Biological Technical Report

Cactus Trail Improvements Project, City of Rialto

San Bernardino County, California

Prepared For:

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ECORP Consulting, Inc. has assisted public and private land owners with environmental regulation compliance since 1987. We offer full service capability, from initial baseline environmental studies through environmental planning review, permitting negotiation, liaison to obtain legal agreements, mitigation design, construction monitoring, and compliance reporting.

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1.0 INTRODUCTION

ECORP Consulting, Inc. (ECORP) conducted a biological reconnaissance survey for the City of Rialto's proposed Cactus Trail Improvements Project site (Project). The Project site consists of an existing foot path located on the west side of Cactus Avenue that extends approximately 1.5 miles from Baseline Road to Rialto Avenue (Project site) in the City of Rialto, San Bernardino County, California. The survey of the Project site was conducted to identify biological resources that could be affected by the proposed Project, pursuant to the terms of the California Environmental Quality Act (CEQA) and for the purposes of identifying any biological constraints that would affect the site plan for the Project. The Project will be subject to county, state, and federal regulations regarding compliance with the federal Endangered Species Act (ESA), California ESA, Migratory Bird Treaty Act (MBTA), and California Fish and Game Code.

1.1 Location and Setting

The Project site is located on the west side of Cactus Avenue within City of Rialto right-of-way, San Bernardino County, California (Figure 1). The Project site is bounded by Baseline Road to the North, Cactus Avenue to the East, Rialto Avenue to the south, and residential housing to the west. The Project site did not contain any existing structures. Surrounding land uses consisted mainly of residential, commercial, and industrial developments. The Project site, as depicted on the United States Geological Survey (USGS) 7.5-minute Fontana topographic quadrangle, lies within Section 3 of Township 1 South, Range 5 West, San Bernardino Baseline and Meridian (Figure 2). The elevation of the Project site is approximately 1,275 feet above mean sea level.

1.2 Project Description and Purpose

The City of Rialto proposes to convert the existing Cactus Avenue Bike Route into a multi-use trail between Baseline Avenue and Rialto Avenue. The multi-use trail will include an eight-foot wide paved bike trail and a five-foot wide paved pedestrian trail which will meander between the street and drainage channel west of Cactus Avenue. An asphalt concrete parking lot designed to accommodate approximately 35 parking spots will be constructed near the trail. The new trail will also include two-foot wide shoulders on both sides of the bike trail consisting of decomposed granite and will separate the bike trail from the landscaping. The existing curb ramps at the trail street crossing will be rebuilt and upgraded to the current Americans with Disabilities Act (ADA) standards. The trail is anticipated to drain into the proposed landscaping areas and infiltrate into the soil. The trail will also include landscaping/irrigation throughout the trail limits and trail monuments/exercise stations.

1.0 SPECIAL-STATUS SPECIES REGULATIONS

This biological reconnaissance survey was conducted to identify potential issues and ensure compliance with state and federal regulations regarding listed, protected, and sensitive species. The regulations are detailed below.

Location: N:\2018\2018-105 Cactus Trail Improvement Project\MAPS\Location_Vicinity\CTI_Vicinity_V1.mxd (LMK)-lking 7/30/2018

Map Date: 7/30/2018

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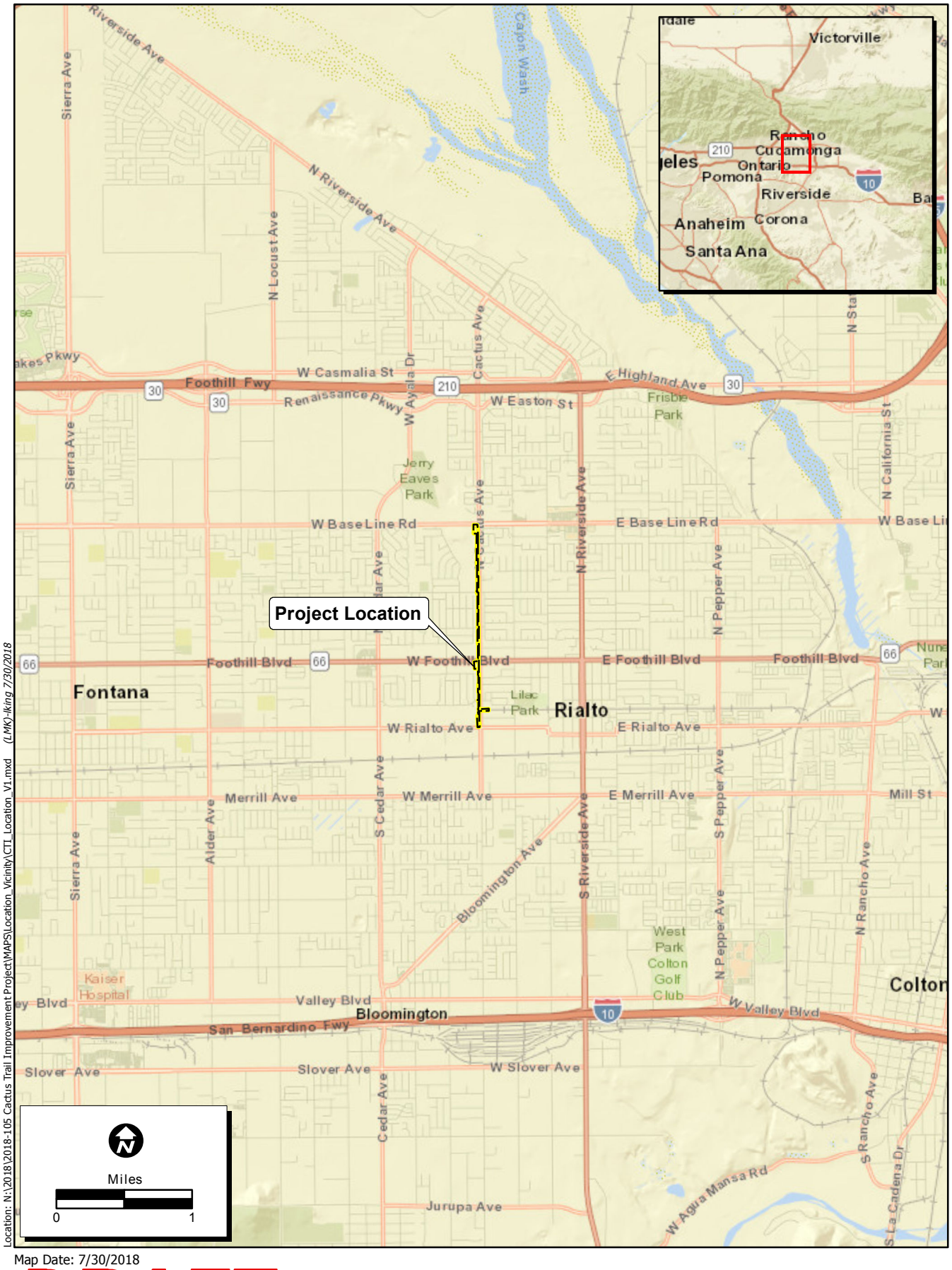
Figure 1. Vicinity Map

2018-105 Cactus Trail Improvement Project



Location: N:\2018\2018-105 Cactus Trail Improvement Project\MAPS\Location_Vicinity\CTI_Location_V1.mxd (LMK)-lking 7/30/2018

Map Date: 7/30/2018

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Figure 2. Location Map

2018-105 Cactus Trail Improvement Project

1.1 Federal Regulations

1.1.1 The Federal Endangered Species Act

The ESA protects plants and animals that are listed as endangered or threatened by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service. Section 9 of the ESA prohibits the taking of endangered wildlife, where taking is defined as "*harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct*" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law (16 U.S. Code 1538). Under Section 7 of the ESA, federal agencies are required to consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed (or proposed) species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity provided the activity will not jeopardize the continued existence of the species. Section 10 of the ESA provides for issuance of incidental take permits where no other federal actions are necessary provided a habitat conservation plan (HCP) is developed.

1.1.2 Migratory Bird Treaty Act

The MBTA implements international treaties between the United States and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities including hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR Part 13 General Permit Procedures and 50 CFR Part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the California Fish and Game Code.

1.1.3 Federal Clean Water Act

The federal Clean Water Act's (CWA) purpose is to "*restore and maintain the chemical, physical, and biological integrity of the nation's waters.*" Section 404 of the CWA prohibits the discharge of dredged or fill material into Waters of the United States (U.S.) without a permit from the U.S. Army Corps of Engineers (USACE). The definition of Waters of the U.S. includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "*that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions*" (33 CFR 328.3 7b). The U.S. Environmental Protection Agency acts as a cooperating agency to set policy, guidance and criteria for use in evaluation permit applications and also reviews USACE permit applications.

The USACE regulates "fill" or dredging of fill material within its jurisdictional features. "Fill material" means any material used for the primary purpose of replacing an aquatic area with dry land or changing the bottom elevation of a water body. Substantial impacts to wetlands may require an individual permit.

Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the State Water Quality Control Board, administered by each of nine California Regional Water Quality Control Boards.

1.2 State and Local Regulations

1.2.1 California Endangered Species Act

The California ESA generally parallels the main provisions of the ESA but, unlike its federal counterpart, the California ESA applies the take prohibitions to species proposed for listing (called "candidates" by the state). Section 2080 of the California Fish and Game Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the California Fish and Game Code as "*hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill*." The California ESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with California Department of Fish and Wildlife (CDFW) to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered or threatened species or result in destruction or adverse modification of essential habitat.

1.2.2 Fully Protected Species

The State of California first began to designate species as "fully protected" prior to the creation of the federal and California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under federal and/or California ESAs. The regulations that implement the Fully Protected Species Statute (California Fish and Game Code § 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, CDFW prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

1.2.3 Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (California Fish and Game Code §§ 1900-1913) was created with the intent to "*preserve, protect and enhance rare and endangered plants in this State*." The NPPA is administered by CDFW. The Fish and Wildlife Commission has the authority to designate native plants as "endangered" or "rare" and to protect endangered and rare plants from take. The California ESA of 1984 (California Fish and Game Code § 2050-2116) provided further protection for rare and endangered plant species, but the NPPA remains part of the California Fish and Game Code.

1.2.4 California Fish and Game Code

Streambed Alteration Agreement

Section 1602 of the California Fish and Game Code requires that a Notification of Lake or Streambed Alteration be submitted to CDFW for "*any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake*." The CDFW reviews the

proposed actions and, if necessary, submits to the Applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the Applicant is the Streambed Alteration Agreement (SAA). Often, projects that require an SAA also require a permit from the USACE under Section 404 of the CWA. In these instances, the conditions of the Section 404 permit and the SAA may overlap.

Migratory Birds

The CDFW enforces the protection of nongame native birds in §§ 3503, 3503.5, and 3800 of the California Fish and Game Code. Section 3513 of the California Fish and Game Code prohibits the possession or take of birds listed under the MBTA. These sections mandate the protection of California nongame native birds' nests and also make it unlawful to take these birds. All raptor species are protected from "take" pursuant to California Fish and Game Code § 3503.5 and are also protected at the federal level by the MBTA of 1918.

1.2.5 CEQA Significance Criteria

Section 15064.7 of the CEQA Guidelines encourages local agencies to develop and publish the thresholds the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study checklist contained in Appendix G of the CEQA Guidelines. Appendix G provides examples of impacts that would normally be considered significant. Based on these examples, impacts to biological resources would normally be considered significant if the project would:

- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means;
- interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- conflict with the provisions of an adopted HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional or state HCP.

An evaluation of whether an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource, or those that would

obviously conflict with local, state, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant according to CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they would not substantially diminish, or result in the permanent loss of an important resource on a population-wide or region-wide basis.

2.0 METHODS

2.1 Literature Review

Prior to conducting the biological reconnaissance survey, ECORP biologists performed a literature review using the CDFW's California Natural Diversity Database (CNDDB; CDFW 2018a) and the California Native Plant Society's (CNPS) Electronic Inventory (CNPSEI; CNPS 2018) to determine the special-status plant and wildlife species that have been documented near the Project site. The CNDDB and CNPSEI database searches were conducted on July 24, 2018. ECORP searched CNDDB and CNPSEI records within the Project site boundaries as depicted on USGS 7.5-minute Fontana topographic quadrangle, plus the surrounding eight topographic quadrangles, including Colton, Corona North, Cucamonga Peak, Devore, Guasti, Riverside East, Riverside West, and San Bernardino North. The CNDDB and CNPSEI contain records of reported occurrences of federally or state-listed endangered, threatened, proposed endangered or threatened species, California Species of Special Concern (SSC), and/or other special-status species or habitat that may occur within or near the Project. Additional information was gathered from the following sources and includes, but is not limited to:

- Natural Resources Conservation Service *Web Soil Survey* (NRCS 2018);
- *State and Federally Listed Endangered and Threatened Animals of California* (CDFW 2018b);
- *Special Animals List* (CDFW 2018c);
- *The Jepson Manual* (Hickman 1993);
- *The Manual of California Vegetation*, 2nd Edition (Sawyer et al. 2009); and
- various online websites (e.g., Calflora 2018).

Using this information and observations in the field, a list of special-status plant and animal species that have potential to occur on or near the Project site was generated. For the purposes of this assessment, special-status species are defined as plants or animals that:

- have been designated as either rare, threatened, or endangered by CDFW, CNPS, or the USFWS, and/or are protected under either the federal or California ESAs;
- are candidate species being considered or proposed for listing under these same acts;
- are fully protected by the California Fish and Game Code, §§ 3511, 4700, 5050, or 5515; and/or
- are of expressed concern to resource and regulatory agencies or local jurisdictions.

Special-status species reported for the region in the literature review or for which suitable habitat occurs on the site were assessed for their potential to occur within the Project site based on the following guidelines:

Present: The species was observed on site during a site visit or focused survey.

High: Habitat (including soils and elevation factors) for the species occurs on site and a known occurrence has been recorded within five miles of the site.

Moderate: Either habitat (including soils and elevation factors) for the species occurs on site and a known occurrence has been reported in the database, but not within five miles of the site, or a known occurrence occurs within five miles of the site and marginal or limited amounts of habitat occurs on site.

Low: Limited habitat for the species occurs on site and a known occurrence has been reported in the database, but not within five miles of the site, or suitable habitat strongly associated with the species occurs on site, but no records were found in the database search.

Presumed Absent: Focused surveys were conducted, and the species was not found, or species was found in the database search but habitat (including soils and elevation factors) is not present on site, or the known geographic range of the species does not include the survey area.

Note that location information on some special-status species may be of questionable accuracy or unavailable. Therefore, for survey purposes, the environmental factors associated with a species' occurrence requirements may be considered sufficient reason to give a species a positive potential for occurrence. In addition, just because a record of a species does not exist in the databases does not mean it does not occur. In many cases, records may not be present in the databases because an area has not been surveyed for that species.

A desktop review of the Natural Resources Conservation Service's Web Soil Survey (NRCS 2018) and the corresponding USGS topographic maps was also conducted to determine if there were any blue line streams or drainages that might potentially fall under the jurisdiction of either federal or state agencies were present on the Project site.

2.2 Field Survey

2.2.1 Biological Reconnaissance Survey

The biological reconnaissance survey was conducted by walking the entire Project site to determine the vegetation communities and wildlife habitats on the Project site. The biologist documented the plant and animal species present on the Project site, and the location and condition of the Project site were assessed for the potential to provide habitat for special-status plant and wildlife species. Data were recorded on a Global Positioning System (GPS) unit, field notebooks, and/or maps. Photographs were also taken during the survey to provide visual representation of the various vegetation communities within the Project site. The Project site was also examined to assess its potential to facilitate wildlife movement or function as a movement corridor for wildlife moving throughout the region. In addition, the biologist noted the vegetation communities present on the Project site.

Plant and wildlife species, including any special-status species that were observed during the survey, were recorded. Plant nomenclature follows that of *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012). Wildlife nomenclature follows Society for the Study of Amphibians and Reptiles (SSAR; SSAR 2018), *Check-list of North American Birds* (American Ornithologist's Union [AOU] 2016), and the *Revised Checklist of North American Mammals North of Mexico* (Bradley et al. 2014).

In instances where a special-status species was observed, the date, species, location and habitat, and GPS coordinates were recorded. The locations of special-status species observations were recorded using a handheld GPS in NAD 83, Universal Transverse Mercator coordinates, Zone 11S.

2.2.2 Preliminary Jurisdictional Delineation

A desktop review was conducted to identify potential streams and hydric soils on the property. This entailed examination of the NRCS Soil Mapper (2018), National Wetland Inventory (NWI) mapping, and the USGS topographic mapping of the Project site to aid in identifying potential biological constraints to the Project due to jurisdictional streams. A preliminary jurisdictional delineation of the site was conducted in the field. The property was walked to look for signs of Ordinary High Water Mark (OHWM) as defined by the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (Arid West Region Supplement) (USACE 2008). The boundaries of potential Waters of the U.S. and Waters of the State were identified through aerial photograph interpretation and standard field methods including identification of water sources and examination of topography. Boundaries of potential jurisdictional areas were not formally delineated.

3.0 RESULTS

Summarized below are the results of the literature review and field surveys, including site characteristics, vegetation communities, wildlife, special-status species, and special-status habitats (including any potential wildlife corridors).

3.1 Literature Review

The literature review and database searches resulted in records for 62 special-status plant species and 40 special-status wildlife species that could occur on and/or near the Project site.

3.1.1 Special-Status Plants and Wildlife

The literature review and database searched identified 62 special-status plant species and 40 special-status wildlife species that occur near the Project site. A list was generated from the results of the literature review and the Project site was evaluated for suitable habitat that could support any of the special-status plant or wildlife species on the list.

3.1.2 U.S. Fish and Wildlife Service Designated Critical Habitat

The Project site is not located within any USFWS-designated critical habitat. The closest designated critical habitat is for San Bernardino kangaroo rat (*Dipodomys merriami parvus*) and is located approximately two miles east of the Project site.

3.1.3 Jurisdictional Drainages

The desktop review of the NRCS (2018), NWI, and the USGS topographic map did not identify any potentially jurisdictional features, hydric soils, or wetlands present on the Project site.

3.2 Biological Reconnaissance Survey

The biological reconnaissance survey was conducted on July 25, 2018, by ECORP senior wildlife biologist Phillip Wasz. Mr. Wasz has more than eight years of experience conducting surveys and habitat assessments for the special-status plant and wildlife species of San Bernardino County, including burrowing owl (*Athene cunicularia*) and San Bernardino kangaroo rat. Summarized below are the results of the biological reconnaissance survey, including site characteristics, plant communities, wildlife, special-status species, and special-status habitats (including any potential wildlife corridors). Weather conditions during the survey are summarized in Table 1.

Table 1. Weather Conditions During the Survey

Date	Time		Temperature (˚F)		Cloud Cover (%)		Wind Speed (mph)	
	Start	end	Min	Max	min	max	min	max
7/25/18	0930	1130	90	100	65	75	2	5

3.2.1 Property Characteristics

The Project site consists of an existing foot path located on the west side of Cactus Avenue that extends approximately 1.5 miles from Baseline Road to Rialto Avenue. Most of the existing footpath was paved with a five- to eight-foot gravel shoulder on either side. A few small portions of the footpath consisted of compacted gravel. The Project site was bounded by Cactus Avenue to the East and an existing San Bernardino County Flood Control District (SBCFCD) channel to the west. The Project site was very disturbed, mostly devoid of vegetation, and most of the soil, consisting of Tujunga Gravely Loamy Sand, was paved and/or graded and compacted. The SBCFCD channel that bordered the Project site to the west was lined with rip-rap with an earthen bottom. The channel starts at Etiwanda Avenue and extends south along the west side of the existing footpath until it goes underground approximately 400 feet north of Rialto Avenue.

Although the Project site was mostly devoid of vegetation, the channel adjacent to the Project site supported a mixture of native and nonnative trees and shrubs, including willow (*Salix* ssp.), mule fat (*Baccharis salicifolia*), cottonwood (*Populus* ssp.), California sycamore (*Platanus racemose*), common fig (*Ficus carica*), and castor bean (*Ricinus communis*). Minor amounts of trash including drink containers, pieces of concrete, and scrap wood were found scattered throughout the site and adjacent to the Project site within the channel. Representative site photographs are presented in Appendix A.

3.2.2 Vegetation Communities

No native vegetation communities were present on the Project site. The Project site, consisting mainly of an existing paved footpath, was generally classified as disturbed/developed.

3.2.3 Plants

Plant species observed on the Project site were typical of the disturbed/developed land present on the Project site and for the time of the year in which the survey was conducted. The Project site, consisting of an existing paved footpath, was mostly devoid of vegetation. Vegetation on the Project site was limited to nonnative grasses and forbs, including mustard (*Brassica nigra*), Russian thistle (*Salsola tragus*), and cheatgrass (*Bromus tectorum*). A full list of plant species observed on or immediately adjacent to the Project site is included in Appendix B.

3.2.4 Wildlife

Due to its disturbed/developed nature, the Project site did not provide much habitat for wildlife species. However, some wildlife species were observed during the survey, including common raven (*Corvus corax*), house finch (*Haemorhous mexicanus*), California ground squirrel (*Otospermophilus beecheyi*), and mourning dove (*Zenaida macroura*). A complete list of wildlife species observed on or immediately adjacent to the Project site is included in Appendix C.

3.2.5 Potential for Special-Status Plant and Wildlife Species to Occur on the Project Site

The literature review and database searches identified 62 special-status plant species and 40 special-status wildlife species that occur on near the Project site. However, due to the Project site's long history of being heavily disturbed and developed and the current lack of suitable habitat for the special-status plant and wildlife species, many of the species are presumed absent from the Project site. Additionally, with the San Bernardino Mountains approximately eight miles to the north, many of the species that appeared in the literature review were outside of the elevation range of the Project site and were thus presumed absent.

Special-Status Plants

Although 62 special-status plant species appeared in the literature search, due to the Project site's long history of being heavily disturbed and/or developed, the fact that the Project site was completely graded and/or paved with very compacted soils, and the current lack of suitable habitat for the special-status plant species identified in the literature review and database searches, all of the 62 species are presumed to be absent from the Project site. Descriptions of the CNPS designations are found in Table 2 and a list of the 62 special-status plant species identified in the literature review is presented below.

Table 2. CNPS Status Designations	
List Designation	Meaning
1A	Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere
1B	Plants Rare, Threatened, or Endangered in California and Elsewhere
2A	Plants Presumed Extirpated in California, But Common Elsewhere
2B	Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
3	Plants about which we need more information; a review list
4	Plants of limited distribution; a watch list
List 1B, 2, and 4 extension meanings:	
.1	Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2	Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

Note: According to CNPS (Skinner and Pavlik 1994), plants on Lists 1B and 2 meet definitions for listing as threatened or endangered under Section 1901, Chapter 10 of the California FGC (CDFW 1984). This interpretation is inconsistent with other definitions.

Plant Species Presumed Absent

The following species are presumed absent from the Project site due to the lack of suitable habitat, soil type, and/or elevation range at the Project site:

- chaparral sand-verbena (*Abronia villosa* var. *aurita*) CNPS 1B.1
- Parish's oxytheca (*Acanthoscyphus parishii* var. *parishii*) CNPS 4.2
- singlewhorl burrobrush (*Ambrosia monogyra*) CNPS 2B.2
- San Diego ambrosia *(Ambrosia pumila*) Federally Listed Endangered and CNPS 1B.1
- western spleenwort (*Asplenium vespertinum*) CNPS 4.2
- San Gabriel manzanita (*Arctostaphylos glandulosa* ssp. *gabrielensis*) CNPS 1B.2
- marsh sandwort (*Arenaria paludicola*) Federally Listed Endangered and State Listed Endangered and CNPS 1B.1
- Horn's milk vetch (*Astragalus hornii* var. *hornii*) CNPS 1B.1
- Nevin's barberry (*Berberis nevinii)* Federally Listed Endangered and State Listed Endangered and CNPS 1B.1
- Threadleaf brodiaea (*Brodiaea filifolia)* Federally Listed Threatened and State Listed Endangered and CNPS 1B.1
- Palmer's mariposa lily (*Calochortus palmeri* var. *palmeri*) CNPS 1B.2
- Plummer's mariposa lily (*Calochortus plummerae*) CNPS 4.2
- Catalina mariposa lily (*Calochortus catalinae*) CNPS 4.2
- bristly sedge (*Carex comosa*) CNPS 2B.1

- San Bernardino mountains owl's clover (*Castilleja lasiorhyncha*) CNPS 1B.2
- smooth tarplant (*Centromadia pungens*) CNPS 1B.1
- salt marsh bird's-beak (*Chloropyron maritimum*) Federally Listed Endangered and State Listed Endangered and CNPS 1B.2
- Parry's spineflower (*Chorizanthe parryi*) CNPS 1B.1
- peninsular spineflower (*Chorizanthe leptotheca)* CNPS 4.2
- white bracted spineflower (*Chorizanthe xanti* var. *leucotheca)* CNPS 1B.2
- California sawgrass (*Cladium californicum)* CNPS 2B.2
- Peirson's spring beauty (*Claytonia lanceolata* var. *peirsonii)* CNPS 3.1
- peruvian dodder (*Cuscuta obtusiflora* var. *glandulosa*) CNPS 2B.2
- snake cholla (*Cylindropuntia californica* var. *californica*) CNPS 1B.1
- paniculate tarplant (*Deinandra paniculate)* CNPS 4.2
- slenderhorned spineflower (*Dodecahema leptoceras*) Federally Listed Endangered and State Listed Endangered and CNPS 1B.1
- many-stemmed dudleya (*Dudleya multicaulis*) CNPS 1B.2
- Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctoru*m) Federally Listed Endangered and State Listed Endangered and CNPS 1B.1
- Johnston's buckwheat (*Eriogonum microthecum* var. *johnstonii*) CNPS 1B.3
- hot springs fimbristylis (*Fimbristylis thermalis)* CNPS 2B.2
- California bedstraw (*Galium californicum* ssp. *primum*) CNPS 1B.2
- Los Angeles sunflower (*Helianthus nuttallii*) CNPS 1A
- mesa horkelia (*Horkelia cuneata* var. *puberula*) CNPS 1B.1
- California satintail (*Imperata brevifol*ia) CNPS 2B.1
- Southern California black walnut (*Juglans californica)* CNPS 4.2
- Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*) CNPS 1B.1
- fragrant pitcher sage (*Lepechinia fragrans)* CNPS 4.2
- ocellated Humboldt lily (*Lilium humboldtii* ssp. *ocellatum)* CNPS 4.2
- lemon lily (*Lilium parryi)* CNPS 1B.2
- San Gabriel linanthus (*Linanthus concinnus*) CNPS 1B.2
- Parish's desert thorn (*Lycium parishii*) CNPS 2B.3
- Parish's bush mallow (*Malacothamnus parishii*) CNPS 1A
- Jokerst's monardella (*Monardella australis* ssp. *jokerstii)* CNPS 1B.1
- Pringle's monardella (*Monardella pringlei*) CNPS 1A
- rock monardella (*Monardella saxicola*) CNPS 4.2

- little mouse tail (*Myosurus minimus* ssp. *apus*) CNPS 3.1
- Gambel's yellowcress (*Nasturtium gambelii*) Federally Listed Endangered and State Listed Threatened and CNPS 1B.1
- prostrate vernal pool navarretia (*Navarretia prostrata*) CNPS 1B.1
- short joint beavertail (*Opuntia basilaris* var. *brachyclada*) CNPS 1B.2
- woolly mountain parsley (*Oreonana vestita)* CNPS 1B.3
- Brand's star phacelia (*Phacelia stellaris*) CNPS 1B.1
- white rabbit tobacco (*Pseudognaphalium leucocephalum*) CNPS 2B.2
- Parish's gooseberry (*Ribes divaricatum*) CNPS 1A
- Coulter's matilija poppy (*Romneya coulteri)* CNPS 4.2
- Sanford's arrowhead (*Sagittaria sanfordii*) CNPS 1B.2
- black bogrush (*Schoenus nigricans)* CNPS 2B.2
- chaparral ragwort (*Senecio aphanactis*) CNPS 2B.2
- salt spring checkerbloom (Sidalcea neomexicana) CNPS 2B.2
- prairie wedge grass (*Sphenopholis obtusata*) CNPS 2B.2
- southern jewelflower (*Streptanthus campestris*) CNPS 1B.3
- San Bernardino aster (Symphyotrichum defoliatum) CNPS 1B.2
- grey leaved violet (*Viola pinetorum* ssp. *grisea)* CNPS 1B.3

Special-Status Wildlife

Although 40 special-status wildlife species appeared in the literature search, due to the Project site's long history of being heavily disturbed and/or developed, the fact that the Project site was completely graded and/or paved with very compacted soils, and the current lack of suitable habitat for the special-status wildlife species identified in the literature review and database searches, all of the 40 species are presumed to be absent from the Project site.

Wildlife Species Presumed Absent

The following species are presumed absent from the project due to the lack of suitable habitat on the Project site:

- tricolored blackbird (*Agelaius tricolor*), State Listed Endangered (Candidate) and CDFW SSC
- southern California legless lizard (*Anniella stebbinsi*), CDFW SSC
- California glossy snake (*Arizona elegans occidentalis*), CDFW SSC
- burrowing owl (*Athene cunicularia*), CDFW SSC
- Swainson's hawk (*Buteo swainsoni*), State Listed Threatened
- Santa Ana sucker (*Catostomus santaanae*), Federally Listed Threatened
- northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), CDFW SSC

- pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), CDFW SSC
- southern rubber boa (*Charina umbratical*), State Listed Threatened
- western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), Federally listed Threatened and State listed Endangered
- red diamond rattlesnake (*Crotalus ruber*), CDFW SSC
- San Diegan tiger whiptail (*Aspidoscelis tigris stejnegeri*), CDFW SSC
- San Diego banded gecko (*Coleonyx variegatus abbotti*), CDFW SSC
- yellow rail (*Coturnicops noveboracensis*), CDFW SSC
- San Bernardino kangaroo rat (*Dipodomys merriami parvus*), Federally listed Endangered and CDFW SSC
- Stephens's kangaroo rat (*Dipodomys stephensi*), Federally listed Endangered and State listed Threatened
- southwestern willow flycatcher (*Empidonax traillii extimus*), Federally listed Endangered and State listed Endangered
- western pond turtle (*Emys marmorata*), CDFW SSC
- western mastiff bat (*Eumops perotis californicus*), CDFW SSC
- arroyo chub (*Gila orcuttii*), CDFW SSC
- San Bernardino flying squirrel (*Glaucomys oregonensis californicus*), CDFW SSC
- yellow breasted chat (*Icteria virens*), CDFW SSC
- loggerhead shrike (*Lanius ludovicianus*), CDFW SSC
- western yellow bat (*Lasiurus xanthinus*), CDFW SSC
- California black rail (*Laterallus jamaicensis coturniculus*), State listed Endangered and CDFW SSC
- San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), CDFW SSC
- San Diego desert woodrat (*Neotoma lepida intermedia*), CDFW SSC
- pocketed free-tailed bat (*Nyctinomops femorosaccus*), CDFW SSC
- southern grasshopper mouse (*Onychomys torridus ramona*), CDFW SSC
- desert bighorn sheep (*Ovis canadensis nelson*), CDFW fully protected
- Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), CDFW SSC
- coast horned lizard (*Phrynosoma blainvillii*), CDFW SSC
- coastal california flycatcher (*Polioptila californica californica*), Federally listed Threatened and CDFW SSC
- Santa Ana speckled dace (*Rhinichthys osculus* ssp. 3) CDFW SSC
- yellow warbler (*Setophaga petechia*), CDFW SSC
- western spadefoot (*Spea hammondii*), CDFW SSC
- Riverside fairy shrimp (*Streptocephalus woottoni*), Federally listed Endangered
- American badger (*Taxidea taxus*), CDFW SSC
- two-striped gartersnake (*Thamnophis hammondii*), CDFW SSC
- least Bell's vireo (*Vireo bellii pusillus*), Federally listed Endangered and State listed Endangered

3.2.6 Potentially Jurisdictional Drainages

Although a formal jurisdictional delineation was not conducted, no jurisdictional drainages, stream courses, and/or other water features were identified on the Project site at the time of the reconnaissance survey. No hydric soils or riparian vegetation were observed within the Project site boundaries. However, it was determined that the SBCFCD channel that runs along the west border of the Project site is likely jurisdictional to the USACE, CDFW, and State Water Resources Control Board (SWRCB). However, no impacts to the channel are anticipated at this time. If impacts to the channel are necessary, the City will be required to consult with the USACE, CDFW, and SWRCB to determine if additional permits are required.

3.2.7 Raptors and Migratory Birds

Potential nesting habitat for migratory birds and raptors protected by the MBTA and CDFG Code was not present on the Project site, but vegetation suitable for nesting birds was observed in the SBCFCD channel that runs along the west border of the Project site and construction of the Project could indirectly affect nesting birds. Raptors typically breed between February and August, and songbirds and other passerines generally nest between March and August.

3.2.8 Wildlife Movement Corridors, Linkages, and Significant Ecological Areas

The concept of habitat corridors addresses the linkage between large blocks of habitat that allow the safe movement of mammals and other wildlife species from one habitat area to another. The definition of a corridor varies, but corridors may include such areas as greenbelts, refuge systems, underpasses, and biogeographic land bridges. In general, a corridor is described as a linear habitat, embedded in a dissimilar matrix, which connects two or more large blocks of habitat. Wildlife movement corridors are critical for the survivorship of ecological systems for several reasons. Corridors can connect water, food, and cover sources, spatially linking these three resources with wildlife in different areas. In addition, wildlife movement between habitat areas provides for the potential of genetic exchange between wildlife species populations, thereby maintaining genetic variability and adaptability to maximize the success of wildlife responses to changing environmental conditions. This is especially critical for small populations subject to loss of variability from genetic drift and effects of inbreeding. The nature of corridor usage and wildlife movement patterns vary greatly among species.

The Project site was assessed for its ability to function as a wildlife corridor. The Project site was very disturbed and located in a very urban setting surrounded by busy streets and residential developments. Additionally, the Project site, lacking vegetative cover, was very exposed and did not contain any features that typically are associated with facilitating wildlife movement, including drainages, riverbeds, etc. Therefore, the Project site would not be considered a linkage or corridor between conserved natural habitat areas.

The SBCFCD channel adjacent to the Project site could be utilized by wildlife moving through the area, but the feature would not be considered a necessary linkage between conserved natural habitat areas.

4.0 IMPACT ANALYSIS

4.1 Special-Status Species

The Project site, consisting mainly of an existing paved footpath, was flat with very compacted or paved soil and was almost completely devoid of vegetation. Minor amounts of trash, including drink containers, pieces of concrete, and scrap wood were found scattered throughout the site and adjacent to the Project site.

The literature review and database searches identified 62 special-status plant species that could occur in the area of the Project site but, due to elevational factors, the Project site's long history of being heavily disturbed, developed, graded and compacted, and the current lack of suitable habitat for special-status plant species on Project site, all of the special-status plant species identified in the literature review were presumed absent from the Project site. The removal and replacement of the existing paved footpath and associated gravel shoulders on the Project site will not contribute to the overall decline of any of the plant species identified in the literature review and database searches and no impacts to special-status plant species are anticipated to result from the development of this Project.

The literature review and database searches identified 40 special-status wildlife species that occur near the Project site, but based on the condition of the Project site, the Project site's long history of being heavily disturbed, developed, graded, and compacted, and the current lack of suitable habitat for special-status wildlife species on the Project site, all of the 40 special-status wildlife species identified in the literature review and database searches were presumed absent from the Project site. The removal and replacement of the existing paved footpath and associated gravel shoulders on the Project site will not result in direct impacts to any of the special-status wildlife species identified in the literature review and database searches.

Although no suitable habitat for special-status wildlife species was identified on the Project site, the SBCFCD channel immediately adjacent to the Project site did contain marginally suitable habitat for burrowing owl and nesting bird species. Therefore, mitigation or avoidance measures, which could include focused surveys, pre-construction surveys, and/or construction monitoring, will be necessary to ensure that there are no indirect impacts to burrowing owl or nesting birds that may be present within the SBCFCD channel. Indirect impacts may occur in the form of ground disturbances, noise, and increased human activity on the site. Implementation of Mitigation Measures BIO-1 through BIO-2 would reduce these impacts to less than significant.

The vegetation immediately adjacent to the Project site within the SBCFCD channel could provide nesting habitat for songbirds protected by the MBTA and California Fish and Game Code. If construction of the proposed project occurs during the bird breeding season (typically February 1 through August 31), ground-disturbing construction activities could indirectly affect birds protected by the MBTA and their nests through increased noise, vibrations, and increased human activity. Impacts to nesting birds would be less than significant with the implementation of Mitigation Measure BIO-2.

The special-status plant and wildlife species with potential to occur on the Project site do not include any federally or state-listed species. Therefore, it is not likely that the Project will need to acquire a mechanism

for "take" of federally or state-listed plant or wildlife species. However, impacts to species regulated under CEQA would be less than significant with the implementation of Mitigation Measures BIO-1 and BIO-2.

4.2 Sensitive Natural Communities

The Project site consisted of an existing paved footpath. In general, the Project site consisted of disturbed/developed land that supported mostly nonnative grass and forb species. The Project site did not contain any riparian habitat or sensitive natural communities that would need to be preserved and no project-related impacts to these types of resources are anticipated with the development of the Project.

4.3 Federally Protected Wetlands and Waters of the United States

The Project site did not contain any federally protected wetlands or Waters of the United States. The development of the Project site will not result in impacts to federally protected wetlands or Waters of the United States.

4.4 Wildlife Corridors and Nursery Sites

The Project site is located within and adjacent to areas containing existing disturbances (e.g., paved roads and residential, commercial, and industrial developments). The Project site is heavily disturbed and/or developed and contained very little cover that would only allow for movement of wildlife. No migratory wildlife corridors or native wildlife nursery sites were identified within the Project site. Therefore, no impacts to wildlife corridors or nursery sites are expected to occur during the development of the Project site.

4.5 Habitat Conservation Plans and Natural Community Conservation Plans

The Project site is not located within an HCP or NCCP. Therefore, development of the Project site will not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional or state HCP.

5.0 RECOMMENDATIONS

The following mitigation measures are recommended prior to project implementation:

BIO-1 – Pre-construction Surveys for Burrowing Owl: Pre-construction surveys for burrowing owl shall be conducted within the SBCFCD channel prior to the start of construction. The surveys shall follow the methods described in the CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). Two surveys shall be conducted, with the first survey being conducted between 30 and 14 days before initial ground disturbance (grading, grubbing, and construction), and the second survey being conducted no more than 24 hours prior to initial ground disturbance. If burrowing owls and/or suitable burrowing owl burrows with sign (e.g., whitewash, pellets, feathers, prey remains) are identified on the Project site during the survey and impacts to those features are unavoidable, consultation with the CDFW shall be conducted and the methods described in the CDFW's *Staff Report on Burrowing Owl Mitigation* (CDFW 2012) for avoidance and/or passive relocation shall be followed.

BIO-2 – Pre-construction Nesting Bird Survey: If construction or other project activities are scheduled to occur during the bird breeding season (February through August for raptors and March through August for the majority of migratory bird species), a pre-construction nesting bird survey shall be

conducted by a qualified biologist to ensure that active bird nests, including those for the loggerhead shrike, will not be disturbed or destroyed. The survey shall be completed no more than 14 days prior to initial ground disturbance. The nesting bird survey shall include the Project site and adjacent areas where project activities have the potential to affect active nests, either directly or indirectly due to construction activity or noise. If an active nest is identified, a qualified biologist shall establish an appropriate disturbance limit buffer around the nest using flagging or staking. Construction activities shall not occur within any disturbance limit buffer zones until the nest is deemed inactive by the qualified biologist.

The following best management practices are not mitigation measures pursuant to CEQA but are recommended to further reduce impacts to special-status species that have potential to occur on the property:

- Confine all work activities to a pre-determined work area;
- To prevent inadvertent entrapment of wildlife during the construction phase of a Project, all excavated, steep-walled holes or trenches more than two feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen fill or wooden planks shall be installed. Before such holes or trenches are filled, they should be thoroughly inspected for trapped animals;
- Wildlife are often attracted to burrow- or den-like structures, such as pipes and may enter stored pipes and become trapped or injured. To prevent wildlife use of these structures, all construction pipes, culverts, or similar structures with a diameter of four inches or greater should be capped while stored onsite;
- All food-related trash items such as wrappers, cans, bottles, and food scraps should be disposed of in securely closed containers and removed at least once a week from a construction or Project site; and
- Use of rodenticides and herbicides on Project site should be restricted. This is necessary to prevent primary or secondary poisoning of wildlife, including burrowing owl and the depletion of prey populations on which they depend. All uses of such compounds should observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation. If rodent control must be conducted, zinc phosphide should be used because of a proven lower risk to burrowing owl.

6.0 CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the Project applicant or the applicant's representative and that I have no financial interest in the Project.

SIGNED: DATE: August 20, 2018

Phillip Wasz
Senior Wildlife Biologist
ECORP Consulting, Inc.

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LIST OF APPENDICES

Appendix A –Representative Project Site Photographs

Photo 1: Rialto Avenue looking north.

Photo 2: Foothill Boulevard looking south.

Photo 3: Foothill Boulevard Looking north.

Photo 4: Rosewood drive looking north.

Photo 5: Rosewood Drive looking south.

Photo 6: Midway between Rosewood Drive and Etiwanda Avenue looking north.

Photo 7: Midway between Rosewood Drive and Etiwanda Avenue looking south.

Photo 8: Etiwanda Avenue looking South.

Photo 9: Etiwanda Avenue looking north.


Photo 10: Baseline Road looking south.

APPENDIX B

Plant Species Compendium

SCIENTIFIC NAME	COMMON NAME
Baccharis salicifolia	mule fat
Cyperus eragrostis	tall flatsedge
Eucalyptus sp.	gum tree
Platanus racemosa	California sycamore
Populus fremontii	Fremont cottonwood
Salsola australis	Russian thistle
Sambucus nigra	black elderberry
Schinus molle	peruvian pepper tree
Tamarix ramosissima	saltceder
Typha sp.	Cattail species
Washingtonia robusta	Mexican fan palm
Salix ssp.	willow species'

APPENDIX C

Wildlife Species Compendium

SCIENTIFIC NAME	COMMON NAME
Calypte anna	Anna's hummingbird
Canis latrans	coyote
Haemorhous mexicanus	house finch
Mimus polyglottos	northern mockingbird
Myiarchus cinerascens	ash-throated flycatcher
Otospermophilus beecheyi	California ground squirrel
Passer domesticus	house sparrow
Sayornis nigricans	black phoebe
Streptopelia decaocto	Eurasian collared-dove
Sturnus vulgaris	European starling
Uta stansburiana	side-blotched lizard
Zenaida macroura	mourning dove