USGS 1986). The table also includes the species' status, required habitat, and potential to occur within the project site. All special-status wildlife species that have been determined unlikely to occur on-site, primarily based on the absence of suitable habitat and no recorded occurrence in the vicinity of the project site, have also been included in the table to justify their exclusion from further discussion.

The vast majority of special-status wildlife species recorded in the CNDDDB search are unlikely to occur on the project site due to the lack of suitable habitat present. Many of the species recorded in the CNDDDB search are associated with riparian habitat due to the Project's proximity to the Santa Ana River which lies approximately 0.5 mile north of the project site. Species that were recorded but unlikely to occur include, western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), least Bell's vireo (*Vireo bellii pusillus*) and Santa Ana sucker (*Catostomus santaanae*).

Due to the lack of sage scrub habitat within the project site, Coastal California gnatcatcher (*Poliophtila californica californica*), San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Stephens' kangaroo rat (*Dipodomys stephensi*), and Los Angeles pocket mouse (*Perognathus longimembris brevinasus*) are not expected to occur.

Other species recorded in the CNDDDB require very specific conditions such as Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*) and quino checkerspot butterfly (*Euphydryas editha quino*). Delhi Sands flower-loving fly only occurs in areas with specific soil conditions and plant communities which do not occur on the project site, and quino checkerspot requires a select few host plants including, *Plantago erecta* in which to host its larvae.

5.3.1 - Nesting Birds

The many ornamental trees found throughout the project site could provide suitable nesting habitat for birds protected under the MBTA and other special-status birds, including raptors covered by Fish and Game Code Section 3503.5. Mitigation Measure (MM) BIO-1 should be implemented in order to avoid impacts to nesting birds.

5.3.2 - Burrowing Owl

FCS Biologist, Alec Villanueva, walked the entire 6.6-acre vacant parcel using transects to determine the potential for this area of the project site to support burrowing owl (*Athene cunicularia*) (Exhibit 6). The project site does contain marginally suitable habitat for burrowing owl due to the presence of low-growing ruderal vegetation and annual grasses. Many small mammal burrows were observed. However, the vast majority of burrows observed on-site had entrances less than 3 inches in diameter, which is too narrow for burrowing owl to inhabit. (Suitable burrows for burrowing owl should be a minimum of 4-6 inches in diameter.). A single burrow 4 inches or greater in diameter was observed. However, this burrow appeared to be partially collapsed upon closer inspection

(Appendix A). No California ground squirrels (*Otospermophilus beecheyi*) or other small mammals that could have constructed these burrows were observed on-site, however. The lack of suitable burrows does not completely rule out the potential for burrowing owl to occur on-site, although it reduces the likelihood of this species being present. For this reason, pre-construction surveys as outlined in MM BIO-2 should be implemented in order to avoid any potential adverse impact to burrowing owl.

5.4 - Wildlife Movement Corridors

The project site does not contain any creeks, washes, or waterways that provide significant wildlife movement corridors within the greater project vicinity. The site does not contain any prominent features expected to convey wildlife movement, as the vegetation within the site is composed of non-native/invasive species. The project site is bounded by a utility easement to the east which could allow for the movement of wildlife. However, this potential corridor would not be directly affected by the proposed project. Railroad tracks to the west and Interstate 215 (I-215) to the south serve as significant barriers that inhibit the movement of terrestrial wildlife. Additionally, the project site is surrounded by existing roadways and residential development that would impede the movement of terrestrial species.

5.5 - Protected Trees

The project site contains numerous ornamental trees such as pines (*Pinus* sp.), Mexican fan palm (*Washingtonia robusta*), liquid amber (*Liquidambar styraciflua*) and willows (*Salix* sp.). According to the applicant-provided landscape plan, the proposed project would require the removal of all ornamental trees present on the project site, all of which are located on private property. None of these tree species present, are native to the project area or meet the City's definition of a "protected tree."

In the unlikely event that the proposed project would require the removal of any protected tree(s) located on public land or private property, the applicant should seek the appropriate permissions from the City of Colton Public Works Director.

5.6 - Jurisdictional Waters and Wetlands

An assessment of potentially jurisdictional features was conducted as part of the literature review and reconnaissance-level survey for the project site. The project site does not contain any wetlands or other areas designated as waters of the United States and no further studies or regulatory permitting would be required. Therefore, the proposed project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act. As such, potential impacts are not addressed in the impact analysis and recommendations section of this document. Lastly, because no jurisdictional features or riparian habitat are within project boundaries, these potential impacts are not addressed in the impact analysis and recommendations section of this document.

5.7 - Habitat Conservation Plan

The project site does not fall within any adopted Habitat Conservation Plan, regional or local, and will not have to adhere to rules or regulations of any other Habitat Conservation Plan. As such, this topic is not addressed in the impact analysis and recommendations section of this document.



Source: ESRI Aerial Imagery. USDA Soils Data Mart, Southwest San Bernardino.



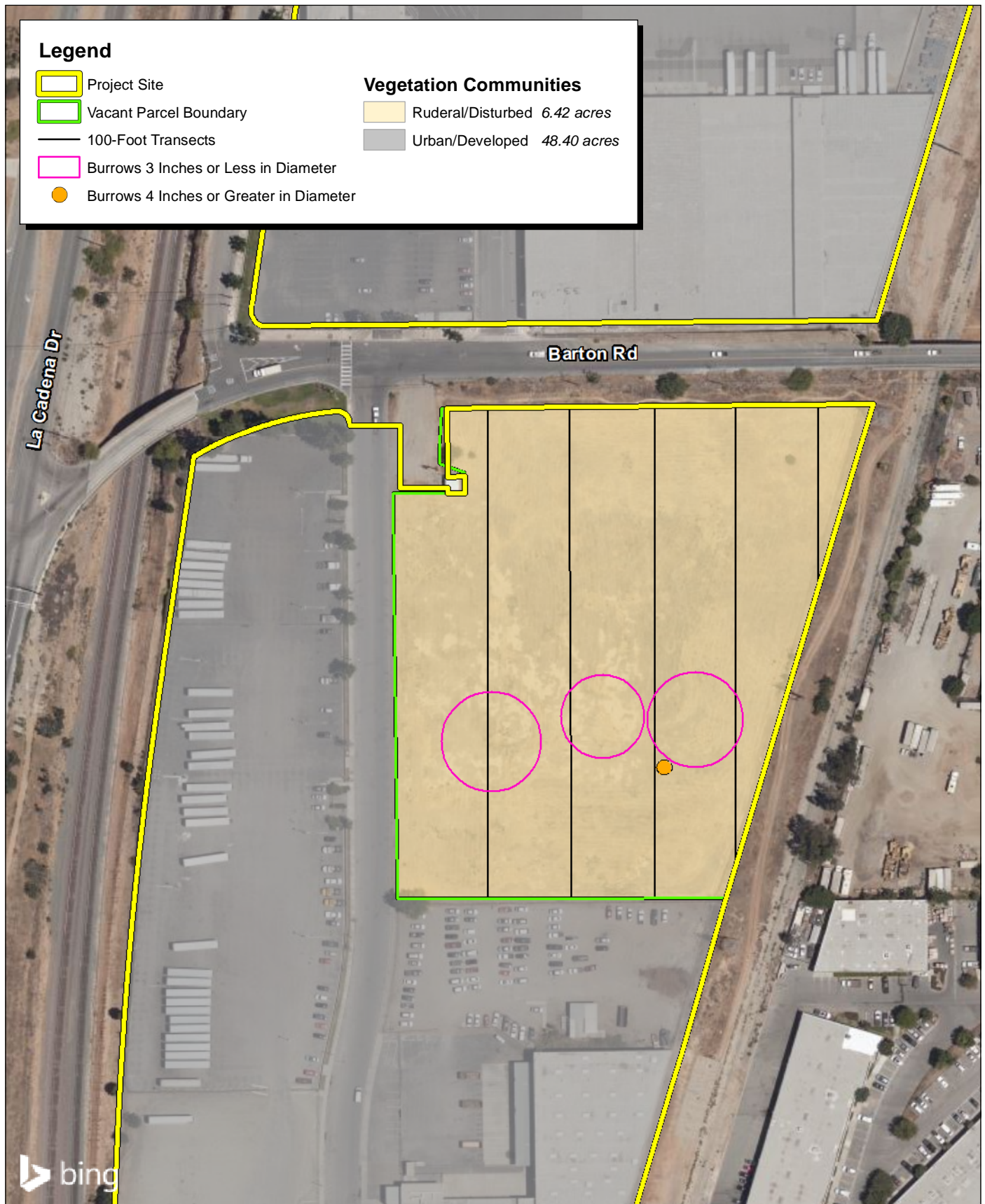
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SECTION 6: IMPACT ANALYSIS AND RECOMMENDATIONS

The following discussion addresses potential impacts to special-status biological resources resulting from the proposed project and recommends mitigation measures, where appropriate, to minimize those impacts to a level of “less than significant” under CEQA.

6.1 - Special-status Plant Species

6.1.1 - Smooth Tarplant

Based on the database search and habitat suitability within the project site for special-status plants, smooth tarplant has the potential to occur within the ruderal vegetation communities found within the project site.

Smooth tarplant has the potential to be directly and indirectly impacted by the proposed project. Construction of the proposed project could result in direct loss of these special-status plant species if it is present. In addition to direct impacts, indirect impacts to special-status plant species could occur through degradation of habitat due to temporary construction impacts, the introduction of invasive or noxious plant species, and increased human activity on the project site attributable to project operations.

MM BIO-1 Smooth Tarplant Protection

Prior to any vegetation removal or ground disturbing activities, a qualified Biologist shall conduct a protocol-level rare plant survey at the appropriate time of year to determine if smooth tarplant is present on the project site in areas of suitable habitat, focusing on the vacant lot in the center of the project and along the utility easement east of the project site. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. With regard to this species, the rare plant surveys should be conducted between April and September to identify the plant during its blooming period. If no smooth tarplant or other special-status plant species are found within the project site, then the project will not have any impacts to the species and no additional mitigation measures are necessary.

If smooth tarplant is documented on the project site, the occurrences shall be flagged prior to construction by a qualified Biologist and avoided to the extent practicable. Impacts shall be minimized through means including, but not limited to, the installation of protective fencing and environmentally sensitive area signage. Additionally, a Worker Environmental Awareness Program (WEAP) shall be implemented to educate construction workers about the presence of special-status species or other sensitive resources, and to instruct them on proper avoidance, required measures and practices for protecting biological resources and contacts and procedures in case species are injured or encountered during construction.

If avoidance is not possible, the qualified Biologist shall develop a plan to salvage seed and topsoil from the project site. The plan shall be implemented prior to construction. Seed or salvaged topsoil will be distributed at a suitable location on site, as determined by a qualified Biologist. If a suitable location on-site is not available, then seeds will be distributed off-site at a nearby location with suitable habitat.

6.1.2 - Nesting Birds

Construction activities that occur during the nesting season (generally March 1 to August 31) would disturb nesting sites for birds protected by the MBTA and Fish and Game Code. Therefore, a pre-construction survey is recommended to locate active nests. If no active nests are found, no further action is necessary. However, it should be noted that activities outside the typical bird breeding season are not precluded from the provisions of the MBTA. For example, hummingbirds (Family *Trochilidae*) are known to nest year-round.

Implementation of the following avoidance and minimization measures would reduce impacts to raptors and other nesting birds:

MM BIO-2 Nesting Bird Protection

To prevent impacts to MBTA-protected birds and their nests by the proposed project, tree removal would be limited to outside the nesting season between September 1 and February 14 and will adhere to the provisions of the City's Tree Preservation Ordinance. If trees cannot be removed outside the nesting season, pre-construction surveys will be conducted 3 days prior to tree removal to verify the absence of active nests.

If an active nest is located during pre-construction surveys, USFWS and/or CDFW (as appropriate) shall be notified regarding the status of the nest. Construction activities shall be restricted as necessary to avoid disturbance of the nest until it is as determined by a qualified Biologist. Restrictions may include the establishment of exclusion zones (no ingress of personnel or equipment at a minimum radius of 100 feet around an active raptor nest and a 50-foot radius around an active migratory bird nest) to help ensure project activities do not cause nest failure and subsequent violations of the MBTA, or alter the construction schedule.

A qualified Biologist will delineate the buffer using Environmentally Sensitive Area (ESA) fencing, pin flags, and/or yellow caution tape. The buffer zone will be maintained around the active nest site(s) until the young have fledged and are foraging independently.

6.1.3 - Burrowing owl

The burrowing owl (BUOW) is a California Species of Special Concern. This species typically utilizes ground squirrel burrows and other animals (e.g. badgers, prairie dog, and kangaroo rat). Marginally suitable roosting and breeding habitat (open land characterized by low-growing vegetation, and

agricultural land) is present in the proposed project area and the species has been documented within 3 miles of the project site. Additionally, the project site shows evidence of small mammal burrows. However, many are too small for BUOW to occupy; as such, there is low potential for burrowing owl to nest on the project site. This species would represent a seasonal constraint to development since burrowing owls would need to be relocated from the property following accepted protocols if found on-site. If the site were to support nesting owls, then areas supporting nesting owls would have to be avoided until the completion of the breeding season (February 1 through August 31). To ensure impacts to burrowing owls are less than significant under CEQA, it is recommended the project applicant implement the following mitigation measures:

MM BIO-3 Burrowing Owl Pre-Construction Surveys

4. No more than 30 days prior to the first ground-disturbing activities, the project applicant shall retain a qualified Biologist to conduct a pre-construction survey of the project site. The survey shall establish the presence or absence of western burrowing owl and/or habitat features and evaluate use by owls in accordance with CDFW survey guidelines.
5. On the parcel where the activity is proposed, the Biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. The survey shall take place near the sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. During the breeding season (February 1–August 31), surveys shall document whether burrowing owls are nesting on or directly adjacent to disturbance areas. During the non-breeding season (September 1–January 31), surveys shall document whether burrowing owls are using habitat on or directly adjacent to any disturbance area. Survey results will be valid only for the season during which the survey is conducted.
6. If burrowing owls are not discovered, further mitigation is not required. If burrowing owls are observed during the pre-construction surveys, the applicant shall perform the following measures to limit the impact on the burrowing owls:
7. Avoidance shall include the establishment of a 160-foot non-disturbance buffer zone. Construction may occur during the breeding season if a qualified Biologist monitors the nest and determines that the birds have not begun egg-laying and incubation, or that the juveniles from the occupied burrows have fledged. During the non-breeding season (September 1–January 31), the project applicant shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a 160-foot non-disturbance buffer zone.
8. If it is not possible to avoid occupied burrows, passive relocation shall be implemented. Owls shall be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The project area shall be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows should be excavated using hand tools and refilled to prevent re-occupation. Plastic tubing or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

6.2 - Protected Trees

Should the project require the removal of any protected trees defined by Chapter 12.20 of the Colton Municipal Code, the applicant should seek the appropriate permissions from the City of Colton Public Works Director.

SECTION 7: CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present data and information required for this Biological Resources Assessment and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Date: June 1, 2020

Signed:



Alec Villanueva, Biologist
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650 East Hospitality Lane, Suite 125
San Bernardino, CA 92408

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SECTION 8: REFERENCES

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Appendix A: Site Photographs

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Photograph 1: Interior of project site looking north from the corner of Barton Road and South Terrace Avenue



Photograph 2: Interior of project site looking south from the corner of Barton Road and South Terrace Avenue



Photograph 3: Interior of project site looking east from the corner of Barton Road and South Terrace Avenue



Photograph 4: Interior of project site looking west from the corner of Barton Road and South Terrace Avenue



Photograph 5: Vacant parcel looking east.



Photograph 6: Vacant parcel looking north.



Photograph 7: Vacant parcel looking south.



Photograph 8: Vacant parcel looking west.



Photograph 9: Typical burrow (diameter <3”) observed in vacant parcel



Photograph 10: Small burrow cluster



Photograph 11: Burrow (diameter >4”) partially collapsed



Photograph 12: Tracks mostly likely from feral cat (*Felis catus*)



Photograph 13: Interior of project site looking north from the corner of South Terrace Avenue and De Berry Street



Photograph 14: Interior of project site looking east from the corner of South Terrace Avenue and De Berry Street



Photograph 15: Interior of project site looking south from the corner of South Terrace Avenue and De Berry Street



Photograph 16: Northern boundary of project site looking south.



Photograph 17: Northeastern boundary of project site looking south.



Photograph 18: Eastern boundary of project site looking north.



Photograph 19: Eastern boundary of project site looking south.



Photograph 20: Eastern boundary of project site looking west



Photograph 21: Western boundary of project site looking north.



Photograph 22: Western boundary of project site looking south.



Photograph 23: Western boundary of project site looking west



Photograph 24: Western boundary of project site looking east.

Appendix B:
Sensitive Species Tables

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B.1 - Special-status Plant Species Table

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Table 1: Special-status Plant Species Potentially Occurring within the Project

Scientific Name Common Name	Status			Habitat Description ⁴	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²	CNPS ³			
<i>Arenaria paludicola</i> Marsh sandwort	FE	SE	1B.1	Perennial stoloniferous herb found in marshes and swamps (freshwater or brackish). Bloom period: May – Aug. 3 – 170 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present.	No
<i>Asplenium vespertinum</i> western spleenwort	—	—	4.2	Perennial rhizomatous herb found in chaparral, cismontane woodland and coastal scrub. Bloom period: Feb – June 180 – 1000 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Astragalus hornii</i> Horn's milk-vetch	—	—	1B.1	Annual herb found in meadows, seeps and playas Bloom period: May–Oct. 60–850 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site	No
<i>Carex comosa</i> bristly sedge	—	—	2B.1	Perennial rhizomatous herb found in coastal prairie, marshes and swamps (lake margins), valley and foothill grassland Bloom period: May–Sept. 0–625 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands or grasslands present.	No
<i>Centromadia pungens</i> ssp. <i>laevis</i> Smooth tarplant	—	—	1B.1	Dicot in valley and foothill grassland, chenopod scrub, meadows, playas, and riparian woodland. Prefers alkali meadow, alkali scrub; also in disturbed places. Bloom period: April–Sept. 0–640 m.	Moderate Potential to Occur: Suitable habitat is present due to the species tendency to persist in disturbed habitats, however the lack of alkali meadow/scrub microhabitat reduces the likelihood of species to occur. Has been recorded within 3 miles of the project site.	Yes

Table 1: Special-status Plant Species Potentially Occurring within the Project

Scientific Name Common Name	Status			Habitat Description ⁴	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²	CNPS ³			
<i>Chloropyron maritimum</i> ssp. <i>maritimum</i> Salt marsh bird's beak	FE	SE	1B.2	Dicot annual herb found in coastal dunes, marsh and swamp, salt marsh, and wetlands habitats. Limited to the higher zones of the salt marsh habitat. Bloom period: May–Oct. 0–30 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present.	No
<i>Chorizanthe leptotheca</i> Peninsular spineflower	—	—	4.2	Annual herb found in coastal scrub, chaparral and lower montane coniferous forests. Bloom period: May–Aug. 300–1,900 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	—	—	1B.1	Annual herb found in chaparral, coastal scrub, cismontane woodland, valley and foothill grassland. Bloom period: April–June 275–1,220 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i> Peruvian dodder	—	—	2B.2	Annual parasitic vine found in freshwater swamps and marshes. Bloom period: July–Oct. 15–280 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present.	No
<i>Dodecahema leptoceras</i> Slender-horned spineflower	FE	SE	1B.1	Annual herb found in chaparral, coastal scrub and cismontane woodlands. Bloom period: April–June 200–760 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i> Santa Ana River woollystar	FE	SE	1B.1	Dicot perennial herb found in chaparral and coastal scrub habitat. Prefers sandy soils on river floodplains or terraced fluvial deposits.	Unlikely to Occur: no suitable habitat is present within the Project. Nearest recorded occurrences are found adjacent to the Santa Ana River.	No

Table 1: Special-status Plant Species Potentially Occurring within the Project

Scientific Name Common Name	Status			Habitat Description ⁴	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²	CNPS ³			
				Bloom period: May–Sept. 180–700m.		
<i>Galium californicum</i> ssp. <i>primum</i> Alvin Meadow bedstraw	—	—	1B.2	Perennial herb chaparral lower montane coniferous forest Bloom period: May – July 1350 – 1700 m.	Unlikely to Occur: no suitable habitat is present within the Project. Project site is too low in elevation for species to occur.	No
<i>Helianthus nuttallii</i> ssp. <i>parishii</i> Los Angeles sunflower	—	—	1A	Dicot perennial (<i>rhizomatous</i>) herb found in marshes and swamps, including coastal salt and freshwater. Bloom period: August–Oct. 10–1,675 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present.	No
<i>Horkelia cuneata</i> var. <i>puberula</i> mesa horkelia	—	—	1B.1	Perennial herb found in chaparral, coastal scrub and cismontane woodlands Bloom period: Feb–July 70–810 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson’s pepper-grass	—	—	4.3	Dicot annual herb found in chaparral, coastal scrub. Prefers dry soils and shrubland. Bloom period: January–July 1–855 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Lycium parishii</i> Parish’s desert thorn	—	—	2B.3	Perennial shrub found in coastal scrub and Sonoran Desert scrub. Blooming period: Mar. – Apr. 135 – 1000 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site. Presumed extirpated in local area.	No
<i>Malacothamnus parishii</i> Parish’s bush-mallow	—	—	1A	Perennial deciduous shrub found in chaparral, coastal scrub. Bloom period: June–July 305–455 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No

Table 1: Special-status Plant Species Potentially Occurring within the Project

Scientific Name Common Name	Status			Habitat Description ⁴	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²	CNPS ³			
<i>Monardella pringlei</i> Pringle's monardella	—	—	1A	Annual herb found in coastal scrub with sand soils. Bloom period: May–June 300–400 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Nasturtium gambelii</i> Gambel's water cress	FE	ST	1B.1	Perennial rhizomatous herb found in marshes and swamps (freshwater or brackish) Bloom period: Apr.–Oct. 5–330 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present.	No
<i>Ribes divaricatum</i> var. <i>parishii</i> Parish's gooseberry	—	—	1A	Perennial deciduous shrub found in riparian woodland. Bloom period: Feb. – Apr. 65 – 300 m.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of riparian woodlands present.	No
<i>Senecio aphanactis</i> Chaparral ragwort	—	—	2B.2	Dicot annual herb found in chaparral, cismontane woodland, and coastal scrub habitat. Prefers drying alkaline flats. Bloom period: January–April 15–800m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Sidalcea neomexicana</i> Salt Spring checkerbloom	—	—	2B.2	Dicot perennial herb found in playas, chaparral, coastal scrub, lower montane coniferous forest, Mojave desert scrub. Alkali springs and marshes. Bloom period: March–June 0–1,530m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Sphenopholis obtusata</i> prairie wedge grass	—	—	2B.2	Perennial herb found in cismontane woodlands, meadows and seeps. Bloom period: Apr.–July 300–2,000 m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No

Table 1: Special-status Plant Species Potentially Occurring within the Project

Scientific Name Common Name	Status			Habitat Description ⁴	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²	CNPS ³			
<i>Symphyotrichum defoliatum</i> San Bernardino aster	—	—	1B.2	Dicot perennial herb found in meadows and seeps, marshes and swamps, coastal scrub, cismontane woodland, lower montane coniferous forest, grassland. Prefers vernal mesic grassland or near ditches, streams, and springs; especially disturbed areas. Bloom period: July–November 2–2,040m.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
Code Designations						
¹ Federal Status: 2020 USFWS Listing			² State Status: 2020 CDFW Listing		³ CNPS: 2020 CNPS Listing	
FE = Listed as endangered under the Endangered Species Act FT = Listed as threatened under the Endangered Species Act FC = Candidate for listing (threatened or endangered) under Endangered Species Act FD = Delisted in accordance with the Endangered Species Act — = Not federally listed			SE = Listed as endangered under the California Endangered Species Act ST = Listed as threatened under the California Endangered Species Act SSC = Species of Special Concern as identified by CDFW CFP = Listed as fully protected under FGC CR = Species identified as rare by CDFW — = Not state listed		Rank 1A Plants presumed Extinct in California. Rank 1B Plants Rare, Threatened, or Endangered in California and elsewhere. Rank 2 Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere. Rank 3 Plants about which we need more information—A Review List. Rank 4 Plants of limited distribution—A Watch List. Blooming period: Months in parentheses are uncommon.	
⁴ Habitat description: Habitat description adapted from CNDDB (CDFW 2020) and CNPS online inventory (CNPS 2020).						

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B.2 - Special-status Wildlife Species Table

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Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
Amphibians					
<i>Spea hammondi</i> Western spadefoot	—	— SSC	Occurs primarily in grassland habitats, but can be found in valley-foothill hardwood woodlands. Vernal pools are essential for breeding and egg-laying.	Unlikely to Occur: no suitable foraging or breeding habitat is present within the Project. Nearest recorded occurrences are within 2 miles of the Project.	No
Birds					
<i>Agelaius tricolor</i> Tricolored blackbird	— MBTA	ST SSC	Highly colonial species, most numerous in Central Valley and its vicinity. Requires open water, protected nesting substrate, and foraging area with insect prey in the vicinity of the colony.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present. This species is believed to be extirpated from local area.	No
<i>Aimophila ruficeps canescens</i> Southern California rufous-crowned sparrow	— MBTA	— WL	Resident in southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Artemisiospiza belli belli</i> Bell’s sage sparrow	— MBTA	— WL	Breeds in coastal sagebrush, chaparral, and other open, scrubby habitats in Southern California mountains, deserts and valleys.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Athene cunicularia</i> Burrowing owl	— MBTA	— SSC FGC	Found in open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. A subterranean nester, dependent upon burrowing mammals, most notably the California ground squirrel.	Low Potential to Occur: marginally suitable habitat is present within the project site. Small mammal burrows are present though many are too small for nesting. Nearest recorded occurrence is 3 miles from the Project.	Yes

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
<i>Buteo swainsoni</i> Swainson's hawk	— MBTA	ST FGC	Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations.	Unlikely to Occur: no suitable habitat is present within the Project. This species has been recorded occurrences are within 5 miles of the Project. Species is believed to extirpated from local area for decades.	No
<i>Coccyzus americanus occidentalis</i> Western yellow-billed cuckoo	FT MBTA	SE	Nests in riparian forest along the broad lower flood-bottoms of larger river systems. Found in riparian jungles of willow, often mixed with cottonwoods; understory consists of blackberry, nettles, and wild grape.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of riparian habitat present. This species has been recorded within 5 miles of the project site along the Santa Ana River.	No
<i>Falco columbarius</i> Merlin	— MBTA	— WL	Nests in open and semi-open areas such as grasslands, open forests, and coastal areas as well as in towns and cities. Merlins often take over crow nests in conifers planted in residential areas, schoolyards, parks, and cemeteries. Merlins winter across the western and southern U.S.A, along the Pacific coast up to Alaska.	Low Potential to Occur: suitable nesting habitat is present in the form of ornamental trees. This species has been recorded within 3 miles of the project site (dated 2014).	No
<i>Laterallus jamaicensis coturniculus</i> California black rail	— MBTA	ST FP	Inhabits freshwater marshes, wet meadows, and shallow margins of saltwater marshes bordering larger bays. Requires water depth of about 1 inch that does not fluctuate during the year, and dense vegetation for nesting.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of wetlands present. This species is believed to be locally extirpated.	No
<i>Polioptila californica californica</i> Coastal California gnatcatcher	FT MBTA	— SSC	An obligate, permanent resident of coastal sage scrub below 2,500 ft. in southern California. Requires low, coastal sage scrub in arid washes, on mesas, and slopes.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of coastal sage scrub vegetation.	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
<i>Vireo bellii pusillus</i> Least Bell's vireo	FE MBTA	SE	A summer resident of Southern California. Nests in low riparian habitat in the vicinity of water or in dry river bottoms. Nests placed along margins of bushes or in twigs projecting into pathways, usually willows, coyote bush, mule fat, or mesquite. Occurs below 2,000 feet.	Unlikely to Occur: no suitable riparian habitat is present within the Project. There is one recorded occurrence within 3 miles of the Project (dated 2015).	No
Fish					
<i>Catostomus santaanae</i> Santa Ana sucker	FT	—	Endemic to Los Angeles basin south coastal streams. Are habitat generalists, but prefer sand-rubble-boulder bottoms, cool, clear water, and algae.	No Potential to Occur: The species has been recorded within 1 mile of the Project in the nearby Santa Ana River, however there are no streams or rivers present within the Project to support this species.	No
<i>Gila orcuttii</i> Arroyo chub	—	— SSC	Native to the streams and rivers of the Los Angeles plain in southern California. Arroyo chub are adapted to survive in streams that fluctuate between large winter storm flows, and low summer flows, and the low dissolved oxygen and wide temperature fluctuations. Feeds on plants such as algae and water fern, as well as insects and mollusks.	No Potential to Occur: One recorded occurrence within 1 mile of the Project in the nearby Santa Ana River, however there are no streams or rivers present within the Project to support this species.	No
<i>Oncorhynchus mykiss irideus</i> (pop. 10) Steelhead (southern CA DPS)	FE	—	Habitat needs vary depending on the time in the life cycle. In the freshwater phase, freely flowing, cool, clean, highly oxygenated water is essential. In Southern California there is a winter run occurring January through March. Eggs are hatched in streams with gravel bottoms. Juvenile fish prefer pools with protective debris and a variety of hiding areas. Juveniles ultimately make their way to estuarine waters and to the ocean where they reach maturity.	No Potential to Occur: One recorded occurrence within 1 mile of the Project in the nearby Santa Ana River, however there are no streams or rivers present within the Project to support this species. Believed to be largely extirpated from Santa Ana watershed.	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
Invertebrates					
<i>Bombus crotchii</i> Crotch’s bumble bee	—	CSE	Inhabits grassland and scrub areas, requiring a hotter and drier environment than other bumblebee species, and can only tolerate a very narrow range of climatic conditions. Nests underground, often in abandoned rodent dens.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Euphydryas editha quino</i> quino checkerspot butterfly	FE	—	This species can be found a variety of habitat types including grasslands, coastal sage scrub, chaparral, juniper woodland, semi-desert scrub, as well as desert canyons and washes. This species requires <i>Plantago erecta</i> as a host plant for its larvae.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site and lack of host plant(s).	No
<i>Rhaphiomidas terminatus abdominalis</i> Delhi Sands flower-loving fly	FE	—	Found only in small parts of San Bernardino and Riverside counties, in areas of fine sandy soil, known as Delhi series sands. While formerly widespread, this habitat has been intensively developed in the past century, primarily for agriculture, though more recently for industry and housing. Only an estimated 2-3% of the original habitat remains undeveloped.	Unlikely to Occur: Although this species has been recorded within 2 miles of the project, no suitable habitat is present within the project site due to lack of Delhi series soils and its associated vegetation communities.	No
Mammals					
<i>Dipodomys merriami parvus</i> San Bernardino kangaroo rat	FE	CSE SSC	Found on the gentle slopes of alluvial fans, on flood plains, along washes, and on adjacent upland areas with oft soils in which to dig shallow burrows. SBKR habitat is often is often dominated by alluvial sage scrub, coastal sage scrub or chaparral vegetation.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of soils and vegetation communities preferred by this species. Nearest recorded sighting is 2.5 miles away (dated 2015).	No
<i>Dipodomys stephensi</i> Stephens' kangaroo rat	FE	ST	Found in arid and semi-arid habitats with less than 50% protective cover in Riverside and San Diego Counties. They require soft, well-drained sandy soils for building burrows.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of soils and vegetation communities preferred	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
				by this species. Nearest recorded sighting is 3.5 miles away (dated 1988).	
<i>Eumops perotis californicus</i> Western mastiff bat	—	— SSC	Found in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral. Roosts in crevices in cliff faces, high buildings, trees, and tunnels.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of suitable roosting habitat including abandoned buildings.	No
<i>Lasiurus xanthinus</i> Western yellow bat	—	— SSC	Prefers open habitats or habitat mosaics, with access to trees for cover, and open areas or habitat edges for feeding. Roosts in dense foliage of medium-to-large trees. Feeds primarily on moths. Requires a water source nearby.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of suitable roosting habitat including abandoned buildings.	No
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	—	— SSC	Occurs primarily in arid regions with short grass including open grasslands, agricultural fields, and sparse coastal scrub. Nests under bushes or shrubs that have shallow depressions.	Unlikely to Occur: project site contains marginally suitable habitat within central vacant field, however high level of disturbance and man-made barriers make this species unlikely to occur. Nearest recorded sighting is over 2.5 miles from the Project (dated 1995).	No
<i>Nyctinomops femorosaccus</i> Pocketed free-tailed bat	—	— SSC	Found in a variety of arid areas in southern California; pine-juniper woodlands, desert scrub, palm oasis, desert wash, or desert riparian habitat. Prefers rocky areas with high cliffs.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of suitable roosting habitat including abandoned buildings.	No
<i>Onychomys torridus ramona</i> southern grasshopper mouse	—	— SSC	Nest in small burrows dug into the ground, often occupying deserted burrows other rodents. Grasshopper mice are found in low elevation shortgrass prairies, and desert scrub. They maintain a home range of two-three hectares and are found in low densities.	Unlikely to Occur: no suitable habitat within the Project due to the disturbed/developed state of the project site. Nearest recorded sighting is over 1.5 miles from the Project (dated 1923).	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	—	— SSC	Suitable habitat for the LAPM includes Riversidean sage scrub, coastal sage scrub, Riversidean alluvial fan sage scrub, desert scrub, chaparral and grasslands, often adjacent to playas, vernal pools and sandy washes.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of soils and vegetation communities preferred by this species. Nearest recorded sighting is 2 miles away (dated 2000).	No
<i>Taxidea taxus</i> American badger	—	— SSC	Found in drier open stages of most shrub, forest, and herbaceous habitats with friable soils. Requires sufficient food sources (rodents), friable soils, and open, uncultivated ground. Digs large burrows.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site. Nearest recorded sighting is over 2 miles from the Project (dated 1908).	No
Reptiles					
<i>Anniella stebbinsi</i> southern California legless lizard	—	— SSC	Found in coastal sand dunes and a variety of interior habitats, including sandy washes and alluvial fans.	Unlikely to Occur: no suitable habitat is present within the Project due to lack of habitat with sandy soils.	No
<i>Arizona elegans occidentalis</i> California glossy snake	—	— SSC	Inhabits arid scrub, rocky washes, grasslands, chaparral preferably open areas with loose soil for easy burrowing.	Unlikely to Occur: no suitable habitat is present within the Project due to the disturbed/developed state of the project site.	No
<i>Aspidoscelis hyperythra</i> Orangethroat whiptail	—	— WL	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its primary food: termites.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of preferred soils and vegetation communities.	No
<i>Aspidoscelis tigris stejnegeri</i> Coastal whiptail	—	— SSC	Found in deserts and semiarid areas with sparse vegetation and open areas. Also found in woodland and riparian areas. Ground may be firm soil, sandy, or rocky.	Unlikely to Occur: no suitable habitat is present within the Project due to the lack of preferred soils and vegetation communities.	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis
	USFWS ¹	CDFW ²			
<i>Coleonyx variegatus abbotti</i> San Diego banded gecko	—	— SSC	Prefers rocky areas in coastal sage and chaparral.	Unlikely to Occur: species has been recorded in less than a mile of the Project (dated 2015), however due to the disturbed/developed state of the project site this species is unlikely to occur.	No
<i>Crotalus ruber</i> Red-diamond rattlesnake	—	— SSC	Found in chaparral, woodland, grassland, and desert areas from coastal San Diego County to the eastern slopes of the mountains. Occurs in rocky areas with dense vegetation. Requires rodent burrows, cracks in rocks, or surface cover objects. Often found in disturbed areas.	Unlikely to Occur: no suitable habitat is present within the Project due the lack of rocky habitat with dense vegetation.	No
<i>Phrynosoma blainvillii</i> Coast horned lizard	—	— SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	Unlikely to Occur: marginally suitable habitat is present within the central vacant field. This species has been recorded occurrence within less than a mile of the Project (dated 1992). However, the high level of disturbance and presence of man-made barriers reduce its potential to occur within the Project.	No

Table 2: Special-status Wildlife Species Potentially Occurring within the Project

Scientific Name Common Name	Status		Habitat Description ³	Potential to Occur and Rationale	Included in Impact Analysis		
	USFWS ¹	CDFW ²					
Code Designations							
¹ Federal Status: 2020 USFWS Listing						² State Status: 2020 CDFW Listing	
ESU = Evolutionary Significant Unit is a distinctive population. FE = Listed as endangered under the FESA. FT = Listed as threatened under the FESA. FC = Candidate for listing (threatened or endangered) under FESA. FD = Delisted in accordance with the FESA. FPD = Federally Proposed to be Delisted. MBTA = protected by the Migratory Bird Treaty Act — = Not federally listed						SE = Listed as endangered under the CESA. ST = Listed as threatened under the CESA. SSC = Species of Special Concern as identified by the CDFW. FP = Listed as fully protected under FGC. CFG = FGC =protected by Fish and Game Code 3503.5 CSE = Candidate for listing as endangered under the CESA. WL = On CDFW watchlist — = Not state listed	
³ Habitat description: Habitat description adapted from CNDDB (CDFW 2020).							

Appendix C: Special-status Species Search Results

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Selected Elements by Scientific Name

California Department of Fish and Wildlife

California Natural Diversity Database



Query Criteria: Quad IS (San Bernardino South (3411713))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Agelaius tricolor</i> tricolored blackbird	ABPBXB0020	None	Threatened	G2G3	S1S2	SSC
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S3	WL
<i>Anniella stebbinsi</i> southern California legless lizard	ARACC01060	None	None	G3	S3	SSC
<i>Arenaria paludicola</i> marsh sandwort	PDCAR040L0	Endangered	Endangered	G1	S1	1B.1
<i>Arizona elegans occidentalis</i> California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
<i>Artemisiospiza belli belli</i> Bell's sage sparrow	ABPBX97021	None	None	G5T2T3	S3	WL
<i>Aspidoscelis hyperythra</i> orange-throated whiptail	ARACJ02060	None	None	G5	S2S3	WL
<i>Aspidoscelis tigris stejnegeri</i> coastal whiptail	ARACJ02143	None	None	G5T5	S3	SSC
<i>Astragalus hornii var. hornii</i> Horn's milk-vetch	PDFAB0F421	None	None	GUT1	S1	1B.1
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Bombus crotchii</i> Crotch bumble bee	IIHYM24480	None	Candidate Endangered	G3G4	S1S2	
<i>Buteo swainsoni</i> Swainson's hawk	ABNKC19070	None	Threatened	G5	S3	
<i>Carex comosa</i> bristly sedge	PMCYP032Y0	None	None	G5	S2	2B.1
<i>Carolella busckana</i> Busck's gallmoth	IILEM2X090	None	None	G1G3	SH	
<i>Catostomus santaanae</i> Santa Ana sucker	AFCJC02190	Threatened	None	G1	S1	
<i>Centromadia pungens ssp. laevis</i> smooth tarplant	PDAST4R0R4	None	None	G3G4T2	S2	1B.1
<i>Chaetodipus fallax fallax</i> northwestern San Diego pocket mouse	AMAFD05031	None	None	G5T3T4	S3S4	SSC
<i>Chloropyron maritimum ssp. maritimum</i> salt marsh bird's-beak	PDSCR0J0C2	Endangered	Endangered	G4?T1	S1	1B.2
<i>Chorizanthe parryi var. parryi</i> Parry's spineflower	PDPGN040J2	None	None	G3T2	S2	1B.1
<i>Coccyzus americanus occidentalis</i> western yellow-billed cuckoo	ABNRB02022	Threatened	Endangered	G5T2T3	S1	



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Coleonyx variegatus abbotti</i> San Diego banded gecko	ARACD01031	None	None	G5T3T4	S1S2	SSC
<i>Crotalus ruber</i> red-diamond rattlesnake	ARADE02090	None	None	G4	S3	SSC
<i>Cuscuta obtusiflora</i> var. <i>glandulosa</i> Peruvian dodder	PDCUS01111	None	None	G5T4?	SH	2B.2
<i>Dipodomys merriami parvus</i> San Bernardino kangaroo rat	AMAFD03143	Endangered	Candidate Endangered	G5T1	S1	SSC
<i>Dipodomys stephensi</i> Stephens' kangaroo rat	AMAFD03100	Endangered	Threatened	G2	S2	
<i>Dodecahema leptoceras</i> slender-horned spineflower	PDPGN0V010	Endangered	Endangered	G1	S1	1B.1
<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i> Santa Ana River woollystar	PDPLM03035	Endangered	Endangered	G4T1	S1	1B.1
<i>Eumops perotis californicus</i> western mastiff bat	AMACD02011	None	None	G5T4	S3S4	SSC
<i>Euphydryas editha quino</i> quino checkerspot butterfly	IILEPK405L	Endangered	None	G5T1T2	S1S2	
<i>Falco columbarius</i> merlin	ABNKD06030	None	None	G5	S3S4	WL
<i>Galium californicum</i> ssp. <i>primum</i> Alvin Meadow bedstraw	PDRUB0N0E6	None	None	G5T2	S2	1B.2
<i>Gila orcuttii</i> arroyo chub	AFCJB13120	None	None	G2	S2	SSC
<i>Helianthus nuttallii</i> ssp. <i>parishii</i> Los Angeles sunflower	PDAST4N102	None	None	G5TH	SH	1A
<i>Horkelia cuneata</i> var. <i>puberula</i> mesa horkelia	PDR0S0W045	None	None	G4T1	S1	1B.1
<i>Lasiurus xanthinus</i> western yellow bat	AMACC05070	None	None	G5	S3	SSC
<i>Laterallus jamaicensis coturniculus</i> California black rail	ABNME03041	None	Threatened	G3G4T1	S1	FP
<i>Lepidium virginicum</i> var. <i>robinsonii</i> Robinson's pepper-grass	PDBRA1M114	None	None	G5T3	S3	4.3
<i>Lepus californicus bennettii</i> San Diego black-tailed jackrabbit	AMAEB03051	None	None	G5T3T4	S3S4	SSC
<i>Lycium parishii</i> Parish's desert-thorn	PDSOL0G0D0	None	None	G4	S1	2B.3
<i>Malacothamnus parishii</i> Parish's bush-mallow	PDMAL0Q0C0	None	None	GXQ	SX	1A
<i>Monardella pringlei</i> Pringle's monardella	PDLAM180J0	None	None	GX	SX	1A



Selected Elements by Scientific Name
California Department of Fish and Wildlife
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Nasturtium gambelii</i> Gambel's water cress	PDBRA270V0	Endangered	Threatened	G1	S1	1B.1
<i>Nyctinomops femorosaccus</i> pocketed free-tailed bat	AMACD04010	None	None	G4	S3	SSC
<i>Oncorhynchus mykiss irideus pop. 10</i> steelhead - southern California DPS	AFCHA0209J	Endangered	None	G5T1Q	S1	
<i>Onychomys torridus ramona</i> southern grasshopper mouse	AMAFF06022	None	None	G5T3	S3	SSC
<i>Perognathus longimembris brevinasus</i> Los Angeles pocket mouse	AMAFD01041	None	None	G5T1T2	S1S2	SSC
<i>Phrynosoma blainvillii</i> coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
<i>Poliophtila californica californica</i> coastal California gnatcatcher	ABPB08081	Threatened	None	G4G5T2Q	S2	SSC
<i>Rhaphiomidas terminatus abdominalis</i> Delhi Sands flower-loving fly	IIDIP05021	Endangered	None	G1T1	S1	
<i>Ribes divaricatum var. parishii</i> Parish's gooseberry	PDGRO020F3	None	None	G5TX	SX	1A
<i>Riversidian Alluvial Fan Sage Scrub</i> Riversidian Alluvial Fan Sage Scrub	CTT32720CA	None	None	G1	S1.1	
<i>Senecio aphanactis</i> chaparral ragwort	PDAST8H060	None	None	G3	S2	2B.2
<i>Sidalcea neomexicana</i> salt spring checkerbloom	PDMAL110J0	None	None	G4	S2	2B.2
<i>Southern Cottonwood Willow Riparian Forest</i> Southern Cottonwood Willow Riparian Forest	CTT61330CA	None	None	G3	S3.2	
<i>Southern Riparian Scrub</i> Southern Riparian Scrub	CTT63300CA	None	None	G3	S3.2	
<i>Spea hammondi</i> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<i>Sphenopholis obtusata</i> prairie wedge grass	PMPOA5T030	None	None	G5	S2	2B.2
<i>Symphyotrichum defoliatum</i> San Bernardino aster	PDASTE80C0	None	None	G2	S2	1B.2
<i>Taxidea taxus</i> American badger	AMAJF04010	None	None	G5	S3	SSC
<i>Vireo bellii pusillus</i> least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	

Record Count: 60



*The database used to provide updates to the Online Inventory is under construction. [View updates and changes made since May 2019 here.](#)






Plant List

23 matches found. [Click on scientific name for details](#)

Search Criteria

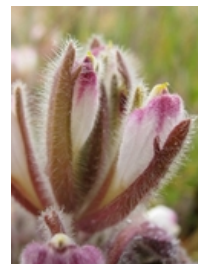
Found in Quad 3411713

[Modify Search Criteria](#)
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Scientific Name	Common Name	Family	Lifeform	CA Rare Plant Rank	State Rank	State Listing Status	Federal Listing Status	Habitats	Blooming Period	Lowest Elevation	Highest Elevation	Photo
Arenaria paludicola	marsh sandwort	Caryophyllaceae	perennial stoloniferous herb	1B.1	S1	CE	FE	• Marshes and swamps (freshwater or brackish)	May-Aug	3 m	170 m	 2011 CNPS, San Luis Obispo Chapter
Asplenium vespertinum	western spleenwort	Aspleniaceae	perennial rhizomatous herb	4.2	S4			• Chaparral • Cismontane woodland • Coastal scrub	Feb-Jun	180 m	1000 m	 2010 Anna Bennett
Astragalus hornii var. hornii	Horn's milk-vetch	Fabaceae	annual herb	1B.1	S1			• Meadows and seeps • Playas	May-Oct	60 m	850 m	 2013 Neal Kramer
Carex comosa	bristly sedge	Cyperaceae	perennial rhizomatous herb	2B.1	S2			• Coastal prairie • Marshes and swamps (lake margins) • Valley and foothill grassland	May-Sep	0 m	625 m	 2009 Kerry Heise
Centromadia pungens ssp. laevis	smooth tarplant	Asteraceae	annual herb	1B.1	S2			• Chenopod scrub • Meadows and seeps • Playas • Riparian woodland • Valley and foothill grassland	Apr-Sep	0 m	640 m	 2008 Dean Wm. Taylor, Ph.D.
Chloropyron maritimum ssp.	salt marsh bird's-beak	Orobanchaceae	annual herb (hemiparasitic)	1B.2	S1	CE	FE	• Coastal dunes	May-Oct(Nov)	0 m	30 m	

[maritimum](#)

- Marshes and swamps (coastal salt)



2012 CNPS, San Luis Obispo Chapter

[Chorizanthe leptotheca](#)

Peninsular spineflower

Polygonaceae

annual herb

4.2 S3

- Chaparral
- Coastal scrub
- Lower montane coniferous forest

May-Aug

300 m

1900 m

no photo available

[Chorizanthe parryi var. parryi](#)

Parry's spineflower

Polygonaceae

annual herb

1B.1 S2

- Chaparral
- Cismontane woodland
- Coastal scrub
- Valley and foothill grassland

Apr-Jun

275 m

1220 m



2009 Robert Steers

[Cuscuta obtusiflora var. glandulosa](#)

Peruvian dodder

Convolvulaceae

annual vine (parasitic)

2B.2 SH

- Marshes and swamps (freshwater)

Jul-Oct

15 m

280 m

no photo available

[Dodecahema leptoceras](#)

slender-horned spineflower

Polygonaceae

annual herb

1B.1 S1 CE FE

- Chaparral
- Cismontane woodland
- Coastal scrub (alluvial fan)

Apr-Jun

200 m

760 m



2012 Anuja Parikh and Nathan Gale

[Eriastrum densifolium ssp. sanctorum](#)

Santa Ana River woollystar

Polemoniaceae

perennial herb

1B.1 S1 CE FE

- Chaparral
- Coastal scrub (alluvial fan)

Apr-Sep

91 m

610 m



2010 Justin M. Wood

[Galium californicum ssp. primum](#)

Alvin Meadow bedstraw

Rubiaceae

perennial herb

1B.2 S2

- Chaparral
- Lower montane coniferous forest

May-Jul

1350 m

1700 m



2008 Jordan Zylstra

[Helianthus nuttallii ssp. parishii](#)

Los Angeles sunflower

Asteraceae

perennial rhizomatous herb

1A SH

- Marshes and swamps (coastal salt and freshwater)

Aug-Oct

10 m

1525 m

no photo available

[Horkelia cuneata var. puberula](#)

mesa horkelia

Rosaceae

perennial herb

1B.1 S1

- Chaparral (maritime)
- Cismontane woodland
- Coastal scrub

Feb-Jul(Sep)

70 m

810 m



2011 Chris Winchell

[Lepidium virginicum var. robinsonii](#)

Robinson's pepper-grass

Brassicaceae

annual herb

4.3 S3

- Chaparral
- Coastal scrub

Jan-Jul

1 m

885 m



2015 Keir Morse

[Malacothamnus parishii](#) Parish's bush-mallow Malvaceae perennial deciduous shrub 1A SX • Chaparral • Coastal scrub Jun-Jul 305 m 455 m no photo available

[Monardella pringlei](#) Pringle's monardella Lamiaceae annual herb 1A SX • Coastal scrub (sandy) May-Jun 300 m 400 m no photo available

[Nasturtium gambelii](#) Gambel's water cress Brassicaceae perennial rhizomatous herb 1B.1 S1 CT FE • Marshes and swamps (freshwater or brackish) Apr-Oct 5 m 330 m



2010 Chris Winchell

[Ribes divaricatum var. parishii](#) Parish's gooseberry Grossulariaceae perennial deciduous shrub 1A SX • Riparian woodland Feb-Apr 65 m 300 m no photo available

[Senecio aphanactis](#) chaparral ragwort Asteraceae annual herb 2B.2 S2 • Chaparral • Cismontane woodland • Coastal scrub Jan-Apr(May) 15 m 800 m



2010 Neal Kramer

[Sidalcea neomexicana](#) salt spring checkerbloom Malvaceae perennial herb 2B.2 S2 • Chaparral • Coastal scrub • Lower montane coniferous forest • Mojavean desert scrub • Playas Mar-Jun 15 m 1530 m



2011 Steven Thorsted

[Sphenopholis obtusata](#) prairie wedge grass Poaceae perennial herb 2B.2 S2 • Cismontane woodland • Meadows and seeps Apr-Jul 300 m 2000 m



2008 Dean Wm. Taylor, Ph.D.

[Symphotrichum defoliatum](#) San Bernardino aster Asteraceae perennial rhizomatous herb 1B.2 S2 • Cismontane woodland • Coastal scrub • Lower montane coniferous forest • Meadows and seeps • Marshes and swamps • Valley and foothill grassland Jul-Nov(Dec) 2 m 2040 m



2009 Bob Allen

(vernally
mesic)

Suggested Citation

California Native Plant Society, Rare Plant Program. 2020. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39). Website <http://www.rareplants.cnps.org> [accessed 13 February 2020].

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Contributors

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- [The California Lichen Society](#)
- [California Natural Diversity Database](#)
- [The Jepson Flora Project](#)
- [The Consortium of California Herbaria](#)
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Questions and Comments

- rareplants@cnps.org

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C.2 - California Department of Fish and Wildlife Comments

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State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



March 10, 2020
Sent via email

Mr. Mark Tomich
Development Services Manager
City of Colton
650 North La Cadena Drive
Colton, CA 92323

Subject: Notice of Preparation of a Draft Environmental Impact Report
Barton Road Logistics Center Project
State Clearinghouse No. 2020029049

Dear Mr. Tomich:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Colton for the Barton Road Logistics Center Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

CDFW is also submitting comments as a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT DESCRIPTION SUMMARY

The Project proposes redevelopment of two warehouses totaling 960,040 square feet on 43.85 acres and includes a site plan. The Project proposes to work in the City of Colton within San Bernardino County, west of Interstate 215 (1-215) and east of La Cadena Drive; Latitude 34.03113889 N and Longitude -117.33166667. Total Project site is 53.15 acres.

Project activities include: demolition of four industrial and office building totaling 659,432 square feet and development of two industrial warehouses totaling 960,040 square feet. Additionally, the Project will consolidate 12 parcels into 2 separate parcels and allow up to 50 ft in building height versus the current 40 ft maximum height.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

The CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed

following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

Please note that CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in gathering information about the *potential presence* of species within the general area of the project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish and Game Code § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513. Take is defined in Fish and Game Code section 86 as "hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill."

CDFW recommends that the City of Colton follow the recommendations and guidelines provided in the *Staff Report on Burrowing Owl Mitigation* (Department of Fish and Game, March 2012); available for download from CDFW's website: <https://www.wildlife.ca.gov/conservation/survey-protocols>. The Staff Report on Burrowing Owl Mitigation, specifies three steps for project impact evaluations:

- a. A habitat assessment;
- b. Surveys; and
- c. An impact assessment

As stated in the Staff Report on Burrowing Owl Mitigation, the three progressive steps are effective in evaluating whether a project will result in impacts to burrowing owls, and the information gained from the steps will inform any subsequent avoidance, minimization, and mitigation measures. Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

Rare Plants

The Project site has the potential to impact plant communities. CDFW recommends that the City of Colton follow the recommendations and guidelines provided in the *2018 Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. Botanical field surveys should be conducted in a manner which maximizes the likelihood of locating special status plants and sensitive natural communities that may be present. Botanical field surveys should be floristic in nature, meaning that every plant taxon that occurs in the project area is identified to the taxonomic level necessary to determine rarity and listing status. "Focused surveys" that are limited to habitats known to support special status plants or that are restricted to lists of likely potential special status plants are not considered floristic in nature and are not adequate to identify all plants in a project area to the level necessary to determine if they are special status plants. Botanical field surveys should be comprehensive over the entire project area, including areas that will be directly or indirectly impacted by the project, using systematic field techniques in all habitats of the project area to ensure thorough coverage. Botanical field surveys should be conducted in the field at the times of year when plants will be both evident and identifiable. Usually this is during flowering or fruiting. Reference sites (nearby accessible occurrences of the plants) should be utilized to determine whether those special status plants are identifiable at the times of year the botanical field surveys take place and to obtain a visual image of the special status plants, associated habitat, and associated natural communities.

Sensitive Bat Species

Regulations of particular relevance to this Project include Title 14, Section 251.1 of the California Code of Regulations, which prohibits harassment (defined in that section as an intentional act that disrupts an animal's normal behavior patterns, including breeding, feeding, or sheltering) of nongame mammals (e.g., bats), and California Fish and Game Code Section 4150, which prohibits "take" or possession of all nongame mammals or parts thereof. Any activities resulting in bat mortality (e.g., the destruction of an occupied bat roost that results in the death of bats), disturbance that causes the loss of a maternity colony of bats (resulting in the death of young), or various modes of nonlethal pursuit or capture may be considered "take" as defined in Section 86 of the California Fish and Game Code. Take is defined in Section 86 of the Fish and Game Code as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." In addition, impacts to bat maternity colonies, which are considered native wildlife nursery sites, could be considered potentially significant under CEQA.

CDFW recognizes the known occurrence of bats in the vicinity of the Project. Bats are known to roost in buildings, trees, and bridges and forage within various habitats. The Project site consists of trees, warehouse buildings, and is adjacent to a bridge located on Barton Road. Based on the foregoing, the Project has the potential to provide suitable foraging and/or roosting habitat for bat species. CDFW recommends that Project conduct day and nighttime surveys to determine the numbers and bat species that may occur at the Project site. Surveys should be conducted using an appropriate combination of structure inspection, sampling, exit counts, and acoustic surveys. If maternity roosts are found, the bat survey should include: 1) the exact location of all maternity site, if applicable (location shall be adequately described and drawn on a map); 2) the number of bats present at the time of visit (count or estimate); 3) each species of bat present shall be named (include how the species was identified); and 4) the location, amount, and distribution of all bat guano shall be described and pinpointed on a map. The results of the bat surveys shall be provided as an appendix to the DEIR.

Orange-throated whiptail (*Aspidoscelis hyperythra*)

The Project site has the potential to provide suitable foraging and/or breeding habitat for orange-throated whiptail. CDFW recommends that the Project identify and locate any feature/habitats suitable to support special-status reptiles (i.e., burrows, dens, cavities, debris, dead vegetation, rocks, loose soil, leaf litter, etc.). The results of the surveys shall be provided as an appendix to the DEIR.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To

ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the project footprint, such as nearby public lands (e.g. National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).

Please note that the Project area supports significant biological resources and contains habitat connections, providing for wildlife movement across the broader landscape, sustaining both transitory and permanent wildlife populations. Rivers and Lands Conservancy conserved lands border the project site along its northwestern property lines. CDFW encourages project design that avoids and preserves onsite features that contribute to habitat connectivity. The DEIR should include a discussion of both direct and indirect impacts to wildlife movement and connectivity, including maintenance of wildlife corridor/movement areas to adjacent undisturbed habitats.

3. An evaluation of impacts to adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs. The proposed Project has the potential to impact lands managed by Rivers and Lands Conservancy. CDFW encourages the City to contact Rivers and Lands Conservancy to determine if any portion of the project will impact adjacent conserved lands, and to work collaboratively to avoid and minimize impacts.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The City of Colton should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: burrowing owl (*Athene cunicularia*), western yellow bat (*Lasiurus xanthinus*), and coastal California gnatcatcher (*Polioptila californica californica*). For significant nesting populations, such as the burrowing owl and coastal California gnatcatcher, annual monitoring during the

nesting season for the period of construction and for a few years following the end of construction is recommended.

4. *Imperiled species*: Species with a statewide ranking of S-1, S-2, and S-3 should be considered sensitive and declining at the local and regional level. Species at risk that have the potential or have been documented to occur within or adjacent to the project area, including, but not limited to: Delhi Sands flowering-fly (*Rhaphiomidas terminatus abdominalis*), Bell's sage sparrow (*Artemisiospiza belli belli*), and orange-throated whiptail (*Aspidoscelis hyperythra*). The DEIR should include measures to fully avoid and otherwise protect imperiled species from project-related direct and indirect impacts.
5. *Mitigation*: CDFW considers adverse project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. City of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the

Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

6. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should be initiated in the near future in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

7. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird except as provided by the rules and regulations adopted by the Secretary of the

Interior under provisions of the Migratory Bird Treaty Act of 1918, as amended (16 U.S.C. § 703 et seq.).

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: project phasing and timing, monitoring of project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

8. *Moving out of Harm's Way:* To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend relocation to other areas). Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting project impacts associated with habitat loss.
9. *Translocation of Species:* CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in "take" (California Fish and Game Code Section 86 defines "take" as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") of State-listed CESA species, either through construction or over the life of the project. CESA ITPs are issued to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR

addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP and review of aerial photography at least one drainage features traverse the site. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: Substantially divert or obstruct the natural flow of any river, stream or lake; Substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or Deposit debris, waste or other materials that could pass into any river, stream or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow. It may also apply to work undertaken within the flood plain of a body of water.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Lake or Streambed Alteration notification package, please go to <https://www.wildlife.ca.gov/Conservation/LSA/Forms>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDB). Information can be submitted online or via completion of the CNDDB field survey form at the following link:

<https://wildlife.ca.gov/Data/CNDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDB at the following email address: CNDDB@wildlife.ca.gov. The

types of information reported to CNDDDB can be found at the following link:
<https://wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR for the Barton Road Logistics Center Project (SCH No. 2020029049) and recommends that the City of Colton address the CDFW's comments and concerns in the forthcoming DEIR. If you should have any questions pertaining to the comments provided in this letter, please contact Cindy Castaneda, Environmental Scientist, at (909) 484-3979 or at Cindy.Castaneda@wildlife.ca.gov.

Sincerely,



Scott Wilson
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REFERENCES

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<http://vegetation.cnps.org/>