

# **GENERAL BIOLOGICAL RESOURCES ASSESSMENT**

**ARCO AM/PM  
BLOOMINGTON, SAN BERNARDINO COUNTY, CALIFORNIA  
(Township 1 South, Range 5 West, Section 27)  
(APN 0257-101-09)**

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**Project: #2021-03**

**January 14, 2021**

## **TITLE PAGE**

**Date Report Written:** January 14, 2021

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**Report Title:** General Biological Resources Assessment

**Assessor's Parcel Number:** 0257-101-09

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REGULATORY CONTEXT

## **1.0 INTRODUCTION AND SUMMARY**

Biological surveys were conducted on a parcel that is approximately 2.31-acres in size, and located on the northeast corner of Cedar Avenue and Jurupa Avenue, 11279 Cedar Avenue, in the City of Bloomington, San Bernardino County, California (Township 1 South, Range 5 West, Section 27, USGS Fontana, California Quadrangle, 1956) (Figures 1, 2, 3, and 4). The property is located in a single residential area of Bloomington where the project proponent is proposing to construct a new convenience store, gas pump canopy, carwash, and drive-thru restaurant.

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on January 13, 2021, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas.

Based on data from USFWS, CDFW, and a search of the California Natural Diversity Database (CNDDDB, 2021), there are thirty-two sensitive species that have been documented in the general region within approximately five miles of the project site. Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2000) and Whitaker (1980). Tables 1 and 2 provide information on the various special status plants and animal species which occur in the area (Appendix A). The proponent is proposing to use the land for a commercial development.

## **2.0 EXISTING CONDITIONS**

### **2.1 Environmental Setting**

The property is approximately 2.31-acres located at the northeast corner of Cedar Avenue and Jurupa Avenue in the City of Bloomington, San Bernardino County, California (Township 1 South, Range 5 West, Section 27, USGS Fontana, California Quadrangle, 1956). The Project area is enclosed by a chain-link fence and shows signs of previous disturbance such as site clearing and grading. The site is dominated by non-native vegetation throughout. Supporting a relatively flat topography, trucking companies border the site to the north and south with a residential dwelling adjacently east and a warehouse building to the west separated by Cedar Avenue. There are no streambeds that intersect the site and no streambeds or drainages were observed on the site or in the immediate vicinity.

### **2.2 Vegetation Communities**

Due to previous disturbances and grading of the property, the site is currently dominated by non-native vegetation. Plants observed include short-pod mustard (*Hirschfeldia incana*), wall barley (*Hordeum murinum*), wild oat (*Avena fatua*), Menzies fiddleneck (*Amsinckia menziesii*), and Asian mustard (*Brassica tournefortii*). Two species of trees occur on the property, a Peruvian peppertree (*Schinus molle*) was located on the northeast corner of the site, and approximately three Trees of Heaven (*Ailanthus altissima*) were observed on the southern boundary of the property, with the tallest of them being about three feet. Section 5.0 provides a more detailed discussion of the various plant species observed during the surveys.

### **2.3 Wildlife**

The site is not expected to support a wide variety of wildlife species given its current state and location in a very developed area of Bloomington. The only mammals observed during the field investigations on January 13, 2021 was a domestic cat (*Felis catus*).

Birds observed included American crow (*Corvus brachyrhynchos*), American kestrel (*Falco sparverius*), killdeer (*Charadrius vociferus*), house finch (*Carpodacus mexicanus*), rock pigeon (*Columba livia*), and northern mockingbird (*Mimus polyglottos*). Section 5.0 provides a more detailed discussion of the various species observed during the surveys.

Reptiles observed during the survey were limited to only the western fence lizard (*Sceloporus occidentalis*). Table 2 provides a compendium of wildlife species.

In addition, no sensitive habitats (e.g., sensitive species critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2021) and none were observed during the field investigations.

### 3.0 METHODOLOGIES

General biological surveys were conducted on January 13, 2021, during which biologists from RCA Associates, Inc initially walked meandering transects throughout the property site. During the surveys, data was collected on the plant and animal species present on the site. All plants and animals detected during the surveys were recorded and are provided in Tables 1 & 2 (Appendix A). The property was also evaluated for the presence of habitats which might support sensitive species. Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2000), and Whitaker (1980). Following completion of the initial reconnaissance survey, protocol surveys were conducted for the burrowing owl as per agency requirements. Weather conditions consisted of wind speeds of 0 to 5 mph, temperatures in the mid 70's (°F) (PM) with mostly clear skies. The applicable methodologies are summarized below.

#### 3.1 Plants

Plant species observed during the field survey were identified by visual characteristics and morphology in the field and recorded in a field notebook. Samples of unusual and less familiar plants were collected and returned to the lab for identification using taxonomical guides. A list of all species observed on the project site was compiled from the survey data (Appendix A, Table 2). The taxonomic nomenclature used in this study follows the California Native Plant Society (CNPS 2021).

#### 3.2 Wildlife

Wildlife species detected during the field surveys were identified by sight, calls, tracks, scat, or other signs and were recorded in a field notebook. Field guides were used to assist with identification of species during surveys and included the Sibley Field Guide to Birds of Western North America (2017). Although common names of wildlife species are fairly well standardized, scientific names are used in this report and are provided in Appendix A for reference.

**Burrowing Owl:** A habitat assessment (Phase 1) was conducted for the burrowing owl in conjunction with the general biological surveys to determine if the site supports suitable habitat for the species, January 13, 2021. Following completion of the habitat assessment, it was determined that the site does not support suitable habitat for the burrowing owl. Therefore, a

focused survey (Phase II) does not need to be conducted for burrowing owls for the absence of occupiable (i.e., suitable) burrows which could potentially be utilized by owls. As part of the burrowing owl survey, transects were walked throughout the site during which any suitable burrows were evaluated for owls and owl sign. Burrowing owls typically utilize burrows which have been excavated by other animals (squirrels, coyotes, foxes, dogs, etc.) since owls rarely dig their own burrows. CDFW protocol also requires surveys be conducted in the surrounding area out to a distance of about 500 feet; therefore, the zone of influence (ZOI) surveys were performed in the area surrounding the site where possible. If present on a site, CDFW typically requires the owls to be passively relocated during the non-breeding season.

### **Nesting Birds**

The project site contains some suitable nesting habitat for avian species. Nesting birds are protected under section 3503 of the CDFW code and/or the Migratory Bird Treaty Act (MBTA). A few common bird species were observed within the project area during the survey including northern mockingbird (*Mimus polyglottos*), house finch (*Carpodacus mexicanus*), eurasian collared dove (*Streptopelia decaocto*), and rock pigeon (*Columba livia*). All bird species observed are included in the faunal compendium in Appendix A, Table 3.

### **3.3 Riparian/Riverine Habitat and Jurisdictional Areas**

Aerial photography was reviewed prior to conducting the field investigations on January 13, 2021. The aerial photographs were used to locate and inspect any potential natural drainage features and water bodies that may be considered riparian/riverine habitat or which may be under the jurisdiction of either the U.S. Army Corps of Engineers (USACE) and/or CDFW. In general, surface drainage features are typically indicated as blue-line streams on USGS maps, which are expected to exhibit evidence of water flow through the channel. Such areas are considered potentially riparian/riverine habitat and may be subject to State and federal regulatory authority as “Waters of the State” or “Waters” of the U.S. Riparian/riverine habitat is defined as lands which contain habitat dominated by trees, shrubs, persistent emergent, or emergent mosses and lichens, which occur close to or which depend upon soil moisture from a nearby freshwater source, or areas with freshwater flow during all or a portion of the year.

#### 4.0 LITERATURE RESEARCH

As part of the environmental process, a search of the California Natural Diversity Database (CNDDDB) search was performed. Based on this review, it was determined that thirty-two special status species, four invertebrates, fifteen animals, and thirteen plants, have been documented within the Fontana quad of the property. The following tables provide data on each special status species which has been documented in the area.

**Table 4-1: Federal and State Listed Species and State Species of Special Concern.**

E = Endangered; T = Threatened; SSC = Species of special concern; CNPS = California Native Plant Society;  
CNDDDB = California Natural Diversity Data Base

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
<b>PLANTS</b>			
<b>Within Fontana Quadrangle</b>			
Plummer's mariposa-lily ( <i>Calochortus plummerae</i> )	Federal: None State: None CNPS: 4.2	Chaparral Cismontane woodland Coastal scrub Lower montane coniferous forest Valley & foothill grassland	The site does not support suitable habitat for the species.
Parish's bush mallow ( <i>Malacothamnus parishii</i> )	Federal: None State: None CNPS: 1A	Chaparral, coastal sage scrub	The site does not support suitable habitat for the species.
Parish's desert-thorn ( <i>Lycium parishii</i> )	Federal: None State: None CNPS: 2B.3	Creosote bush scrub, coastal sage scrub	The site does not support suitable habitat for the species.
Pringle's monardella ( <i>Monardella pringlei</i> )	Federal: None State: None CNPS: 1A	Coastal sage scrub	The site does not support suitable habitat for the species.
Mesa horkelia ( <i>Horkelia cuneata</i> var. <i>puberula</i> )	Federal: None State: None CNPS: 1B.1	Chaparral Cismontane woodland Coastal scrub	The site does not support suitable habitat for the species.

Robinson's pepper-grass ( <i>Lepidium virginicum</i> var. <i>robinsonii</i> )	Federal: None State: None CNPS: 4.3	Chaparral Coastal scrub	The site does not support suitable habitat for the species
Chaparral ragwort ( <i>Senecio aphanactis</i> )	Federal: None State: None CNPS:	Foothill woodland, northern coastal scrub, coastal sage scrub	The site does not support suitable habitat for the species
San Bernardino aster ( <i>Symphyotrichum defoliatum</i> )	Federal: None State: None CNPS: 1B.1	Cismontane woodland Coastal scrub Lower montane coniferous forest Marsh & swamp Meadow & seep Valley & foothill grassland	The site does support suitable habitat for the species; however, no aster observed during field surveys.
Marsh sandwort ( <i>Arenaria paludicola</i> )	Federal: Endangered State: Endangered CNPS: 1B.1	freshwater wetlands and marshes	The site does not support suitable habitat for the species
Salt marsh bird's-beak ( <i>Chloropyron maritimum</i> ssp. <i>maritimum</i> )	Federal: Endangered State: Endangered CNPS: 1B.2	Salt-marsh, wetlands, coastal	The site does not support suitable habitat for the species
Parry's spineflower ( <i>Chorizanthe parryi</i> var. <i>parryi</i> )	Federal: None State: None CNPS: 1B.1	Chaparral, coastal sage scrub	The site does not support suitable habitat for the species
Santa Ana River woollystar ( <i>Eriastrum densifolium</i> ssp. <i>sanctorum</i> )	Federal: Endangered State: Endangered CNPS: 1B.1	Alluvial-fans, chaparral, coastal sage scrub	The site does not support suitable habitat for species
Prairie wedge grass ( <i>Sphenopholis obtusata</i> )	Federal: None State: None CNPS: 2B.2	Foothill woodland, wetland-riparian	The site does not support suitable habitat for the species

## Notes:

### Status abbreviations:

CNPS List 1A: Plants presumed extirpated in California and either rare or extinct elsewhere

CNPS List 1B: Plants rare, threatened, or endangered in California and elsewhere

CNPS List 2A: Plants presumed extirpated in California, but more common somewhere else

CNPS List 2B: Plants rare, threatened, or endangered in California, but more common somewhere else

CNPS List 3: Plants about which more information is needed - a review list

CNPS List 4: Plants of limited distribution - a watch list

.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)



.3 No very threatened in California (<20% of occurrences threatened/ low degree and immediacy of threat or no current threats known)

**Table 4-2: Special status wildlife and insects documented in the region (Source: CNDDB, 2021) or likely to occur in the region**

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
<b>Wildlife Species</b>			
<b>Within Fontana Quadrangle</b>			
California glossy snake ( <i>Arizona elegans occidentalis</i> )	Federal: None State: None	range of scrub and grassland habitats	The site does not support suitable habitat for the species.
Burrowing owl ( <i>Athene cunicularia</i> )	Federal: None State: None	Grasslands and desert habitats	The site does support suitable habitat for the species; however, no owls or owl sign was observed during field surveys.
Coastal California gnatcatcher ( <i>Poliophtila californica californica</i> )	Federal: None State: None	Coastal bluff scrub Coastal scrub	The site does not support suitable habitat for the species.
Southern California legless lizard ( <i>Anniella stebbinsi</i> )	Federal: None State: None	Broadleaved upland forest Chaparral Coastal dunes Coastal scrub	The site does not support suitable habitat for the species.
Northwestern San Diego pocket mouse ( <i>Chaetodipus fallax fallax</i> )	Federal: None State: None	Chaparral Coastal scrub	The site does not support suitable habitat for the species.
Coast Horned Lizard ( <i>Phrynosoma blainvillii</i> )	Federal: None State: None	Desert scrub Sandy washes	The site does support suitable habitat for the species; however, no coast horned lizard was observed during field surveys.
San Bernardino kangaroo rat ( <i>Chorizanthe xanti</i> var. <i>leucotheca</i> )	Federal: Endangered State: None	Coastal scrub	The site does not support suitable habitat for the species.
San Diego black-tailed jackrabbit ( <i>Lepus californicus bennettii</i> )	Federal: None State: None	Arid regions with short grass	The site does not support suitable habitat for the species

White cuckoo bee ( <i>Neolarra alba</i> )	Federal: None State: None	Endemic to Southern California	There were no white cuckoo bees seen on site or in the surrounding area.
Crotch bumble bee ( <i>Bombus crotchii</i> )	Federal: None State: Candidate Endangered	Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	The site does support suitable habitat for the species; however, no bees observed during field surveys.
Pocketed free-tailed bat ( <i>Nyctinomops femorosaccus</i> )	Federal: None State: None	Desert scrub, desert riparian, juniper woodlands, desert wash	The site does not support suitable habitat for the species.
Steelhead- southern California DPS ( <i>Oncorhynchus mykiss irideus pop. 10</i> )	Federal: Endangered State: None	Freshwater streams	The site does not support suitable habitat for the species.
Western yellow bat ( <i>Lasiurus xanthinus</i> )	Federal: None State: None	Desert wash	The site does not support suitable habitat for the species.
Delhi Sands flower-loving fly ( <i>Rhaphiomidas terminatus abdominalis</i> )	Federal: Endangered State: None	Arid, sandy habitats, inland desert valleys, rivers, deltas	The site does not support suitable habitat for the species
Tricolored blackbird ( <i>Agelaius tricolor</i> )	Federal: None State: Threatened	Wetlands, marshes, agricultural fields	The site does not support suitable habitat for the species.
Santa Ana sucker ( <i>Catostomus santaanae</i> )	Federal: Threatened State: None	Southern California rivers	The site does not support suitable habitat for the species
Greenest tiger beetle ( <i>Cicindela tranquebarica viridissima</i> )	Federal: None State: None	Sand flats along streams	The site does not support suitable habitat for the species
Arroyo chub ( <i>Gila orcutti</i> )	Federal: None State: None	Coastal streams of southern California	The site does not support suitable habitat for the species
Least Bell's Vireo ( <i>Vireo bellini pusillus</i> )	Federal: Endangered State: Endangered	Dense shrubs and small trees along rivers and streams	The site does not support suitable habitat for the species

## 5.0 RESULTS

### 5.1 General Biological Resources

The site does not support any communities of native vegetation due to the previous disturbance and grading on the site. Plant species currently present on the site short-pod mustard (*Hirschfeldia incana*), wall barley (*Hordeum murinum*), wild oat (*Avena fatua*), Peruvian peppertree (*Schinus molle*), Tree of Heaven (*Ailanthus altissima*), Menzies fiddleneck (*Amsinckia menziesii*), and Asian mustard (*Brassica tournefortii*). Table 1 provides a compendium of all plants occurring on the site and/or in the immediate surrounding area.

Birds observed included American crow (*Corvus brachyrhynchos*), American kestrel (*Falco sparverius*), red-tailed hawk (*Buteo jamaicensis*), killdeer (*Charadrius vociferus*), house finch (*Carpodacus mexicanus*), rock pigeon (*Columba livia*), and northern mockingbird (*Mimus polyglottos*).

The only observed mammal during the field investigations on January 13, 2021 was a domestic cat (*Felis catus*), however, California ground squirrels (*Spermophilus beecheyi*) and cottontail (*Sylvilagus auduboni*) are known to occur in the area but were not observed. Tables 1 and 2 (Appendix A) provides a compendium of the various plant and animal species identified during the field investigations and those common to the area. No distinct wildlife corridors were identified on site or in the immediate area.

Reptiles observed during the field investigations January 13, 2020 included only the western fence lizard (*Sceloporus occidentalis*). Reptiles common in the region which are expected to inhabit the site include alligator lizard (*Elgaria sp.*), side-blotched lizard (*Uta stansburiana*), and western whiptail lizard (*Cnemidophorus tigris*). Table 2 provides a compendium of wildlife species observed during the various surveys and those likely to occur in the area.

No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations. Refer to section 5.5 for a discussion of the channel.

## **5.2 Federal and State Listed Species**

No federal or State-listed species were observed on the site during the field investigations nor are any listed species expected to inhabit the site.

## **5.3 Wildlife Species of Special Concern**

**Sensitive Plants:** There are numerous plants that have been documented in the quad. As mentioned above, about thirteen sensitive plants have been documented within the Fontana quadrangle. However, the site does not support habitats typically associated with the sensitive plants known to occur in the region. Therefore, no sensitive plant species are expected to inhabit the site and the project is not expected to impact any sensitive species.

**Sensitive Wildlife:** Within the Fontana quad there are multiple species that are of Special Concern; however, the site does not support habitats typically associated with most of the sensitive species in the region. The only sensitive species which could potentially occur on the site is the burrowing owl and no owls or owl sign were detected during the focused surveys conducted on the site. In addition, the site is not expected to support any populations of any other sensitive wildlife species.

## **5.4 Jurisdictional Waters and Riparian Habitat**

The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States, and the State of California also regulates waters of the State and streambeds under the preview of regional water quality boards and CDFW jurisdiction. These waters include wetlands and non-wetland bodies of water that meet specific criteria. No riparian habitats, streambeds, or drainages were observed during the field investigations on the project site or in the immediate surrounding area.

## **6.0 IMPACTS AND MITIGATION MEASURES**

### **6.1 General Biological Resources**

Future development of the site will have little impact on the general biological resources that are present. Most of the vegetation will be removed during future construction activities. The removal of the small amount of vegetation that is located on the site will have minimal effect on wildlife species in the area. Wildlife will be impacted by development activities and those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. There is potential for various nesting birds to take part in nesting activities in the trees along the northern border, as well as in the ground level fauna within the project site. However, potential impacts to nesting birds can be eliminated or significantly reduced if vegetation suitable for nesting birds is removed outside of the nesting bird season. The nesting season for birds typically occurs from February 15<sup>th</sup> to August 31<sup>st</sup>.

No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

### **6.2 Federal and State Listed and Species of Special Concern**

No federal or State-listed species were observed on the site during the field investigations. In addition, there are no documented observations of these species either on the site or in the immediate area. As per CDFW protocol, the burrowing owl survey results are valid for only 30 days; therefore, CDFW may require a 30-day pre-construction survey to be performed prior to any clearing/grading activities to determine if owls have moved on to the site since the January 13, 2021, surveys

## **7.0 CONCLUSIONS AND RECOMMENDATIONS**

Future development activities are expected to result in the removal of vegetation from the 2.31-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the lack of habitat currently on the site which would be very common throughout the region. Future development activities are also not expected to have any impact on any State or Federal listed or State special status plant or animal species. In addition, burrowing owls do not inhabit the site and are not expected to be impacted given the absence of any suitable burrows. The following mitigation measures are recommended:

1. Pre-construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. In the event that listed species are encountered, authorization from the USFWS and CDFW must be obtained. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.

If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.

## 8.0 BIBLIOGRAPHY

- Baldwin, Bruce G, et. al.  
2002. The Jepson Desert Manual. Vascular Plants of Southeastern California.  
University of California Press, Berkeley, CA.
- Bureau of Land Management  
January 2005. Final Environmental Impact Report and Statement for the West Mojave Plan. Vol. 1A.
- California Burrowing Owl Consortium  
1993. Burrowing Owl Survey Protocol and Mitigation Guidelines
- California Department of Fish and Game  
1990. California Wildlife: Volume 1 (Amphibians and Reptiles), Volume II (Birds), and Volume III (Mammals).
- California Department of Fish and Game  
2003. Mohave Ground Squirrel Survey Guidelines.
- California Department of Fish and Game  
2014. Rarefind 3 Natural Diversity Database. Habitat and Data Analysis Branch.  
Sacramento, CA.
- California Department of Fish and Game  
March 7, 2013. Staff Report on Burrowing Owl Mitigation. 34 pp.
- California Native Plant Society  
2001. Inventory of Rare and Endangered Plants of California (sixth edition). Rare Plant Scientific Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA x + 388 pp.
- Ehrlich, P., Dobkin., Wheye, D.  
Birder's Handbook. A Field Guide to the Natural History of North American Birds.  
Simon & Schuster Building Rockefeller Center 1230 Avenue of the Americas. New York, New York 10020.
- Hickman, James C.  
The Jepson Manual Higher Plants of California. University of California Press.  
Berkeley, CA. 3<sup>rd</sup> Edition. 1996.
- Jaeger, Edmund C.  
1969. Desert Wild Flowers. Stanford University Press, Stanford, California. 321 pp.
- Kays, R. W. & Wilson, D. E.  
Mammals of North America. Princeton University Press, Princeton, New Jersey. 2002.

Madole & Associates, Inc.

June 12, 2017. Drainage Study in the City of Upland for the 15<sup>th</sup> Street Basin.

Munz, Philip A.

1974. A Flora of Southern California. University of California Press, Berkeley, California. 1086 pp.

Tugel, Arlene J., Woodruff, George A.

Soil Conservation Service, 1978. Soil Survey of San Bernardino County California, Mojave River Area.

Sibley, David Allen.

National Audubon Society. The Sibley guide to Birds. Alfred A Knopf, Inc. 2000.

Stebbins, Robert C.

A Field Guide to Western Reptiles and Amphibians. Houghton Mifflin Company. 2003.

U.S. Fish and Wildlife Service

2010 Desert Tortoise Survey Protocol.

Whitaker, John O.

The Audubon Society Field Guide to North American Mammals. Alfred A Knopf, Inc. 1980.



## CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits, presents 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. Fieldwork conducted for this assessment was performed by Ryan Hunter and Lisa Cardoso. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.

Date: 01/14/2021

Signed: Ryan Hunter

Signed: Lisa Cardoso

Field Work Performed By: Ryan Hunter  
Environmental Scientist & Biologist

Field Work Performed By: Lisa Cardoso  
Wildlife Biologist

## **Appendix A**

### **Tables and Figures**





FIGURE 1: REGIONAL EXHIBIT

RCA ASSOCIATES, INC.  
SOURCE: GOOGLE EARTH





FIGURE 2: VICINITY EXHIBIT

RCA ASSOCIATES, INC.  
SOURCE: GOOGLE EARTH





CENTER OF SITE LOOKING WEST



CENTER OF SITE LOOKING SOUTH

FIGURE 3  
PHOTOGRAPHS OF SITE





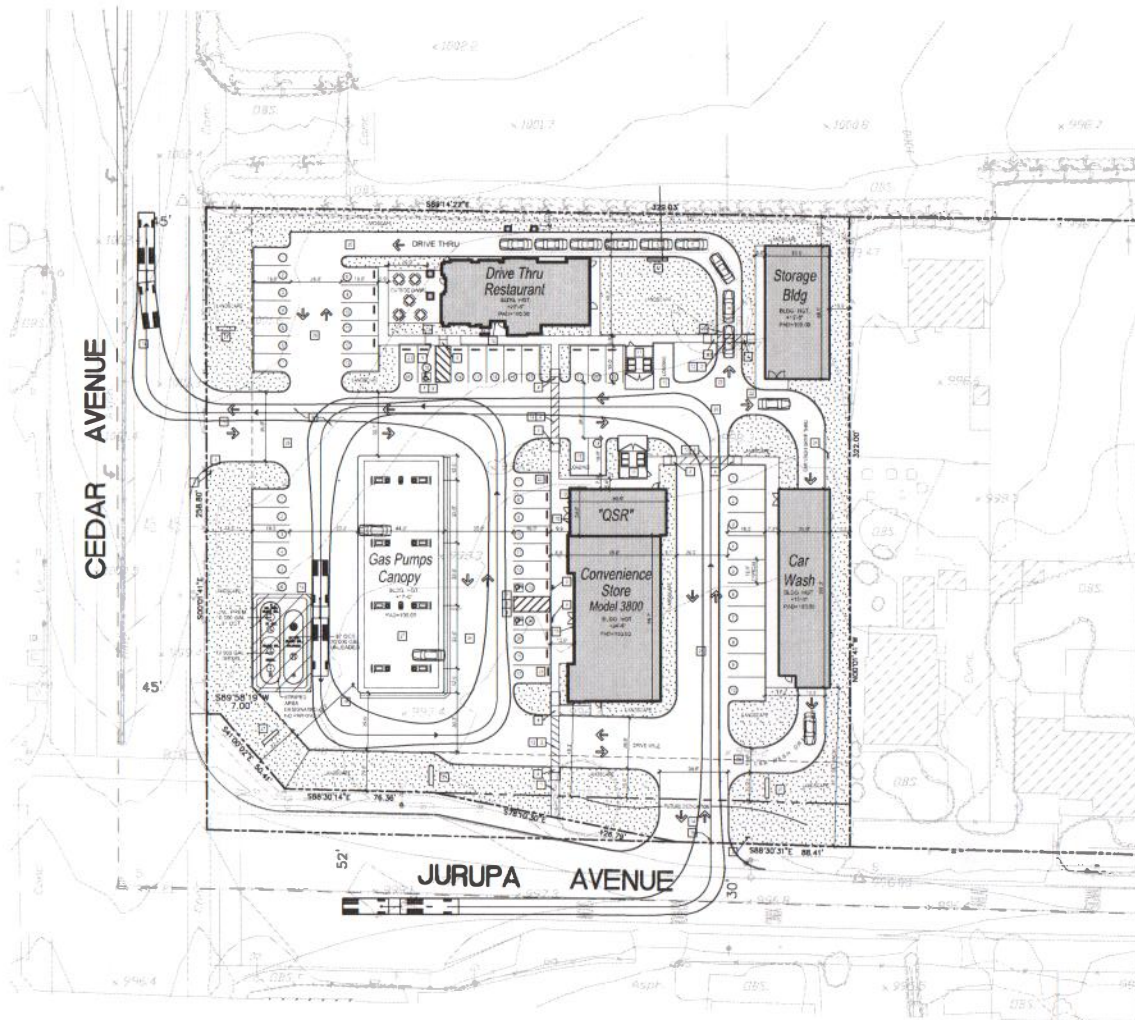
CENTER OF SITE LOOKING NORTH



CENTER OF SITE LOOKING EAST

FIGURE 3, cont.  
PHOTOGRAPHS OF SITE





## KEYNOTES

- 1 ACCESSIBLE PATH OF TRAVEL FROM PUBLIC WAY - 6% MAX. SLOPE
- 2 ACCESSIBLE PATH OF TRAVEL - 8% MAX. SLOPE
- 3 UNAUTHORIZED PARKING IN ACCESSIBLE SPACES - SIGNAGE
- 4 YELLOW TRUNCATED DOMES
- 5 ACCESSIBLE PARKING SIGNAGE WITH "VAN ACCESSIBLE" SIGNAGE AND MINIMUM FINE SIGNAGE
- 6 ACCESSIBLE PARKING SIGNAGE WITH MINIMUM FINE SIGNAGE
- 7 ACCESSIBLE VAN PARKING STALL
- 8 ACCESSIBLE PARKING STALL
- 9 ACCESSIBLE ACCESS AISLE
- 10 BUILDING ACCESSIBLE ENTRY SIGNAGE
- 11 NEW WALKWAY ENCLOSURE
- 12 STRIPED WALKWAY AT DRIVE AISLE
- 13 BICYCLE PARKING
- 14 NEW DRIVE WAY
- 15 LOADING SPACE - 15' X 10'
- 16 UNDERGROUND FUEL TANK LOCATION
- 17 MENU BOARD
- 18 DELIVERY TRUCK TURNING RADIUS
- 19 INDICATES TANKER DELIVERY PATH
- 20 INDICATES VEHICLE LENGTH (20'-0")
- 21 MONUMENT SIGNAGE
- 22 DRIVE THRU ENTRANCE
- 23 CONCRETE WHEEL STOP, TYPICAL
- 24 CARWASH SELECTION BOARD
- 25 DRIVE THRU EXIT
- 26 ASPHALT PAVING TYPICAL
- 27 CONCRETE PAVING AT CANOPY AREA

## PROJECT DATA:

DEVELOPER: HARRY SIDHU  
 APPLICANT: 1348 E. WASHINGTON ST.  
 BLOOMINGTON, CA 92316  
 951-753-2844  
 SH@HARRYSIDHU.COM

REPRESENTATIVE: ARCO AM/PM  
 JAY NELSON  
 1177 BAYVIEW STREET, SUITE 200  
 REDLANDS, CA 92374  
 PHONE: (951) 382-7952

PREPARATION DATE: APRIL 26, 2018

PROJECT DESCRIPTION: DEMOLISH AND RECONSTRUCT NEW CONVENIENCE STORE, GAS PUMP CANOPY, CARWASH, AND DRIVE THRU RESTAURANT FACILITIES WITH SITE IMPROVEMENTS

ASSESSOR'S PARCEL NO.: 0287-191-05

LEGAL DESCRIPTION: LOT 381 (SHOWN ON AERIAL PHOTO) LOT 381 (SHOWN ON AERIAL PHOTO) THE S&B TRACT, LAND & WATER COMPANY S 1/4 AND W 1/4 CO. S 1/4 L 1/4 378 FT 5 1/2 IN 1/2 LOT 381 EX STS CHRYSLER/FONTANA

PROJECT ADDRESS: 11279 CEDAR AVENUE  
 BLOOMINGTON, CA 92316

GENERAL PLAN: RESIDENTIAL VACANT LAND

SPECIFIC PLAN: N/A

UTILITIES DISTRICT: WATER - WEST VALLEY WATER DISTRICT  
 TELEPHONE - VERIZON CO  
 GAS - SOUTHERN CALIFORNIA GAS CO  
 ELECTRIC - SOUTHERN CALIFORNIA Edison  
 SEWER - WEST VALLEY WATER DISTRICT

BUILDING HEIGHT: CONVENIENCE STORE - 34'-0"  
 PUMP CANOPY - 17'-0"  
 CARWASH - 15'-0"  
 DRIVE THRU RESTAURANT - 20'-0"

SITE AREA: 2.31 AC. (100,447 SQ. FT.)

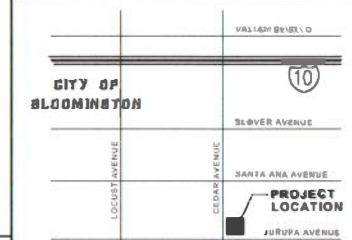
COVERAGE AREAS:

AREA OF USE	S.F.	REQUIRED	PROVIDED
BUILDINGS	12,428	12,428	12,428 (100%)
PARKING/PAVED	30,882	30,882	30,882 (100%)
LANDSCAPING	38,138	28,999 (76.0%)	28,198 (73.9%)

## PARKING SUMMARY

DESCRIPTION	BLDG. S.F.	RATIO	REQUIRED	PROVIDED
CONVENIENCE STORE & OGR	5,000 SF	1 SP/250 SF	20	18
GAS PUMP CANOPY	- SF	1 PER PUMP	8	8
CAR WASH STATION	2,634 SF	3 REQUIRED	3	10
STORAGE BLDG	2,244 SF	N/A		
DRIVE THRU RESTAURANT	2,688 SF	1 SP/100 SF	26	23
<b>TOTAL</b>			<b>48</b>	<b>51</b>
<b>STALLS PROVIDED</b>				
REGULAR STALL	8K16		48 STALLS	
ACCESSIBLE STALL	8K16		3 STALLS	
LOADING STALL	15K19		2 STALLS	
BICYCLE			4 PROPOSED	

## VICINITY MAP



PROPOSED ARCHITECTURAL SITE PLAN SCALE: 1" = 30' 1

FIGURE 4: SITE PLAN



FOR

ARCO AM/PM - Bloomington

Mr. Harry Sidhu

11279 CEDAR AVENUE  
 BLOOMINGTON, CA 92316

REVISION 2017-05-02

DATE

NO

PLAN CHECK 2017-01-20

DESIGNER VM

JOB NO. 18-071

SHEET NAME

PROPOSED ARCHITECTURAL SITE PLAN

SHEET NO.

1.0  
 OF

**Table 1 - Plants observed on the site and known to occur in the immediate surrounding area.**

<b>Common Name</b>	<b>Scientific Name</b>	<b>Location</b>
Tree of Heaven	<i>Ailanthus altissima</i>	On Site
Short-pod mustard	<i>Hirschfeldia incana</i>	On Site
Menzies fiddleneck	<i>Amsinckia menziesii</i>	On Site
Ripgut brome	<i>Bromus diandrus</i>	On Site
Wall barley	<i>Hordeum murinum</i>	On Site
Wild oat	<i>Avena fatua</i>	On Site
Common storksbill	<i>Erodium cicutarium</i>	On Site
Asian mustard	<i>Brassica tournefortii</i>	On Site
Peruvian peppertree	<i>Schinus molle</i>	On Site

Note: The above list is not intended to be a comprehensive list of every plant which may occur on the site or in the zone of influence.



**Table 2 - Wildlife observed on the site during the field investigations.**

<b>Common Name</b>	<b>Scientific Name</b>	<b>Location</b>
American crow	<i>Corvus brachyrhynchos</i>	On-site and in the surrounding area.
Eurasian collared dove	<i>Streptopelia decaocto</i>	On-site and in the surrounding area.
American kestrel	<i>Falco sparverius</i>	On Site
House finch	<i>Carpodacus mexicanus</i>	On-site and in the surrounding area.
Northern mockingbird	<i>Mimus polyglottos</i>	On Site
Killdeer	<i>Charadrius vociferus</i>	On Site
Rock Pigeon	<i>Columba livia</i>	On-site and in the surrounding area.
Red-tailed Hawk	<i>Buteo jamaicensis</i>	On-site and in the surrounding area.
Domestic cat	<i>Felis catus</i>	On site
Western fence lizard	<i>Sceloporus occidentalis</i>	On Site
Alligator lizard	<i>Elgaria sp.</i>	Potential to occur on site
Side-blotched lizard	<i>Uta stansburiana</i>	Potential to occur on site
California ground squirrel	<i>Spermophilus beecheyi</i>	Potential to occur on site

Note: The above Table is not a comprehensive list of every animal species which may occur in the area, but is a list of those common species which were identified on the site or which have been observed in the region by biologists from RCA Associates, Inc.

## **REGULATORY CONTEXT**

The following provides a summary of federal and state regulatory jurisdiction over biological and wetland resources. Although most of these regulations do not directly apply to the site, given the general lack of sensitive resources, they provide important background information.

### **Federal Endangered Species Act**

The USFWS has jurisdiction over federally listed threatened and endangered plant and animal species. The federal Endangered Species Act (ESA) and its implementing regulations prohibit the take of any fish or wildlife species that is federally listed as threatened or endangered without prior approval pursuant to either Section 7 or Section 10 of the ESA. ESA defines “take” as “harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Federal regulation 50CFR17.3 defines the term “harass” as an intentional or negligent act that creates the likelihood of injuring wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns such as breeding, feeding, or sheltering (50CFR17.3). Furthermore, federal regulation 50CFR17.3 defines “harm” as an act that either kills or injures a listed species. By definition, “harm” includes habitat modification or degradation that actually kills or injures a listed species by significantly impairing essential behavior patterns such as breeding, spawning, rearing, migrating, feeding, or sheltering (50CFR217.12).

Section 10(a) of the ESA establishes a process for obtaining an incidental take permit that authorizes non federal entities to incidentally take federally listed wildlife or fish. Incidental take is defined by ESA as take that is “incidental to, and not the purpose of, the carrying out of another wise lawful activity.” Preparation of a habitat conservation plan, generally referred to as an HCP, is required for all Section 10(a) permit applications. The USFWS and National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries Service) have joint authority under the ESA for administering the incidental take program. NOAA Fisheries Service has jurisdiction over anadromous fish species and USFWS has jurisdiction over all other fish and wildlife species.

Section 7 of the ESA requires all federal agencies to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any species listed under the ESA, or result in the destruction or adverse modification of its habitat. Federal agencies are also required

to minimize impacts to all listed species resulting from their actions, including issuance or permits or funding. Section 7 requires consideration of the indirect effects of a project, effects on federally listed plants, and effects on critical habitat (ESA requires that the USFWS identify critical habitat to the maximum extent that it is prudent and determinable when a species is listed as threatened or endangered). This consultation results in a Biological Opinion prepared by the USFWS stating whether implementation of the HCP will result in jeopardy to any HCP Covered Species or will adversely modify critical habitat and the measures necessary to avoid or minimize effects to listed species.

Although federally listed animals are legally protected from harm no matter where they occur, Section 9 of the ESA provides protection for endangered plants by prohibiting the malicious destruction on federal land and other “take” that violates State law. Protection for plants not living on federal lands is provided by the California Endangered Species Act.

### **California Endangered Species Act**

CDFW has jurisdiction over species listed as threatened or endangered under Section 2080 of the California Fish and Wildlife Code. Section 2080 prohibits the take of a species listed by CDFW as threatened or endangered. The state definition of take is similar to the federal definition, except that Section 2080 does not prohibit indirect harm to listed species by way of habitat modification. To qualify as “take” under the state ESA, an action must have direct, demonstrable detrimental effect on individuals of the species. Impacts on habitat that may ultimately result in effects on individuals are not considered take under the state ESA but can be considered take under the federal ESA.

Proponents of a project affecting a state-listed species must consult with CDFW and enter into a management agreement and take permit under Section 2081. The state ESA consultation process is similar to the federal process. California ESA does not require preparation of a state biological assessment; the federal biological assessment and the CEQA analysis or any other relevant information can provide the basis for consultation. California ESA requires that CDFW coordinate consultation for joint federally listed and state-listed species to the extent possible; generally, the state opinion for the listed species is brief and references provisions under the federal opinion.

### **Clean Water Act, Section 404**

The COE and the U.S. Environmental Protection Agency regulate the placement of dredged or fill material into “Waters of the United States” under Section 404 of the Clean Water Act. Waters of the United States include lakes, rivers, streams, and their tributaries, and wetlands. Wetlands are defined for regulatory purposes as “areas inundated or saturated by surface or groundwater 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 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3).

The COE may issue either individual permits on a case-by-case basis or general permits on a program level. General permits are pre-authorized and are issued to cover similar activities that are expected to cause only minimal adverse environmental effects. Nationwide permits (NWP’s) are general permits issued to cover particular fill activities. All NWP’s have general conditions that must be met for the permits to apply to a particular project, as well as specific conditions that apply to each NWP.

### **Clean Water Act, Section 401**

Section 401 of the Clean Water Act requires water quality certification and authorization of placement of dredged or fill material in wetlands and Other Waters of the United States. In accordance with Section 401 of the Clean Water Act, criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. As such, proponents of any new project which may impair water quality as a result of the project are required to create a post construction stormwater management plan to insure offsite water quality is not degraded. The resulting requirements are used as criteria in granting National Pollution Discharge Elimination System (NPDES) permits or waivers, which are obtained through the Central Valley Regional Water Quality Control Board (RWQCB). Any activity or facility that will discharge waste (such as soils from construction) into surface waters, or from which waste may be discharged, must obtain an NPDES permit or waiver from the RWQCB. The RWQCB evaluates an NPDES permit application to determine whether the proposed discharge is consistent with the adopted water quality objectives of the basin plan.

### **California Fish and Wildlife Code, Sections 1600-1616**

Under the California Fish and Wildlife Code, Sections 1600-1616 CDFW regulates projects that divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake. Proponents of such projects must notify CDFW and enter into a streambed alteration agreement with them.

Section 1602 of the California Fish and Wildlife Code requires a state or local government agency, public utility, or private entity to notify CDFW before it begins a construction project that will: (1) divert, obstruct, or change the natural flow or the bed, bank, channel, or bank of any river, stream, or lake; (2) use materials from a streambed; or (3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into any river, stream, or lake. Once the notification is filed and determined to be complete, CDFW issues a streambed alteration agreement that contains conditions for construction and operations of the proposed project.

### **California Fish and Wildlife Code, Section 3503.5**

Under the California Fish and Wildlife Code, Section 3503.5, it is unlawful to take, possess, or destroy any birds in the orders Falconiformes (hawks, eagles, and falcons) or Strigiformes (owls). Take would include the disturbance of an active nest resulting in the abandonment or loss of young.

### **Migratory Bird Treaty Act**

The federal Migratory Bird Treaty Act (MBTA) prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, or their eggs and nests. As used in the MBTA, the term “take” is defined as “to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.” Most bird species native to North America are covered by this act.

### **Sensitive Natural Communities**

The California Office of Planning and Research and the Office of Permit Assistance (1986) define project effects that substantially diminish habitat for fish, wildlife, or plants, or that disrupt or divide the physical arrangement of an established community as significant impacts under CEQA.

This definition applies to certain natural communities because of their scarcity and ecological values and because the remaining occurrences are vulnerable to elimination. For this study, the term “sensitive natural community” includes those communities that, if eliminated or substantially degraded, would sustain a significant adverse impact as defined under CEQA. Sensitive natural communities are important ecologically because their degradation and destruction could threaten populations of dependent plant and wildlife species and significantly reduce the regional distribution and viability of the community. If the number and extent of sensitive natural communities continue to diminish, the status of rare, threatened, or endangered species could become more precarious, and populations of common species (i.e., not special status species) could become less viable. Loss of sensitive natural communities also can eliminate or reduce important ecosystem functions, such as water filtration by wetlands and bank stabilization by riparian woodlands for example.