

**BIOLOGICAL TECHNICAL REPORT**

**FOR**

**VERNOLA MARKET PLACE APARTMENTS PROJECT**

**LOCATED IN THE CITY OF JURUPA VALLEY,  
RIVERSIDE COUNTY, CALIFORNIA**

**Prepared For:**

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**September 17, 2021**

## INFORMATION SUMMARY

- A. **Report Date:** September 17, 2021
- B. **Report Title:** Biological Technical Report for the Vernola Market Place Apartments Project
- C. **Project Site Location:** City of Jurupa Valley, Riverside County, California. Latitude 33.969735°, longitude -117.547777° [center reading].
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- F. **Report Summary:** This report describes the current biological conditions for the Vernola Market Place Apartments Project (Project) and evaluates potential impacts to biological resources occurring as a result of the Project. The Project site occurs within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Burrowing Owl Survey Area and Narrow Endemic Plant Species Survey Area (NEPSSA). The Project site does not occur within a Criteria Cell and/or Cell Group, Core and/or Linkage Area, Criteria Area Plant Species Survey Area (CAPSSA), Mammal Survey Area, Invertebrate/Delhi Sands Flower-Loving Fly Survey Area, or Amphibian Survey Area.

Glenn Lukos Associates, Inc. (GLA) conducted general biological and site-specific surveys in 2014 and updated the biological surveys in 2021. Fieldwork conducted for the Project site included a general biological survey, habitat assessments, evaluation of MSHCP riparian/riverine areas and vernal pools, and focused burrowing owl (*Athene cunicularia*) surveys (pursuant to MSHCP policies and guidelines).

The proposed Project would not result in impacts to MSHCP riparian/riverine areas, vernal pools, burrowing owls, special-status plants, animals, or natural communities, wildlife linkages/corridors or nursery sites, or jurisdictional waters. The proposed Project would result in impacts to suitable upland habitat for the California horned lark (*Eremophila alpestris actia*), a MSHCP covered species. The proposed Project would be consistent with all applicable MSHCP policies, specifically pertaining to the Project's relationship to reserve assembly, Section 6.1.2 (Protection of Species Associated with

Riparian/Riverine Areas and Vernal Pools) and Section 6.3.2 (Additional Survey Needs and Procedures). Through compliance with the MSHCP, the Plan would fully mitigate for potentially significant impacts under California Environmental Quality Act (CEQA) that would occur as a result of the Project, including potential cumulative impacts.

**G. Individuals Conducting Fieldwork:** David Smith, Lesley Lokovic, and Joseph Vu

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## **1.0 INTRODUCTION**

### **1.1 Background and Scope of Work**

This document provides the results of general biological surveys and focused biological surveys for the approximately 8.34 acre Vernola Market Place Apartments Project (the Project) located in the City of Jurupa Valley, Riverside County, California. This report identifies and evaluates impacts to biological resources associated with the proposed Project in the context of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), the California Environmental Quality Act (CEQA), and State and Federal regulations such as the Endangered Species Act (ESA), Clean Water Act (CWA), the California Water Code (CWC), and the California Fish and Game Code.

The scope of this report includes a discussion of existing conditions for the approximately 8.34 acre Project site, all methods employed regarding the general biological surveys and focused biological surveys, the documentation of botanical and wildlife resources identified (including special-status species), and an analysis of impacts to biological resources. Methods of the study include a review of relevant literature, field surveys, and a Geographical Information System (GIS)-based analysis of vegetation communities. As appropriate, this report is consistent with accepted scientific and technical standards and survey guideline requirements issued by the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), the California Native Plant Society (CNPS), and other applicable agencies/organizations.

The field studies focused on a number of primary objectives that would comply with CEQA and MSHCP requirements, including (1) general reconnaissance survey and vegetation mapping; (2) general biological surveys; (3) habitat assessments for special-status plant species (including species with applicable MSHCP survey requirements); (4) habitat assessments for special-status wildlife species (including species with applicable MSHCP survey requirements); (5) focused burrowing owl (*Athene cunicularia*) surveys; (6) assessment for the presence of wildlife migration and colonial nursery sites; (7) assessments for MSHCP riparian/riverine areas and vernal pools; and (8) assessments for areas subject to the jurisdiction of the United States Army Corps of Engineers (Corps) pursuant to Section 404 of the CWA, the Regional Water Quality Control Board (Regional Board) pursuant to Section 401 of the CWA and Section 13260 of the CWC [the Porter-Cologne Act], and CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600–1617 of the California Fish and Game Code. Observations of all plant and wildlife species were recorded during the biological studies and are included as Appendix A: Floral Compendium and Appendix B: Faunal Compendium.

### **1.2 Project Location**

The Project site comprises approximately 8.34 acres in the City of Jurupa Valley, Riverside County, California [Exhibit 1 – Regional Map] and is located at Latitude 33.969265 and Longitude -117.547770 within Section 30 of Township 2 South, Range 6 West, of the United States Geological Survey (USGS) 7.5” quadrangle map Corona North (dated 1967 and photorevised in 1981)[Exhibit 2 – Vicinity Map]. The Project site is bordered by Interstate 15 to

the west, 68<sup>th</sup> Street to the south, Pats Ranch Road to the east, and a commercial development to the north.

### **1.3 Project Description**

The proposed Project is a development plan to construct approximately 210 apartments and related site improvements including open and covered vehicle parking, landscaping, outdoor recreation areas, a clubhouse and fitness center, walkways, drainage, water, sewer, electricity and natural gas facilities, lighting, etc. Apartments would be built in multiple three-story buildings. One hundred percent of the site area would be altered by project construction. The project site covers 8.34 acres of vacant land located at the northwest corner of Pats Ranch Road and 68<sup>th</sup> Street, in the City of Jurupa Valley, in western Riverside County, California. The Interstate 15 (I-15) Freeway borders the west side of the Project site.

### **1.4 Relationship of the Project Site to the MSHCP**

#### **1.4.1 MSHCP Background**

The Western Riverside County MSHCP is a comprehensive habitat conservation/planning program for Western Riverside County. The intent of the MSHCP is to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. The MSHCP provides coverage (including take authorization for listed species) for special-status plant and animal species, as well as mitigation for impacts to special-status species and associated native habitats.

Through agreements with the U.S. Fish and Wildlife Service (USFWS) and CDFW, the MSHCP designates 146 special-status animal and plant species as Covered Species, of which the majority have no project-specific survey/conservation requirements. The MSHCP provides mitigation for project-specific impacts to these species for Projects that are compliant/consistent with MSHCP requirements, such that the impacts are reduced to below a level of significance pursuant to CEQA.

The Covered Species that are not yet adequately conserved have additional requirements in order for these species to ultimately be considered “adequately conserved”. A number of these species have survey requirements based on a project’s occurrence within a designated MSHCP Survey Area and/or based on the presence of suitable habitat. These include Narrow Endemic Plant Species (MSHCP *Volume I, Section 6.1.3*), as identified by the Narrow Endemic Plant Species Survey Areas (NEPSSA); Criteria Area Plant Species (MSHCP *Volume I, Section 6.3.2*) identified by the Criteria Area Plant Species Survey Areas (CAPSSA); animals species (burrowing owl, mammals, amphibians) identified by Survey Areas (MSHCP *Volume I, Section 6.3.2*); and species associated with riparian/riverine areas and vernal pool habitats, i.e., least Bell’s vireo, southwestern willow flycatcher, western yellow-billed cuckoo, and three species of listed fairy shrimp (MSHCP *Volume I, Section 6.1.2*). An additional 28 species (MSHCP *Volume I, Table 9.3*) not yet adequately conserved have species-specific objectives in order for the species to become adequately conserved. However, these species do not have project-specific survey requirements.



The goal of the MSHCP is to have a total Conservation Area in excess of 500,000 acres, including approximately 347,000 acres on existing Public/Quasi-Public (PQP) Lands, and approximately 153,000 acres of Additional Reserve Lands targeted within the MSHCP Criteria Area. The MSHCP is divided into 16 separate Area Plans, each with its own conservation goals and objectives. Within each Area Plan, the Criteria Area is divided into Subunits, and further divided into Criteria Cells and Cell Groups (a group of criteria cells). Each Cell Group and ungrouped, independent Cell has designated “criteria” for the purpose of targeting additional conservation lands for acquisition. Projects located within the Criteria Area are subject to the Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process to determine if lands are targeted for inclusion in the MSHCP Reserve. In addition, all Projects located within the Criteria Area are subject to the Joint Project Review (JPR) process, where the Project is reviewed by the Regional Conservation Authority (RCA) to determine overall compliance/consistency with the biological requirements of the MSHCP.

#### **1.4.2 Relationship of the Project Site to the MSHCP**

The Project site is located within the Jurupa Valley Area Plan but is not located within the Criteria Area [Exhibit 3 - MSHCP Overlay Map]. As such, the Project is not subject to the HANS or JPR processes. The Project site is located within the MSHCP NEPSSA 7 and Burrowing Owl Survey Areas, but is not located within the CAPSSA, Invertebrate, Mammal or Amphibian Survey Areas.

Within the designated Survey Areas, the MSHCP requires habitat assessments, and focused surveys within areas of suitable habitat. For locations with positive survey results, the MSHCP requires that 90 percent of those portions of the property that provide for long-term conservation value for the identified species shall be avoided until it is demonstrated that conservation goals for the particular species have been met throughout the MSHCP. Findings of equivalency shall be made demonstrating that the 90-percent standard has been met, if applicable. If equivalency findings cannot be demonstrated, then “biologically equivalent or superior preservation” must be provided.

## **2.0 METHODOLOGY**

In order to adequately identify biological resources in accordance with the requirements of CEQA, Glenn Lukos Associates (GLA) assembled biological data consisting of the following main components:

- Performance of vegetation mapping for the Project site; and
- Performance of habitat assessments and site-specific biological surveys to evaluate the presence/absence of special-status species in accordance with the requirements of CEQA and the MSHCP.

The focus of the biological surveys was determined through initial site reconnaissance, a review of the California Natural Diversity Database (CNDDB) (CDFW 2021), CNPS 8<sup>th</sup> edition online inventory (CNPS 2021), Natural Resource Conservation Service soil data (NRCS 2021),

MSHCP species and habitat maps and sensitive soil maps (Dudek 2003), other pertinent literature, and knowledge of the region. Site-specific general surveys within the Project site were conducted on foot in the proposed development areas for each target plant or animal species identified below.

Due to highly disturbed site conditions there are no natural vegetation alliances or associations fitting or approaching criteria for membership rules in A Manual of California Vegetation, Second Edition or Holland (1986). Vegetation present is relatively sparse overall and reflects ornamental plantings (e.g. nonnative trees) or spontaneous, herb-dominated species strongly adapted to anthropogenic disturbance. Vegetation present was mapped directly onto a 100-scale (1"=100') aerial photograph.

## **2.1 Summary of Surveys**

GLA conducted biological studies in 2014 in order to identify and analyze actual or potential impacts to biological resources associated with development of the Project site. Biological surveys were updated in 2021 for the same purpose.

The focus of the biological surveys was determined through initial site reconnaissance, a review of the CNDDDB [CDFW 2021], CNPS 8<sup>th</sup> edition online inventory (CNPS 2021), Natural Resource Conservation Service soil data (NRCS 2021), MSHCP species and habitat maps and sensitive soil maps (Dudek 2003), other pertinent literature, and knowledge of the region. Site-specific general surveys within the Project site were conducted on foot in the proposed development areas for each target plant or animal species identified below.

Observations of all plant and wildlife species were recorded during each of the above mentioned survey efforts [Appendix A: Floral Compendium and Appendix B: Faunal Compendium]. The studies conducted include the following:

- Evaluation of potential aquatic resources (including wetlands and riparian habitat) subject to the jurisdiction of the Corps, Regional Board, CDFW, and MSHCP riparian/riverine areas and vernal pools policy;
- Performance of vegetation mapping for the Project site;
- Performance of habitat assessments, and site-specific biological surveys, to evaluate the presence/absence of special-status species in accordance with the requirements of CEQA and the MSHCP; and
- Performance of a focused survey for burrowing owl.

Table 2-1 provides a summary list of survey dates, survey types and personnel.

**Table 2-1. Summary of Biological Surveys for the Project Site**

<b>Survey Type</b>	<b>2014 Survey Dates</b>	<b>2021 Survey Dates</b>	<b>Biologists</b>
General Biological Survey and Habitat Assessments	5/26	8/26	LLG (2014), JV (2021)
Evaluation of Potential Corps, CDFW, Regional Board, and MSHCP Riparian/Riverine/Vernal Pool Habitats	5/26	8/26	LLG (2014), JV (2021)
Vegetation Mapping	6/25	8/26	DS (2014), JV (2021)
Focused Burrowing Owl Surveys	6/25, 7/2, 7/15, 7/22	7/28, 8/6, 8/17, 8/26	DS (2014), JV (2021)

LLG = Lesley Lokovic-Gamber; DS = David Smith; JV = Joseph Vu

Individual plants and wildlife species were evaluated in this report based on their “special-status.” For this report, plants were considered “special-status” based on one or more of the following criteria:

- Listing through the FESA and/or CESA; and/or
- CNPS Rare Plant Inventory Rank 1A, 1B, 2A, 2B, 3, or 4.

Wildlife species were considered “special-status” based on one or more of the following criteria:

- Listing through the FESA and/or CESA; and
- Designation by the State as a Species of Special Concern (SSC) or California Fully Protected (CFP) species.

Vegetation communities and habitats were considered “special-status” based on one or more of the following criteria:

- Global (G) and/or State (S) ranking of category 3 or less based on CDFW (see Section 3.2.2 below for further explanation); and
- Riparian/riverine habitat.

## **2.2 Botanical Resources**

A site-specific survey program was designed to accurately document the botanical resources within the Project site, and consisted of five components: (1) a literature search; (2) preparation of a list of target special-status plant species and sensitive vegetation communities that could occur within the Project site; (3) general field reconnaissance survey; (4) vegetation mapping according to A Manual of California Vegetation or Holland, as applicable; and (5) habitat assessments for special-status plants (including those with MSHCP requirements).

### **2.2.1 Literature Search**

Prior to conducting fieldwork, pertinent literature on the flora of the region was examined. A thorough archival review was conducted using available literature and other historical records. These resources included the following:

- CNPS, Rare Plant Program. 2021. Inventory of Rare and Endangered Plants of California (online edition, v8-03 0.39) (CNPS 2021); and
- CNDDDB for the USGS 7.5' quadrangle(s): Corona North and surrounding quadrangles (CDFW 2021).

### **2.2.2 Vegetation Mapping**

Vegetation communities within the Project site were mapped according to A Manual of California Vegetation or Holland (1986) when possible. The majority of the Project site does not meet the parameters of any natural vegetation classification system. Plant communities were mapped in the field directly onto a 100-scale (1"=100') aerial photograph. A vegetation map is included as Exhibit 5. Representative site photographs are included as Exhibit 7.

### **2.2.3 Special-Status Plant Species and Habitats Evaluated for the Project Site**

A literature search was conducted to obtain a list of special-status plants with the potential to occur within the Project site. The CNDDDB was initially consulted to determine well-known occurrences of plants and habitats of special concern in the region. Other sources used to develop a list of target species for the survey program included the CNPS online inventory (2021) and the MSHCP (Dudek 2003).

Based on this information, vegetation profiles and a list of target sensitive plant species and habitats that could occur within the Project site were developed and incorporated into a mapping and survey program to achieve the following goals: (1) characterize the vegetation associations and land use; (2) prepare a detailed floristic compendium; (3) identify the potential for any special status plants that may occur within the Project Site; and (4) prepare a map showing the distribution of any sensitive botanical resources associated with the Project site, if applicable.

The Project is located within NEPSSA 7. Pursuant to the MSHCP, the following target species must be evaluated through habitat assessments and focused surveys (if suitable habitat is present): San Miguel savory (*Clinopodium chandleri*), San Diego ambrosia (*Ambrosia pumila*), and Brand's phacelia (*Phacelia stellaris*).

### **2.2.4 Botanical Surveys**

GLA biologist Lesley Lokovic-Gamber visited the site on May 26, 2014 to conduct a habitat assessment for the NEPSSA target species, as well as general plant surveys. The habitat assessment was updated by GLA biologist Joseph Vu on August 26, 2021 for the same purpose. The 2014 and 2021 surveys were conducted in accordance with accepted botanical survey

guidelines (CDFG 2009, CNPS 2001, USFWS 2000). As applicable, surveys were conducted at appropriate times based on precipitation and flowering periods. An aerial photograph, a soil map, and/or a topographic map were used to determine the community types and other physical features that may support sensitive and uncommon taxa or communities within the Project site. Surveys were conducted by following meandering transects within target areas of suitable habitat. All plant species encountered during the field surveys were identified and recorded following the above-referenced guidelines adopted by CNPS (2010) and CDFW by Nelson (1984). A complete list of the plant species observed is provided in Appendix A. Scientific nomenclature and common names used in this report follow Baldwin et al (2012), and Munz (1974).

## **2.3 Wildlife Resources**

Wildlife species were evaluated and detected during the field surveys by sight, call, tracks, and scat. Site reconnaissance was conducted in such a manner as to allow inspection of the entire Project site by direct observation, including the use of binoculars. Observations of physical evidence and direct sightings of wildlife were recorded in field notes during the visits. A complete list of wildlife species observed within the Project site is provided in Appendix B. Scientific nomenclature and common names for vertebrate species referred to in this report follow the Complete List of Amphibian, Reptile, Bird, and Mammal Species in California (CDFW 2016), Standard Common and Scientific Names for North American Amphibians, Turtles, Reptiles, and Crocodilians 8<sup>th</sup> Edition, and the American Ornithological Society's 7<sup>th</sup> Edition Check-list of North American Birds (2019) for birds. The methodology (including any applicable survey protocols) utilized to conduct general survey, habitat assessment, and/or focused surveys for special-status animals are included below.

### **2.3.1 General Surveys**

#### **Birds**

During general biological and reconnaissance survey within the Project site, birds were identified incidentally within each habitat type. Birds were detected by both direct observation and by vocalizations and were recorded in field notes.

#### **Mammals**

During general biological and reconnaissance survey within the Project site, mammals were identified incidentally within each habitat type. Mammals were detected both by direct observations and by the presence of diagnostic sign (i.e. tracks, burrows, scat, etc.).

#### **Reptiles and Amphibians**

During general biological and reconnaissance survey within the Project site, reptiles and amphibians were identified incidentally within each habitat type. Habitats were examined for diagnostic reptile sign which includes shed skins, scat, tracks, snake prints, and lizard tail drag

marks. All reptiles and amphibian species observed or detected via diagnostic sign were recorded in field notes.

### **2.3.2 Special-Status Animal Species Evaluated for the Project Site**

A literature search was conducted to obtain a list of special-status wildlife species with the potential to occur within the Project site. Species were evaluated based on three factors, including: 1) species identified by the CNDDDB as occurring (either currently or historically) on or in the vicinity of the Project site, (2) species survey areas as identified by the MSHCP for the Project site; and 3) any other special-status animals that are known to occur within the vicinity of the Project site, or for which potentially suitable habitat occurs on the Project site.

### **2.3.3 Habitat Assessment for Special-Status Animal Species**

GLA biologist Lesley Lokovic-Gamber conducted a habitat assessment for special-status animal species on May 26, 2014. The habitat assessment was updated by GLA biologist Joseph Vu on August 26, 2021 for the same purpose. An aerial photograph, soil map and/or topographic map were used to determine the community types and other physical features that may support special-status and uncommon taxa within the Project site.

### **2.3.4 Focused Burrowing Owl Surveys**

The Project site is located within the MSHCP survey area for the burrowing owl. GLA biologist David Smith conducted focused surveys for the burrowing owl in 2014 within all suitable habitat areas within the Project site. GLA biologist Joseph Vu conducted updated focused surveys for the burrowing owl in 2021. Surveys were conducted in accordance with survey guidelines described in the 2006 MSHCP Burrowing Owl Survey Instructions. The guidelines stipulate that four focused survey visits be conducted on separate dates between March 1 and August 31. Within areas of suitable habitat, the MSHCP first requires a focused burrow survey to map all potentially suitable burrows. The 2014 burrowing owl surveys included a focused burrow survey conducted on June 25, 2014 and focused burrowing owl surveys conducted on June 25, July 2, 15, and 22, 2014. The 2021 burrowing owl surveys included a focused burrow survey conducted on July 28, 2021 and focused burrowing owl surveys conducted on July 28, August 6, 17, and 26, 2021. Pursuant to the survey protocol, the burrowing owl survey visits were conducted from one hour prior to sunrise to two hours after sunrise.

Both the burrow and owl surveys in 2014 and 2021 were conducted during weather that was conducive to observing owls outside their burrows and detecting burrowing owl sign, and not during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. Additionally, all work was performed more than five days after a rain event.

Surveys were conducted by walking meandering transects throughout areas of suitable habitat. Exhibit 4 – Burrowing Owl Survey Area Map identifies the burrowing owl survey area at the Project site and includes the locations of suitable burrows mapped during the transect surveys. Transects were spaced between 22 feet and 65 feet apart, adjusting for vegetation height and density, in order to provide adequate visual coverage of the survey areas. At the start of each

transect, and at least every 320 feet along transects, the survey area was scanned for burrowing owls using binoculars. All suitable burrows were inspected for diagnostic owl sign (e.g., pellets, prey remains, whitewash, feathers, bones, and/or decoration) in order to identify potentially occupied burrows. In addition, where feasible areas within a 500-foot buffer around the site were scanned with binoculars to evaluate for the burrowing owl in adjacent (offsite) areas. Refer to Table 2-2 below for survey condition details. The results of the burrowing owl surveys are documented in Section 4.0 of this report.

**Table 2-2. Summary of Burrowing Owl Surveys**

Survey Date	Biologist(s)	Start/End Time	Start/End Temperature (°F)	Start/End Wind Speed (mph)	Cloud Cover (%)
06/25/14	DS	0630/0830	62/65	3-7	90/100
07/02/14	DS	0640/0835	63/66	0-5	100/100
07/15/14	DS	0540/0835	74/78	6	0/5
07/22/14	DS	0630/0830	68/70	0	0/0
7/28/21	JV	0600/0745	68/70	0-0	0-0
8/6/21	JV	0610/0805	63/70	0-3	0-0
8/17/21	JV	0615/0805	70/72	0-1	100-100
8/02/21	JV	0630/0810	71/75	0-0	0-0

DS = David Smith, JV = Joseph Vu

## 2.4 Jurisdictional Waters

The Project site was delineated to identify the presence and limits of jurisdictional waters, including waters of the United States (including wetlands) subject to the jurisdiction of the Corps and Regional Board, waters of the State subject to the jurisdiction of the Regional Board only, and streams (including riparian vegetation) subject to the jurisdiction of CDFW. Prior to beginning the field delineation, a 100-scale color aerial photograph and the previously cited USGS topographic maps were examined to determine the locations of potential areas of Corps, Regional Board, and CDFW jurisdiction. Suspected jurisdictional areas were field checked for the presence of definable channels and/or wetland vegetation, soils, and hydrology. Potential wetland habitats at the subject site were evaluated using the methodology set forth in the United States Army Corps of Engineers 1987 Wetland Delineation Manual<sup>1</sup> (Wetland Manual) and the 2008 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement (Arid West Supplement)<sup>2</sup>. Reference was also made to the 2019 State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State (State Board Wetland Definition and Procedures) to identify suspected State wetland habitats.<sup>3</sup> The presence of an Ordinary High Water Mark (OHWM) was determined using the 2008 Field Guide to Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of

<sup>1</sup> Environmental Laboratory. 1987. Corps of Engineers Wetlands Delineation Manual, Technical Report Y-87-1, U.S. Army Engineer Waterways Experimental Station, Vicksburg, Mississippi.

<sup>2</sup> U.S. Army Corps of Engineers. 2008. Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Supplement (Version 2.0). Ed. J.S. Wakeley, R.W. Lichvar, and C.V. Noble. ERDC/EL TR-06-16. Vicksburg, MS: U.S. Army Engineer Research and Development Center.

<sup>3</sup> State Water Resources Control Board. 2019. State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State.

the Western United States<sup>4</sup> in conjunction with the Updated Datasheet for the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States.<sup>5</sup> While in the field the limits of the OHWM, wetlands (if applicable), and CDFW jurisdiction were recorded using GPS technology and/or on copies of the aerial photography. Other data were recorded onto the appropriate datasheets.

## **2.5 MSHCP Riparian/Riverine Areas and Vernal Pools**

*Volume I, Section 6.1.2* of the MSHCP describes the process through which protection of riparian/riverine areas and vernal pools would occur within the MSHCP Plan Area. The purpose is to ensure that the biological functions and values of these areas throughout the MSHCP Plan Area are maintained such that habitat values for species inside the MSHCP Conservation Area are maintained. The MSHCP requires that as projects are proposed within the overall Plan Area, the effect of those projects on riparian/riverine areas and vernal pools must be addressed.

The MSHCP defines riparian/riverine areas as *lands which contain Habitat dominated by trees, shrubs, persistent emergent mosses and lichens, which occur close to or which depend upon soils moisture from a nearby fresh water source; or areas with fresh water flow during all or a portion of the year.*

The MSHCP defines vernal pools as *seasonal wetlands that occur in depression areas that have wetlands indicators of all three parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season.*

With the exception of wetlands created for the purpose of providing wetlands habitat or resulting from human actions to create open waters, or from the alteration of natural stream courses, areas demonstrating characteristics as described above which are artificially created are not included in these definitions.

GLA surveyed the Project site for riparian/riverine areas and vernal pool/seasonal pool habitat, including features with the potential to support fairy shrimp. To assess for vernal/seasonal pools (including fairy shrimp habitat), GLA biologists evaluated the topography of the site, including whether the site contained depressional features/topography with the potential to become inundated; whether the site contained soils associated with vernal/seasonal pools; and whether the site supported plants that suggested areas of localized ponding. The site was evaluated on May 26, 2014 and re-evaluated on August 26, 2021.

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<sup>4</sup> Lichvar, R. W., and S. M. McColley. 2008. A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States. ERDC/CRREL TR-08-12. Hanover, NH: U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory. (<http://www.crrel.usace.army.mil/library/technicalreports/ERDC-CRREL-TR-08-12.pdf>).

<sup>5</sup> Curtis, Katherine E. and Robert Lichevar. 2010. Updated Datasheet for the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States. ERDC/CRREL TN-10-1. Hanover, NH: U.S. Army Engineer Research and Development Center, Cold Regions Research and Engineering Laboratory.



### **3.0 REGULATORY SETTING**

The proposed Project is subject to state and federal laws and regulations associated with a number of regulatory programs. These programs often overlap and were developed to protect natural resources, including state- and federally-listed plants and animals; aquatic resources including rivers and creeks, ephemeral streambeds, wetlands, and areas of riparian habitat; special-status species which are not listed as threatened or endangered by the state or federal governments; and special-status vegetation communities.

#### **3.1 Endangered Species Acts**

##### **A. California Endangered Species Act**

California's Endangered Species Act (CESA) defines an endangered species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The State defines a threatened species as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the Federal Endangered Species Act (FESA), CESA does not list invertebrate species.

Article 3, Sections 2080 through 2085, of the CESA addresses the taking of threatened, endangered, or candidate species by stating "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided." Under the CESA, "take" is defined as "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Exceptions authorized by the state to allow "take" require permits or memoranda of understanding and can be authorized for endangered species, threatened species, or candidate species for scientific, educational, or management purposes and for take incidental to otherwise lawful activities. Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance.

##### **B. Federal Endangered Species Act**

The FESA of 1973 defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range." A threatened species is defined as "any

species that is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to “take” any listed species. “Take” is defined in Section 3(18) of FESA: “...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Further, the USFWS, through regulation, has interpreted the terms “harm” and “harass” to include certain types of habitat modification that result in injury to, or death of species as forms of “take.” These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a Federal agency for an action that could affect a federally listed plant and animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants.

### **C. State and Federal Take Authorizations**

Federal or state authorizations of impacts to or incidental take of a listed species by a private individual or other private entity would be granted in one of the following ways:

- Section 7 of the FESA stipulates that any federal action that may affect a species listed as threatened or endangered requires a formal consultation with USFWS to ensure that the action is not likely to jeopardize the continued existence of the listed species or result in destruction or adverse modification of designated critical habitat. 16 U.S.C. 1536(a)(2).
- In 1982, the FESA was amended to give private landowners the ability to develop Habitat Conservation Plans (HCP) pursuant to Section 10(a) of the FESA. Upon development of an HCP, the USFWS can issue incidental take permits for listed species where the HCP specifies at minimum, the following: (1) the level of impact that will result from the taking, (2) steps that will minimize and mitigate the impacts, (3) funding necessary to implement the plan, (4) alternative actions to the taking considered by the applicant and the reasons why such alternatives were not chosen, and (5) such other measures that the Secretary of the Interior may require as being necessary or appropriate for the plan.
- Sections 2090-2097 of the CESA require that the state lead agency consult with CDFW on projects with potential impacts on state-listed species. These provisions also require CDFW to coordinate consultations with USFWS for actions involving federally listed as well as state-listed species. In certain circumstances, Section 2080.1 of the California Fish and Game Code allows CDFW to adopt the federal incidental take statement or the 10(a) permit as its own based on its findings that the federal permit adequately protects the species under state law.

### **D. Take Authorizations Pursuant to the MSHCP**

The Western Riverside County MSHCP was adopted on June 17, 2003, and an Implementing Agreement (IA) was executed between the federal and state wildlife agencies and participating entities. The MSHCP is a comprehensive habitat conservation-planning program for western Riverside County. The intent of the MSHCP is to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. As

such, the MSHCP is intended to streamline review of individual projects with respect to the species and habitats addressed in the MSHCP, and to provide for an overall Conservation Area that would be of greater benefit to biological resources than would result from a piecemeal regulatory approach. The MSHCP provides coverage (including take authorization for listed species) for special-status plant and animal species, as well as mitigation for impacts to sensitive species pursuant to Section 10(a) of the FESA.

Through agreements with the USFWS and the CDFW, the MSHCP designates 146 special-status animal and plant species that receive some level of coverage under the plan. Of the 146 “Covered Species” designated under the MSHCP, the majority of these species have no additional survey/conservation requirements. In addition, through project participation with the MSHCP, the MSHCP provides mitigation for project-specific impacts to Covered Species so that the impacts would be reduced to below a level of significance pursuant to CEQA. As noted above, project-specific survey requirements exist for species designated as “Covered Species not yet adequately conserved”. These include Narrow Endemic Plant Species, as identified by the Narrow Endemic Plant Species Survey Areas (NEPSSA); Criteria Area Plant Species identified by the Criteria Area Plant Species Survey Areas (CAPSSA); animals species as identified by survey area; and plant and animal species associated with riparian/riverine areas and vernal pool habitats (*Volume I, Section 6.1.2* of the MSHCP document).

For projects that have a federal nexus such as through federal CWA Section 404 permitting, take authorization for federally listed covered species would occur under Section 7 (not Section 10) of FESA and that USFWS would provide a MSHCP consistency review of the proposed project, resulting in a biological opinion. The biological opinion would require no more compensation than what is required to be consistent with the MSHCP.

### **3.2 California Environmental Quality Act**

#### **3.2.1 CEQA Guidelines Section 15380**

CEQA requires evaluation of a project’s impacts on biological resources and provides guidelines and thresholds for use by lead agencies for evaluating the significance of proposed impacts. Sections 5.1.1 and 5.2.2 below set forth these thresholds and guidelines. Furthermore, pursuant to the CEQA Guidelines Section 15380, CEQA provides protection for non-listed species that could potentially meet the criteria for state listing. For plants, CDFW recognizes that plants on Lists 1A, 1B, or 2 of the CNPS *Inventory of Rare and Endangered Plants in California* may meet the criteria for listing and should be considered under CEQA. CDFW also recommends protection of plants, which are regionally important, such as locally rare species, disjunct populations of more common plants, or plants CNPS Ranked 3 or 4.

### 3.2.2 Special-Status Plants, Wildlife and Vegetation Communities Evaluated Under CEQA

#### *Federally Designated Special-Status Species*

Within recent years, the USFWS instituted changes in the listing status of candidate species. Former C1 (candidate) species are now referred to simply as candidate species and represent the only candidates for listing. Former C2 species (for which the USFWS had insufficient evidence to warrant listing) and C3 species (either extinct, no longer a valid taxon or more abundant than was formerly believed) are no longer considered as candidate species. Therefore, these species are no longer maintained in list form by the USFWS, nor are they formally protected. This term is employed in this document but carries no official protections. All references to federally protected species in this report (whether listed, proposed for listing, or candidate) include the most current published status or candidate category to which each species has been assigned by USFWS.

For this report the following acronyms are used for federal special-status species:

- FE                Federally listed as Endangered
- FT                Federally listed as Threatened
- FPE              Federally proposed for listing as Endangered
- FPT              Federally proposed for listing as Threatened
- FC                Federal Candidate Species (former C1 species)

#### *State-Designated Special-Status Species*

Some mammals and birds are protected by the state as Fully Protected (SFP) Mammals or Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. California SSC are designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFW's CNDDDB project. Informally listed taxa are not protected but warrant consideration in the preparation of biotic assessments. For some species, the CNDDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest sites.

For this report the following acronyms are used for State special-status species:

- SE                State-listed as Endangered
- ST                State-listed as Threatened
- SR                State-listed as Rare
- SCE              State Candidate for listing as Endangered
- SCT              State Candidate for listing as Threatened
- SFP              State Fully Protected
- SP                State Protected
- SSC              State Species of Special Concern

## California Native Plant Society

The CNPS is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in California. The CNPS's Eighth Edition of the *California Native Plant Society's Inventory of Rare and Endangered Plants of California* separates plants of interest into five ranks. CNPS has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of Rare, Threatened, or Endangered vascular plant species of California. The list serves as the candidate list for listing as threatened and endangered by CDFW. CNPS has developed five categories of rarity that are summarized in Table 3-1.

**Table 3-1. CNPS Ranks 1, 2, 3, & 4, and Threat Code Extensions**

<b>CNPS Rank</b>	<b>Comments</b>
Rank 1A – Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere	Thought to be extinct in California based on a lack of observation or detection for many years.
Rank 1B – Plants Rare, Threatened, or Endangered in California and Elsewhere	Species, which are generally rare throughout their range that are also judged to be vulnerable to other threats such as declining habitat.
Rank 2A – Plants presumed Extirpated in California, But Common Elsewhere	Species that are presumed extinct in California but more common outside of California
Rank 2B – Plants Rare, Threatened or Endangered in California, But More Common Elsewhere	Species that are rare in California but more common outside of California
Rank 3 – Plants About Which More Information Is Needed (A Review List)	Species that are thought to be rare or in decline but CNPS lacks the information needed to assign to the appropriate list. In most instances, the extent of surveys for these species is not sufficient to allow CNPS to accurately assess whether these species should be assigned to a specific rank. In addition, many of the Rank 3 species have associated taxonomic problems such that the validity of their current taxonomy is unclear.
Rank 4 – Plants of Limited Distribution (A Watch List)	Species that are currently thought to be limited in distribution or range whose vulnerability or susceptibility to threat is currently low. In some cases, as noted above for Rank 3 species, CNPS lacks survey data to accurately determine status in California. Many species have been placed on Rank 4 in previous editions of the "Inventory" and have been removed as survey data has indicated that the species are more common than previously thought. CNPS recommends that species currently included on this list should be monitored to ensure that future substantial declines are minimized.
<b>Extension</b>	<b>Comments</b>
.1 – Seriously endangered in California	Species with over 80% of occurrences threatened and/or have a high degree and immediacy of threat.
.2 – Fairly endangered in California	Species with 20-80% of occurrences threatened.
.3 – Not very endangered in California	Species with <20% of occurrences threatened or with no current threats known.

### 3.3 Jurisdictional Waters

#### 3.3.1 Army Corps of Engineers

Pursuant to Section 404 of the CWA, the Corps regulates the discharge of dredged and/or fill material into waters of the United States. The term "waters of the United States" is defined in Corps regulations at 33 CFR Part 328.3(a) as:

- (1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;*
- (2) All interstate waters including interstate wetlands;*
- (3) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect foreign commerce including any such waters:*
  - (i) Which are or could be used by interstate or foreign travelers for recreational or other purposes; or*
  - (ii) From which fish or shell fish are or could be taken and sold in interstate or foreign commerce; or*
  - (iii) Which are used or could be used for industrial purpose by industries in interstate commerce...*
- (4) All impoundments of waters otherwise defined as waters of the United States under the definition;*
- (5) Tributaries of waters identified in paragraphs (a) (1)-(4) of this section;*
- (6) The territorial seas;*
- (7) Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) (1)-(6) of this section.*
- (8) Waters of the United States do not include prior converted cropland.<sup>6</sup>*

Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with the EPA.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 123.11(m) which also meet the criteria of this definition) are not waters of the United States.

In the absence of wetlands, the limits of Corps jurisdiction in non-tidal waters, such as intermittent streams, extend to the OHWM which is defined at 33 CFR 328.3(e) as:

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<sup>6</sup> The term "prior converted cropland" is defined in the Corps' Regulatory Guidance Letter 90-7 (dated September 26, 1990) as "wetlands which were both manipulated (drained or otherwise physically altered to remove excess water from the land) and cropped before 23 December 1985, to the extent that they no longer exhibit important wetland values. Specifically, prior converted cropland is inundated for no more than 14 consecutive days during the growing season...." [Emphasis added.]

*...that line on the shore established by the fluctuation of water and indicated by physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.*

***Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.***

Pursuant to Article I, Section 8 of the U.S. Constitution, federal regulatory authority extends only to activities that affect interstate commerce. In the early 1980s the Corps interpreted the interstate commerce requirement in a manner that restricted Corps jurisdiction on isolated (intrastate) waters. On September 12, 1985, the U.S. Environmental Protection Agency (EPA) asserted that Corps jurisdiction extended to isolated waters that are used or could be used by migratory birds or endangered species, and the definition of “waters of the United States” in Corps regulations was modified as quoted above from 33 CFR 328.3(a).

On January 9, 2001, the Supreme Court of the United States issued a ruling on *Solid Waste Agency of Northern Cook County v. United States Army Corps of Engineers, et al.* (SWANCC). In this case the Court was asked whether use of an isolated, intrastate pond by migratory birds is a sufficient interstate commerce connection to bring the pond into federal jurisdiction of Section 404 of the CWA.

The written opinion notes that the court’s previous support of the Corps’ expansion of jurisdiction beyond navigable waters (*United States v. Riverside Bayview Homes, Inc.*) was for a wetland that abutted a navigable water and that the court did not express any opinion on the question of the authority of the Corps to regulate wetlands that are not adjacent to bodies of open water. The current opinion goes on to state:

*In order to rule for the respondents here, we would have to hold that the jurisdiction of the Corps extends to ponds that are not adjacent to open water. We conclude that the text of the statute will not allow this.*

Therefore, we believe that the court’s opinion goes beyond the migratory bird issue and says that no isolated, intrastate water is subject to the provisions of Section 404(a) of the CWA (regardless of any interstate commerce connection). However, the Corps and EPA have issued a joint memorandum which states that they are interpreting the ruling to address only the migratory bird issue and leaving the other interstate commerce clause nexuses intact.

***Rapanos v. United States and Carabell v. United States***

On June 5, 2007, the EPA and Corps issued joint guidance that addresses the scope of jurisdiction pursuant to the CWA in light of the Supreme Court’s decision in the consolidated cases *Rapanos v. United States* and *Carabell v. United States* (“Rapanos”). The chart below was provided in the joint EPA/Corps guidance.

For project sites that include waters other than Traditional Navigable Waters (TNWs) and/or their adjacent wetlands or Relatively Permanent Waters (RPWs) tributary to TNWs and/or their adjacent wetlands as set forth in the chart below, the Corps must apply the significant nexus standard.

For “isolated” waters or wetlands, the joint guidance also requires an evaluation by the Corps and EPA to determine whether other interstate commerce clause nexuses, not addressed in the SWANCC decision are associated with isolated features on project sites for which a jurisdictional determination is being sought from the Corps.

The agencies will assert jurisdiction over the following waters:

- Traditional navigable waters
- Wetlands adjacent to traditional navigable waters
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months)
- Wetlands that directly abut such tributaries

The agencies will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent
- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary

The agencies generally will not assert jurisdiction over the following features:

- Swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent or short duration flow)
- Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water

The agencies will apply the significant nexus standard as follows:

- A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters
- Significant nexus includes consideration of hydrologic and ecologic factors

### ***Wetland Definition Pursuant to Section 404 of the Clean Water Act***

The term “wetlands” (a subset of “waters of the United States”) is defined at 33 CFR 328.3(b) as “those areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support...a prevalence of vegetation typically adapted for life in saturated soil conditions.” In 1987 the Corps published a manual to guide its field personnel in determining jurisdictional wetland boundaries. The methodology set forth in the 1987 Wetland



Delineation Manual and the Arid West Supplement generally require that, in order to be considered a wetland, the vegetation, soils, and hydrology of an area exhibit at least minimal hydric characteristics. While the manual and Supplement provide great detail in methodology and allow for varying special conditions, a wetland should normally meet each of the following three criteria:

- more than 50 percent of the dominant plant species at the site must be typical of wetlands (i.e., rated as facultative or wetter in the Arid West 2016 Regional Wetland Plant List<sup>78</sup>);
- soils must exhibit physical and/or chemical characteristics indicative of permanent or periodic saturation (e.g., a gleyed color, or mottles with a matrix of low chroma indicating a relatively consistent fluctuation between aerobic and anaerobic conditions); and
- Whereas the 1987 Manual requires that hydrologic characteristics indicate that the ground is saturated to within 12 inches of the surface for at least five percent of the growing season during a normal rainfall year, the Arid West Supplement does not include a quantitative criteria with the exception for areas with “problematic hydrophytic vegetation”, which require a minimum of 14 days of ponding to be considered a wetland.

### 3.3.2 Regional Water Quality Control Board

The State Water Resource Control Board and each of its nine Regional Boards regulate the discharge of waste (dredged or fill material) into waters of the United States<sup>9</sup> and waters of the State. Waters of the United States are defined above and waters of the state are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (California Water Code 13050[e]).

Section 401 of the CWA requires certification for any federal permit or license authorizing impacts to waters of the United States (i.e., waters that are within federal jurisdiction), such as Section 404 of the CWA and Section 10 of the Safe Rivers and Harbors Act, to ensure that the impacts do not violate state water quality standards. When a project could impact waters outside of federal jurisdiction, the Regional Board has the authority under the Porter-Cologne Water

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<sup>7</sup> Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. Arid West 2016 Regional Wetland Plant List. Phytoneuron 2016-30: 1-17. Published 28 April 2016.

<sup>8</sup> Note the Corps also publishes a National List of Plant Species that Occur in Wetlands (Lichvar, R.W., D.L. Banks, W.N. Kirchner, and N.C. Melvin. 2016. The National Wetland Plant List: 2016 wetland ratings. Phytoneuron 2016-30: 1-17. Published 28 April 2016.); however, the Regional Wetland Plant List should be used for wetland delineations within the Arid West Region.

<sup>9</sup> Therefore, wetlands that meet the current definition, or any historic definition, of waters of the U.S. are waters of the state. In 2000, the State Water Resources Control Board determined that all waters of the U.S. are also waters of the state by regulation, prior to any regulatory or judicial limitations on the federal definition of waters of the U.S. (California Code of Regulations title 23, section 3831(w)). This regulation has remained in effect despite subsequent changes to the federal definition. Therefore, waters of the state includes features that have been determined by the U.S. Environmental Protection Agency (U.S. EPA) or the U.S. Army Corps of Engineers (Corps) to be “waters of the U.S.” in an approved jurisdictional determination; “waters of the U.S.” identified in an aquatic resource report verified by the Corps upon which a permitting decision was based; and features that are consistent with any current or historic final judicial interpretation of “waters of the U.S.” or any current or historic federal regulation defining “waters of the U.S.” under the federal Clean Water Act.

Quality Control Act to issue Waste Discharge Requirements (WDRs) to ensure that impacts do not violate state water quality standards. CWA Section 401 Water Quality Certifications, WDRs, and waivers of WDRs are also referred to as orders or permits.

### ***State Wetland Definition***

The State Board Wetland Definition and Procedures define an area as wetland as follows: *An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation.*

The following wetlands are waters of the state:

1. *Natural wetlands;*
2. *Wetlands created by modification of a surface water of the state;<sup>10</sup> and*
3. *Artificial wetlands<sup>11</sup> that meet any of the following criteria:*
  - a. Approved by an agency as compensatory mitigation for impacts to other waters of the state, except where the approving agency explicitly identifies the mitigation as being of limited duration;*
  - b. Specifically identified in a water quality control plan as a wetland or other water of the state;*
  - c. Resulted from historic human activity, is not subject to ongoing operation and maintenance, and has become a relatively permanent part of the natural landscape; or*
  - d. Greater than or equal to one acre in size, unless the artificial wetland was constructed, and is currently used and maintained, primarily for one or more of the following purposes (i.e., the following artificial wetlands are not waters of the state unless they also satisfy the criteria set forth in 2, 3a, or 3b):*
    - i. Industrial or municipal wastewater treatment or disposal,*
    - ii. Settling of sediment,*
    - iii. Detention, retention, infiltration, or treatment of stormwater runoff and other pollutants or runoff subject to regulation under a municipal, construction, or industrial stormwater permitting program,*
    - iv. Treatment of surface waters,*
    - v. Agricultural crop irrigation or stock watering,*
    - vi. Fire suppression,*
    - vii. Industrial processing or cooling,*

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<sup>10</sup> "Created by modification of a surface water of the state" means that the wetland that is being evaluated was created by modifying an area that was a surface water of the state at the time of such modification. It does not include a wetland that is created in a location where a water of the state had existed historically but had already been completely eliminated at some time prior to the creation of the wetland. The wetland being evaluated does not become a water of the state due solely to a diversion of water from a different water of the state.

<sup>11</sup> Artificial wetlands are wetlands that result from human activity.

- viii. *Active surface mining – even if the site is managed for interim wetlands functions and values,*
- ix. *Log storage,*
- x. *Treatment, storage, or distribution of recycled water, or*
- xi. *Maximizing groundwater recharge (this does not include wetlands that have incidental groundwater recharge benefits); or*
- xii. *Fields flooded for rice growing.*<sup>12</sup>

*All artificial wetlands that are less than an acre in size and do not satisfy the criteria set forth in 2, 3.a, 3.b, or 3.c are not waters of the state. If an aquatic feature meets the wetland definition, the burden is on the applicant to demonstrate that the wetland is not a water of the state.*

### **3.3.3 California Department of Fish and Wildlife**

Pursuant to Division 2, Chapter 6, Sections 1600-1617 of the California Fish and Game Code, the CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake, which supports fish or wildlife.

CDFW defines a stream (including creeks and rivers) as "a body of water that flows at least periodically or intermittently through a bed or channel having banks and supports fish or other aquatic life. This includes watercourses having surface or subsurface flow that supports or has supported riparian vegetation." CDFW's definition of "lake" includes "natural lakes or man-made reservoirs." CDFW also defines a stream as "a body of water that flows, or has flowed, over a given course during the historic hydrologic regime, and where the width of its course can reasonably be identified by physical or biological indicators."

It is important to note that the Fish and Game Code defines fish and wildlife to include: all wild animals, birds, plants, fish, amphibians, invertebrates, reptiles, and related ecological communities including the habitat upon which they depend for continued viability (FGC Division 5, Chapter 1, section 45 and Division 2, Chapter 1 section 711.2(a) respectively). Furthermore, Division 2, Chapter 5, Article 6, Section 1600 et seq. of the California Fish and Game Code does not limit jurisdiction to areas defined by specific flow events, seasonal changes in water flow, or presence/absence of vegetation types or communities.

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<sup>12</sup> Fields used for the cultivation of rice (including wild rice) that have not been abandoned due to five consecutive years of non-use for the cultivation of rice (including wild rice) that are determined to be a water of the state in accordance with these Procedures shall not have beneficial use designations applied to them through the Water Quality Control Plan for the Sacramento and San Joaquin River Basins, except as otherwise required by federal law for fields that are considered to be waters of the United States. Further, agricultural inputs legally applied to fields used for the cultivation of rice (including wild rice) shall not constitute a discharge of waste to a water of the state. Agricultural inputs that migrate to a surface water or groundwater may be considered a discharge of waste and are subject to waste discharge requirements or waivers of such requirements pursuant to the Water Board's authority to issue or waive waste discharge requirements or take other actions as applicable.

## 4.0 RESULTS

This section provides the results of general biological surveys, vegetation mapping, habitat assessments and/or focused surveys for special-status plants and animals, an assessment for MSHCP riparian/riverine areas and vernal pools, and a delineation of all jurisdictional waters and wetlands.

### 4.1 Existing Conditions

The Project site consists of regularly maintained undeveloped land, much of which is comprised of previously graded and highly compacted soils. The Project site is relatively flat and occurs at an elevation ranging from approximately 643 to 619 feet above mean sea level. The Project contains small debris piles and ruderal vegetation along the west, north, and eastern perimeter. There is a stormwater debris basin southwest and adjacent to the Project site.

The National Cooperative Soil Survey has mapped the following soil types as occurring in association with the Project site: Hilmar loamy very fine sand, 2 to 8 percent slopes; Monserate sandy loam, 0 to 5 percent slopes; Pachappa fine sandy loam, 2 to 8 percent slopes, eroded; Ramona sandy loam, 2 to 5 percent slopes, eroded; Ramona sandy loam, 8 to 15 percent slopes, severely eroded; and Terrace escarpments. A soil map is attached as Exhibit 6.

### 4.2 Vegetation/Land Use Mapping

The Project site contains the following vegetation/land use types: disturbed/developed and ruderal. Table 4-1 provides a summary of the vegetation types and their corresponding acreages. A Vegetation/Land Use Map is attached as Exhibit 5. Photographs depicting the Project site are shown in Exhibit 7.

Vegetation documented within the Project site does not fall within any of the vegetation associations listed within A Manual of California Vegetation, Second Edition or Holland (1986). The entire Project site is disturbed, and is either unvegetated or is dominated by non-native, ruderal species, including Russian thistle (*Salsola tragus*), five-hook bassia (*Bassia hyssopifolia*), short podded mustard (*Hirschfeldia incana*), and white sweetclover (*Melilotus albus*). A Vegetation Map is attached as Exhibit 5. Photographs depicting the various vegetation types and land uses are attached as Exhibit 7. Table 4-1 provides a summary of the vegetation/land use types and their corresponding acreages.

**Table 4-1. Summary of Vegetation/Land Use Types for the Project Site**

<b>Vegetation/Land Use Type</b>	<b>Project Site (Acres)</b>
Disturbed/Developed	4.56
Ruderal	3.78
<b>Total</b>	<b>8.34</b>

#### **4.2.1 Disturbed/Developed**

The Project site contains approximately 4.56 acre of disturbed/developed lands consisting of regularly maintained undeveloped land, much of which is comprised of previously graded and highly compacted soils.

#### **4.2.2 Ruderal**

The Project site contains approximately 3.78 acres of ruderal vegetation. Ruderal vegetation community are typical in early successional stages following extreme human disturbance, or recurrent natural disturbance. This community is dominated by annual and perennial, introduced/nonnative, pioneering, herbaceous plants that readily colonize disturbed ground. Disturbed/ruderal communities often exist along roadsides and fence lines, near developments, and in other areas where vegetation has been substantially altered by activities such as disking, moving, and herbicide. Dominant non-native species include Russian thistle (*Salsola tragus*), five-hook bassia (*Bassia hyssopifolia*), short-podded mustard (*Hirschfeldia incana*), and white sweetclover (*Melilotus alba*).

#### **4.3 Special-Status Vegetation Communities**

The CNDDDB identifies the following ten special-status vegetation communities for the Corona North and surrounding quadrangle maps: California Walnut Woodland, Riversidian Alluvial Fan Sage Scrub, Southern California Arroyo Chub/Santa Ana Sucker Stream, Southern Coast Live Oak Riparian Forest, Southern Cottonwood Willow Riparian Forest, Southern Interior Cypress Forest, Southern Riparian Forest, Southern Riparian Scrub, Southern Sycamore Alder Riparian Woodland, and Southern Willow Scrub. The Project site does not contain any special-status vegetation types, including those identified by the CNDDDB.

#### **4.4 Special-Status Plants**

No special-status plants were detected at the Project site, and none are expected to occur onsite due to the lack of suitable habitat and level of disturbance. Table 4-2 provides a list of special-status plants evaluated for the Project site through general biological surveys and habitat assessments. Species were evaluated based on the following factors: 1) species identified by the CNDDDB and CNPS as occurring (either currently or historically) on or in the vicinity of the Project site, 2) applicable MSHCP survey areas, and 3) any other special-status plants that are known to occur within the vicinity of the Project site, or for which potentially suitable habitat occurs within the site.

**Table 4-2. Special-Status Plants Evaluated for the Project Site**

<b>Species Name</b>	<b>Status</b>	<b>Habitat Requirements</b>	<b>Potential for Occurrence</b>
Allen's pentachaeta <i>Pentachaeta aurea ssp. allenii</i>	Federal: None State: None CNPS: 1B.1	Openings in coastal sage scrub, and valley and foothill grasslands.	No suitable habitat. Does not occur.
Aparejo grass <i>Muhlenbergia utilis</i>	Federal: None State: None CNPS: Rank 2B.2	Wet habitats, including riverbanks and meadows, sometimes in alkaline soils	No suitable habitat. Does not occur.
Brand's star phacelia <i>Phacelia stellaris</i>	Federal: None State: None CNPS: 1B.1 MSHCP(b)	Coastal dunes and coastal sage scrub.	No suitable habitat. Does not occur.
Braunton's milk-vetch <i>Astragalus brauntonii</i>	Federal: FE State: None CNPS: 1B.1	Closed-cone coniferous forest, chaparral, coastal sage scrub, valley and foothill grassland. Usually carbonate soils. Recent burn or disturbed areas.	No suitable habitat. Does not occur.
Brewer's calandrinia <i>Calandrinia breweri</i>	Federal: None State: None CNPS: Rank 4.2	Sandy or loamy soils in disturbed sites and burns. Chaparral, coastal scrub.	No suitable habitat. Does not occur.
California beardtongue <i>Penstemon californicus</i>	Federal: None State: None CNPS: Rank 1B.2 MSHCP	Sandy soils in chaparral, lower montane coniferous forest, and pinyon and juniper woodland.	No suitable habitat. Does not occur.
California muhly <i>Muhlenbergia californica</i>	Federal: None State: None CNPS: Rank 4.3 MSHCP(e)	Mesic habitats, including seeps and streambanks, in chaparral, coastal scrub, lower montane coniferous forest, and meadows.	No suitable habitat. Does not occur.
California saw-grass <i>Cladium californicum</i>	Federal: None State: None CNPS: Rank 2B.2	Meadows and seeps, and alkaline or freshwater marshes and swamps.	No suitable habitat. Does not occur.
Catalina mariposa lily <i>Calochortus catalinae</i>	Federal: None State: None CNPS: Rank 4.2	Chaparral, cismontane woodland, coastal sage scrub, valley and foothill grassland.	No suitable habitat. Does not occur.
Chaparral nolina <i>Nolina cismontana</i>	Federal: None State: None CNPS: Rank 1B.2	Chaparral, coastal sage scrub. Occurring on sandstone or gabbro substrates.	No suitable habitat. Does not occur.
Chaparral ragwort <i>Senecio aphanactis</i>	Federal: None State: None CNPS: Rank 2B.2	Chaparral, cismontane woodland, coastal scrub. Sometimes associated with alkaline soils.	No suitable habitat. Does not occur.
Chaparral sand-verbena <i>Abronia villosa var. aurita</i>	Federal: None State: None CNPS: Rank 1B.1	Sandy soils in chaparral, coastal sage scrub.	No suitable habitat. Does not occur.
Coulter's goldfields <i>Lasthenia glabrata ssp. coulteri</i>	Federal: None State: None CNPS: Rank 1B.1 MSHCP(d)	Playas, vernal pools, marshes and swamps (coastal salt).	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Coulter's matilija poppy <i>Romneya coulteri</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Often in burns in chaparral and coastal scrub.	No suitable habitat. Does not occur.
Coulter's saltbush <i>Atriplex coulteri</i>	Federal: None State: None CNPS: Rank 1B.2	Coastal bluff scrub, coastal dunes, coastal sage scrub, valley and foothill grassland. Occurring on alkaline or clay soils.	No suitable habitat. Does not occur.
Engelmann oak <i>Quercus engelmannii</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Chaparral, cismontane woodland, riparian woodland, valley and foothill grassland.	No suitable habitat. Does not occur.
Fish's milkwort <i>Polygala cornuta</i> var. <i>fishiae</i>	Federal: None State: None CNPS: Rank 4.3 MSHCP	Chaparral, cismontane woodland, riparian woodland.	No suitable habitat. Does not occur.
Gowen cypress <i>Hesperocyparis goveniana</i>	Federal: FT State: None CNPS: Rank 1B.2	Closed-cone coniferous forest, chaparral (maritime)	No suitable habitat. Does not occur.
Heart-leaved pitcher sage <i>Lepechinia cardiophylla</i>	Federal: None State: None CNPS: Rank 1B.2 MSHCP(d)	Closed-cone coniferous forest, chaparral, and cismontane woodland.	No suitable habitat. Does not occur.
Intermediate mariposa-lily <i>Calochortus weedii</i> var. <i>intermedius</i>	Federal: None State: None CNPS: 1B.2 MSHCP	Rocky soils in chaparral, coastal sage scrub, valley and foothill grassland.	No suitable habitat. Does not occur.
Intermediate monardella <i>Monardella hypoleuca</i> ssp. <i>intermedia</i>	Federal: None State: None CNPS: Rank 1B.3	Usually in the understory of chaparral, cismontane woodland, and lower montane coniferous forest (sometimes)	No suitable habitat. Does not occur.
Jokerst's monardella <i>Monardella australis</i> ssp. <i>jokerstii</i>	Federal: None State: None CNPS: Rank 1B.1	Steep scree or talus slopes between breccia, secondary alluvial benches along drainages and washes. Chaparral, lower montane coniferous forest.	No suitable habitat. Does not occur.
Lewis' evening-primrose <i>Camissoniopsis lewisii</i>	Federal: None State: None CNPS: Rank 3	Sandy or clay soils in coastal bluff scrub, cismontane woodland, coastal dunes, coastal scrub, and valley and foothill grassland.	No suitable habitat. Does not occur.
Long-spined spineflower <i>Chorizanthe polygonoides</i> var. <i>longispina</i>	Federal: None State: None CNPS: 1B.2	Clay soils in chaparral, coastal sage scrub, meadows and seeps, and valley and foothill grasslands.	No suitable habitat. Does not occur.
Lucky morning-glory <i>Calystegia felix</i>	Federal: None State: None CNPS: Rank 3.1	Historically associated with wetland and marshy places, but possibly in drier situations as well. Possibly silty loam and alkaline soils. Meadows and seeps (sometimes alkaline), riparian scrub (alluvial).	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Malibu baccharis <i>Baccharis malibuensis</i>	Federal: None State: None CNPS: 1B.1	Chaparral, cismontane woodland, coastal sage scrub.	No suitable habitat. Does not occur.
Many-stemmed dudleya <i>Dudleya multicaulis</i>	Federal: None State: None CNPS: 1B.2	Chaparral, coastal sage scrub, valley and foothill grassland. Often occurring in clay soils.	No suitable habitat. Does not occur.
Marsh sandwort <i>Arenaria paludicola</i>	Federal: FE State: SE CNPS: Rank 1B.1	Bogs and fens, freshwater marshes and swamps.	No suitable habitat. Does not occur.
Mesa horkelia <i>Horkelia cuneata var puberula</i>	Federal: None State: None CNPS: 1B.1	Sandy or gravelly soils in chaparral (maritime), cismontane woodland, and coastal scrub.	No suitable habitat. Does not occur.
Munz's onion <i>Allium munzii</i>	Federal: FE State: ST CNPS: 1B.1 MSHCP(b)	Clay soils in chaparral, coastal sage scrub, and valley and foothill grasslands.	No suitable habitat. Does not occur.
Nevin's barberry <i>Berberis nevinii</i>	Federal: FE State: SE CNPS: Rank 1B.1 MSHCP(d)	Sandy or gravelly soils in chaparral, cismontane woodland, coastal scrub, and riparian scrub.	No suitable habitat. Does not occur.
Ocellated Humboldt lily <i>Lilium humboldtii</i> ssp. <i>ocellatum</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP(f)	Chaparral, cismontane woodland, coastal sage scrub, lower montane coniferous forest, riparian woodland. Occurring in openings.	No suitable habitat. Does not occur.
Palmer's goldenbush <i>Ericameria palmeri</i> var. <i>palmeri</i>	Federal: None State: None CNPS: Rank 1B.1	Chaparral, coastal sage scrub, valley and foothill grassland. Occurring in clay soils.	No suitable habitat. Does not occur.
Palomar monkeyflower <i>Erythranthe (Mimulus) diffusa</i>	Federal: None State: None CNPS: Rank 4.3 MSHCP	Sandy or gravelly soils in chaparral, lower montane coniferous forest.	No suitable habitat. Does not occur.
Paniculate tarplant <i>Deinandra paniculata</i>	Federal: None State: None CNPS: Rank 4.2	Usually in vernal mesic, sometimes sandy soils in coastal scrub, valley and foothill grassland, and vernal pools.	No suitable habitat. Does not occur.
Parish's bush-mallow <i>Malacothamnus parishii</i>	Federal: None State: None CNPS: Rank 1A	Chaparral and coastal scrub	No suitable habitat. Does not occur.
Parish's desert-thorn <i>Lycium parishii</i>	Federal: None State: None CNPS: 2B.3	Coastal sage scrub, Sonoran desert scrub.	No suitable habitat. Does not occur.
Parry's spineflower <i>Chorizanthe parryi</i> var. <i>parryi</i>	Federal: None State: None CNPS: 1B.1	Sandy or rocky soils in open habitats of chaparral and coastal sage scrub.	No suitable habitat. Does not occur.
Payson's jewelflower <i>Caulanthus simulans</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Sandy or granitic soils in chaparral and coastal scrub.	No suitable habitat. Does not occur.



Species Name	Status	Habitat Requirements	Potential for Occurrence
Peninsular spineflower <i>Chorizanthe leptotheca</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Alluvial fan, granitic. Chaparral, coastal scrub, lower montane coniferous forest.	No suitable habitat. Does not occur.
Plummer's mariposa-lily <i>Calochortus plummerae</i>	Federal: None State: None CNPS: 4.2	Granitic, rock soils within chaparral, cismontane woodland, coastal sage scrub, lower montane coniferous forest, valley and foothill grassland.	No suitable habitat. Does not occur.
Prairie wedge grass <i>Sphenopholis obtusata</i>	Federal: None State: None CNPS: Rank 2B.2	Mesic soils in cismontane woodland, meadows and seeps.	No suitable habitat. Does not occur.
Pringle's monardella <i>Monardella pringlei</i>	Federal: None State: None CNPS: 1A	Sandy soils in coastal sage scrub.	No suitable habitat. Does not occur.
Prostate vernal pool navarretia <i>Navarretia prostata</i>	Federal: None State: None CNPS: 1B.1	Coastal sage scrub, valley and foothill grassland (alkaline), vernal pools. Occurring in mesic soils.	No suitable habitat. Does not occur.
Rigid fringe-pod <i>Thysanocarpus rigidus</i>	Federal: None State: None CNPS: Rank 1B.2	Dry rocky slopes in pinyon and juniper woodland.	No suitable habitat. Does not occur.
Robinson's pepper-grass <i>Lepidium virginicum</i> var. <i>robinsonii</i>	Federal: None State: None CNPS: 4.3	Chaparral, coastal sage scrub	No suitable habitat. Does not occur.
Salt marsh bird's-beak <i>Chloropyron maritimum</i> ssp. <i>maritimum</i>	Federal: FE State: SE CNPS: Rank 1B.2	Coastal dune, coastal salt marshes and swamps.	No suitable habitat. Does not occur.
Salt Spring checkerbloom <i>Sidalcea neomexicana</i>	Federal: None State: None CNPS: Rank 2B.2	Mesic, alkaline soils in chaparral, coastal sage scrub, lower montane coniferous forest, Mojavean desert scrub, and playas.	No suitable habitat. Does not occur.
San Bernardino aster <i>Symphyotrichum defoliatum</i>	Federal: None State: None CNPS: 1B.2	Cismontane woodland, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, valley and foothill grassland (vernally mesic).	No suitable habitat. Does not occur.
San Diego ambrosia <i>Ambrosia pumila</i>	Federal: FE State: None CNPS: 1B.1 MSHCP(b)	Chaparral, coastal sage scrub, valley and foothill grassland, vernal pools. Often in disturbed habitats.	No suitable habitat. Does not occur.
San Fernando Valley spineflower <i>Chorizanthe parryi</i> var. <i>fernandina</i>	Federal: Candidate State: SE CNPS: Rank 1B.1	Coastal sage scrub, occurring on sandy soils.	No suitable habitat. Does not occur.
Santa Ana River woollystar <i>Eriastrum densifolium</i> ssp. <i>sanctorum</i>	Federal: FE State: SE CNPS: Rank 1B.1 MSCHP	Alluvial fan sage scrub, chaparral. Occurring on sandy or rocky soils.	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Santa Barbara morning-glory <i>Calystegia sepium</i> ssp. <i>binghamiae</i>	Federal: None State: None CNPS: Rank 1A	Marshes and swamps (coastal).	No suitable habitat. Does not occur.
Santiago Peak phacelia <i>Phacelia keckii</i>	Federal: None State: None CNPS: Rank 1B.3	Closed-cone coniferous forest, chaparral	No suitable habitat. Does not occur.
Slender-horned spineflower <i>Dodecahema leptoceras</i>	Federal: FE State: SE CNPS: Rank 1B.1 MSHCP(b)	Sandy soils in alluvial scrub, chaparral, cismontane woodland.	No suitable habitat. Does not occur.
Small-flowered microseris <i>Microseris douglasii</i> ssp. <i>platycarpha</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Cismontane woodland, coastal sage scrub, valley and foothill grassland, vernal pools. Occurring on clay soils.	No suitable habitat. Does not occur.
Small-flowered morning-glory <i>Convolvulus simulans</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Chaparral (openings), coastal sage scrub, valley and foothill grassland. Occurring on clay soils and serpentinite seeps.	No suitable habitat. Does not occur.
Smooth tarplant <i>Centromadia pungens</i> ssp. <i>laevis</i>	Federal: None State: None CNPS: 1B.1 MSHCP(d)	Alkaline soils in chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothill grasslands, disturbed habitats.	No suitable habitat. Does not occur.
Southern California black walnut <i>Juglans californica</i>	Federal: None State: None CNPS: Rank 4.2 MSHCP	Chaparral, cismontane woodland, coastal sage scrub, alluvial surfaces.	No suitable habitat. Does not occur.
Southwestern spiny rush <i>Juncus acutus</i> ssp. <i>leopoldii</i>	Federal: None State: None CNPS: Rank 4.2	Coastal dunes (mesic), meadows and seeps (alkaline seeps), and marshes and swamps (coastal salt).	No suitable habitat. Does not occur.
Tecate cypress <i>Hesperocyparis forbesii</i>	Federal: None State: None CNPS: Rank 1B.1	Closed-cone coniferous forest, chaparral.	No suitable habitat. Does not occur.
Thread-leaved brodiaea <i>Brodiaea filifolia</i>	Federal: FT State: SE CNPS: Rank 1B.1 MSHCP(d)	Clay soils in chaparral (openings), cismontane woodland, coastal sage scrub, playas, valley and foothill grassland, vernal pools.	No suitable habitat. Does not occur.
Vernal barley <i>Hordeum intercedens</i>	Federal: None State: None CNPS: Rank 3.2 MSHCP	Coastal dunes, coastal sage scrub, valley and foothill grassland (saline flats and depressions), vernal pools.	No suitable habitat. Does not occur.
White rabbit-tobacco <i>Pseudognaphalium leucocephalum</i>	Federal: None State: None CNPS: 2B.2	Sandy or gravelly soils in chaparral, cismontane woodland, coastal scrub, and riparian woodland.	No suitable habitat. Does not occur.
Yucaipa onion <i>Allium marvinii</i>	Federal: None State: None CNPS: Rank 1B.2 MSHCP(b)	Chaparral (clay, openings).	No suitable habitat. Does not occur.

## **STATUS**

### **Federal**

FE – Federally Endangered

FT – Federally Threatened

### **State**

SE – State Endangered

ST – State Threatened

### **CNPS**

Rank 1A – Plants presumed extirpated in California and either rare or extinct elsewhere.

Rank 1B – Plants rare, threatened, or endangered in California and elsewhere.

Rank 2A – Plants presumed extirpated in California, but common elsewhere.

Rank 2B – Plants rare, threatened, or endangered in California, but more common elsewhere.

Rank 3 – Plants about which more information is needed (a review list).

Rank 4 – Plants of limited distribution (a watch list).

### **Threat Code extension**

.1 – Seriously endangered in California (over 80% occurrences threatened)

.2 – Fairly endangered in California (20-80% occurrences threatened)

.3 – Not very endangered in California (<20% of occurrences threatened or no current threats known)

### **MSHCP**

MSHCP = No additional action necessary

MSHCP(a) = Surveys may be required as part of wetlands mapping

MSHCP(b) = Surveys may be required within the Narrow Endemic Plant Species survey area

MSHCP(c) = Surveys may be required within locations shown on survey maps

MSHCP(d) = Surveys may be required within Criteria Area

MSHCP(e) = Conservation requirements identified in species-specific conservation objectives need to be met before classified as a Covered Species

MSHCP(f) = Covered species when a Memorandum of Understanding is executed with the Forest Service Land

## **OCCURRENCE**

- Does not occur – The site does not contain habitat for the species and/or the site does not occur within the geographic range of the species.
- Confirmed absent – The site contains suitable habitat for the species, but the species has been confirmed absent through focused surveys.
- Not expected to occur – The species is not expected to occur onsite due to low habitat quality, however absence cannot be ruled out.
- Potential to occur – The species has a potential to occur based on suitable habitat, however its presence/absence has not been confirmed.
- Confirmed present – The species was detected onsite incidentally or through focused surveys.

## **4.5 Special-Status Animals**

No special-status animals were detected at the Project site, although a few species have a potential to occur. The Project site is not located within USFWS designated critical habitat areas. Table 4-3 provides a list of special-status animals evaluated for the Project site through general biological surveys, habitat assessments, and focused surveys. Species were evaluated based on the following factors, including: 1) species identified by the CNDDDB as occurring (either currently or historically) on or in the vicinity of the Project site, 2) applicable MSHCP survey areas, and 3) any other special-status animals that are known to occur within the vicinity of the Project site or for which potentially suitable habitat occurs on the site.

**Table 4-3. Special-Status Animals Evaluated for the Project Site**

Species Name	Status	Habitat Requirements	Potential for Occurrence
<b>Invertebrates</b>			
Crotch bumble bee <i>Bombus crotchii</i>	Federal: None State: SCE	Relatively warm and dry sites, including the inner Coast Range of California and margins of the Mojave Desert.	No suitable habitat. Does not occur.
Delhi-sands flower-loving fly <i>Raphiomidas terminatus abdominalis</i>	Federal: FE State: None MSHCP	Fine, sandy soils, often associated with wholly or partially consolidated dunes referred to as the “Delhi” series. Vegetation consists of a sparse cover, including California buckwheat, California croton, deerweed, and evening primrose.	No suitable habitat. Does not occur.
Quino checkerspot butterfly <i>Euphydryas editha quino</i>	Federal: FE State: None MSHCP	Larval and adult phases each have distinct habitat requirements tied to host plant species and topography. Larval host plants include <i>Plantago erecta</i> and <i>Castilleja exserta</i> . Adults occur on sparsely vegetated rounded hilltops and ridgelines and are known to disperse through disturbed habitats to reach suitable nectar plants.	No suitable habitat. Does not occur.
San Diego fairy shrimp <i>Branchinecta sandiegonensis</i>	Federal: FE State: None	Seasonal vernal pools.	No suitable habitat. Does not occur.
<b>Fish</b>			
Arroyo chub <i>Gila orcutti</i>	Federal: None State: SSC MSHCP	Slow-moving or backwater sections of warm to cool streams with substrates of sand or mud.	No suitable habitat. Does not occur.
Santa Ana speckled dace <i>Rhinichthys osculus</i> ssp. 3	Federal: None State: SSC	Occurs in the headwaters of the Santa Ana and San Gabriel Rivers. May be extirpated from the Los Angeles River system. Requires permanent flowing streams with summer water temperatures of 17-20 C. Usually inhabits shallow cobble and gravel riffles.	No suitable habitat. Does not occur.
Santa Ana sucker <i>Catostomus santaanae</i>	Federal: FT State: None MSHCP	Small, shallow streams, less than 7 meters in width, with currents ranging from swift in the canyons to sluggish in the bottom lands. Preferred substrates are generally coarse and consist of gravel, rubble, and boulders with growths of filamentous algae, but occasionally they are found on sand/mud substrates.	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Southern steelhead - southern California DPS <i>Oncorhynchus mykiss irideus</i>	Federal: FE State: None	Clear, swift moving streams with gravel for spawning. Federal listing refers to populations from Santa Maria river south to southern extent of range (San Mateo Creek in San Diego county.)	No suitable habitat. Does not occur.
<b>Amphibians</b>			
Arroyo toad <i>Anaxyrus californicus</i>	Federal: FE State: SSC MSHCP(c)	Breed, forage, and/or aestivate in aquatic habitats, riparian, coastal sage scrub, oak, and chaparral habitats. Breeding pools must be open and shallow with minimal current, and with a sand or pea gravel substrate overlain with sand or flocculent silt. Adjacent banks with sandy or gravelly terraces and very little herbaceous cover for adult and juvenile foraging areas, within a moderate riparian canopy of cottonwood, willow, or oak.	No suitable habitat. Does not occur.
Coast Range newt <i>Taricha torosa</i>	Federal: None State: SSC	Found in wet forests, oak forests, chaparral, and rolling grasslands. In southern California, drier chaparral, oak woodland, and grasslands are used.	No suitable habitat. Does not occur.
Western spadefoot <i>Spea hammondi</i>	Federal: None State: SSC MSHCP	Seasonal pools in coastal sage scrub, chaparral, and grassland habitats.	No suitable habitat. Does not occur.
<b>Reptiles</b>			
California glossy snake <i>Arizona elegans occidentalis</i>	Federal: None State: SSC	Inhabits arid scrub, rocky washes, grasslands, chaparral.	No suitable habitat. Does not occur.
Coast horned lizard <i>Phrynosoma blainvillii</i>	Federal: None State: SSC MSHCP	Occurs in a variety of vegetation types including coastal sage scrub, chaparral, annual grassland, oak woodland, and riparian woodlands.	No suitable habitat. Does not occur.
Coast patch-nosed snake <i>Salvadora hexalepis virgulata</i>	Federal: None State: SSC	Occurs in coastal chaparral, desert scrub, washes, sandy flats, and rocky areas.	No suitable habitat. Does not occur.
Coastal whiptail <i>Aspidoscelis tigris stejnegeri</i> ( <i>multiscutatus</i> )	Federal: None State: SSC MSHCP	Open, often rocky areas with little vegetation, or sunny microhabitats within shrub or grassland associations.	No suitable habitat. Does not occur.
Orange-throated whiptail <i>Aspidoscelis hyperythra</i>	Federal: None State: WL MSCHP	Coastal sage scrub, chaparral, non-native grassland, oak woodland, and juniper woodland.	No suitable habitat. Does not occur.
Red-diamond rattlesnake <i>Crotalus ruber</i>	Federal: None State: SSC MSHCP	Habitats with heavy brush and rock outcrops, including coastal sage scrub and chaparral.	No suitable habitat. Does not occur.
San Diego banded gecko <i>Coleonyx variegatus abbotti</i>	Federal: None State: SSC	Primarily a desert species, but also occurs in cismontane	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
	MSHCP	chaparral, desert scrub, and open sand dunes.	
Southern California legless lizard <i>Anniella stebbinsi</i>	Federal: None State: SSC	Broadleaved upland forest, chaparral, coastal dunes, coastal scrub; found in a broader range of habitats than any of the other species in the genus. Often locally abundant, specimens are found in coastal sand dunes and a variety of interior habitats, including sandy washes and alluvial fans	No suitable habitat. Does not occur.
Two-striped gartersnake <i>Thamnophis hammondi</i>	Federal: None State: SSC	Aquatic snake typically associated with wetland habitats such as streams, creeks, and pools.	No suitable habitat. Does not occur.
Western pond turtle <i>Emys marmorata</i>	Federal: None State: SSC MSHCP	Slow-moving permanent or intermittent streams, small ponds and lakes, reservoirs, abandoned gravel pits, permanent and ephemeral shallow wetlands, stock ponds, and treatment lagoons. Abundant basking sites and cover necessary, including logs, rocks, submerged vegetation, and undercut banks.	No suitable habitat. Does not occur.
<b>Birds</b>			
Bald eagle (nesting & wintering) <i>Haliaeetus leucocephalus</i>	Federal: BGEPA State: SE, CFP MSHCP	Primarily in or near seacoasts, rivers, swamps, and large lakes. Perching sites consist of large trees or snags with heavy limbs or broken tops.	No suitable habitat. Does not occur.
Bell's sage sparrow <i>Artemisospiza belli belli</i>	Federal: BCC State: WL MSHCP	Chaparral and coastal sage scrub along the coastal lowlands, inland valleys, and in the lower foothills of local mountains.	No suitable habitat. Does not occur.
Burrowing owl <i>Athene cunicularia</i>	Federal: None State: SSC MSHCP(c)	Shortgrass prairies, grasslands, lowland scrub, agricultural lands (particularly rangelands), coastal dunes, desert floors, and some artificial, open areas as a year-long resident. Occupies abandoned ground squirrel burrows as well as artificial structures such as culverts and underpasses.	Confirmed absent through focused surveys.
California black rail <i>Laterallus jamaicensis coturniculus</i>	Federal: None State: ST, CFP	Nests in high portions of salt marshes, shallow freshwater marshes, wet meadows, and flooded grassy vegetation.	No suitable habitat. Does not occur.
California horned lark <i>Eremophila alpestris actia</i>	Federal: None State: WL MSHCP	Occupies a variety of open habitats, usually where trees and large shrubs are absent.	Low potential to occur on the Project site for foraging and nesting.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Coastal cactus wren <i>Campylorhynchus brunneicapillus sandiegensis</i>	Federal: BCC State: SSC MSHCP	Occurs almost exclusively in cactus (cholla and prickly pear) dominated coastal sage scrub.	No suitable habitat. Does not occur.
Coastal California gnatcatcher <i>Poliophtila californica californica</i>	Federal: FT State: SSC MSHCP	Low elevation coastal sage scrub and coastal bluff scrub.	No suitable habitat. Does not occur.
Cooper's hawk (nesting) <i>Accipiter cooperii</i>	Federal: None State: WL MSHCP	Primarily occurs in riparian areas and oak woodlands, most commonly in montane canyons. Known to use urban areas, occupying trees among residential and commercial.	No suitable habitat. Does not occur.
Golden eagle (nesting & wintering) <i>Aquila chrysaetos</i>	Federal: BGEPA State: CFP MSHCP	In southern California, occupies grasslands, brushlands, deserts, oak savannas, open coniferous forests, and montane valleys. Nests on rock outcrops and ledges.	No suitable habitat. Does not occur.
Grasshopper sparrow (nesting) <i>Ammodramus savannarum</i>	Federal: None State: SSC MSHCP(e)	Open grassland and prairies with patches of bare ground.	No suitable habitat. Does not occur.
Least Bell's vireo (nesting) <i>Vireo bellii pusillus</i>	Federal: FE State: SE MSHCP(a)	Dense riparian habitats with a stratified canopy, including southern willow scrub, mule fat scrub, and riparian forest.	No suitable habitat. Does not occur.
Long-eared owl (nesting) <i>Asio otus</i>	Federal: None State: SSC	Riparian habitats are required by the long-eared owl, but it also uses live-oak thickets and other dense stands of trees.	No suitable habitat. Does not occur.
Osprey (nesting) <i>Pandion haliaetus</i>	Federal: None State: WL MSHCP	Ocean shore, bays, fresh-water lakes, and larger streams. Builds large nests in tree-tops within 15 miles of good fish-producing body of water.	No suitable habitat. Does not occur.
Southern California rufous-crowned sparrow <i>Aimophila ruficeps canescens</i>	Federal: None State: WL MSHCP	Grass covered hillsides, coastal sage scrub, and chaparral.	No suitable habitat. Does not occur.
Southwestern willow flycatcher (nesting) <i>Empidonax traillii extimus</i>	Federal: FE State: SE MSHCP(a)	Riparian woodlands along streams and rivers with mature dense thickets of trees and shrubs.	No suitable habitat. Does not occur.
Swainson's hawk (nesting) <i>Buteo swainsoni</i>	Federal: None State: ST MSHCP	Summer in wide open spaces of the American West. Nest in grasslands but can use sage flats and agricultural lands. Nests are placed in lone trees.	No suitable habitat. Does not occur.
Tricolored blackbird (nesting colony) <i>Agelaius tricolor</i>	Federal: None State: SCE, SSC MSHCP	Breeding colonies require nearby water, a suitable nesting substrate, and open-range foraging habitat of natural grassland, woodland, or agricultural cropland.	No suitable habitat. Does not occur.

Species Name	Status	Habitat Requirements	Potential for Occurrence
Western yellow-billed cuckoo (nesting) <i>Coccyzus americanus occidentalis</i>	Federal: FT State: SE MSHCP(a)	Dense, wide riparian woodlands with well-developed understories.	No suitable habitat. Does not occur.
White-tailed kite (nesting) <i>Elanus leucurus</i>	Federal: None State: CFP MSHCP	Low elevation open grasslands, savannah-like habitats, agricultural areas, wetlands, and oak woodlands. Dense canopies used for nesting and cover.	No suitable habitat. Does not occur.
Yellow rail <i>Coturnicops noveboracensis</i>	Federal: None State: SSC	Shallow marshes, and wet meadows; in winter, drier freshwater and brackish marshes, as well as dense, deep grass, and rice fields.	No suitable habitat. Does not occur.
Yellow-breasted chat (nesting) <i>Icteria virens</i>	Federal: None State: SSC MSHCP	Dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush with well-developed understories.	No suitable habitat. Does not occur.
Yellow warbler (nesting) <i>Setophaga petechia</i>	Federal: BCC State: SSC MSHCP	Breed in lowland and foothill riparian woodlands dominated by cottonwoods, alders, or willows and other small trees and shrubs typical of low, open-canopy riparian woodland. During migration, forages in woodland, forest, and shrub habitats.	No suitable habitat. Does not occur.
<b>Mammals</b>			
Big free-tailed bat <i>Nyctinomops macrotis</i>	Federal: None State: SSC WBWG: MH	Roost mainly in crevices and rocks in cliff situations; also utilize buildings, caves, and tree cavities.	No suitable habitat. Does not occur.
Los Angeles pocket mouse <i>Perognathus longimembris brevinasus</i>	Federal: None State: SSC MSHCP(c)	Fine, sandy soils in coastal sage scrub and grasslands.	No suitable habitat. Does not occur.
Northwestern San Diego pocket mouse <i>Chaetodipus fallax fallax</i>	Federal: None State: SSC MSHCP	Coastal sage scrub, sage scrub/grassland ecotones, and chaparral.	No suitable habitat. Does not occur.
Pocketed free-tailed bat <i>Nyctinomops femorosaccus</i>	Federal: None State: SSC	Rocky areas with high cliffs in pine-juniper woodlands, desert scrub, palm oasis, desert wash, and desert riparian.	No suitable habitat. Does not occur.
San Bernardino kangaroo rat <i>Dipodomys merriami parvus</i>	Federal: FE State: SSC MSHCP(c)	Typically found in Riversidean alluvial fan sage scrub and sandy loam soils, alluvial fans and floodplains, and along washes with nearby sage scrub.	No suitable habitat. Does not occur.
San Diego black-tailed jackrabbit <i>Lepus californicus bennettii</i>	Federal: None State: SSC MSHCP	Occupies a variety of habitats but is most common among shortgrass habitats. Also occurs in sage scrub but needs open habitats.	No suitable habitat. Does not occur.
San Diego desert woodrat <i>Neotoma lepida intermedia</i>	Federal: None State: SSC	Occurs in a variety of shrub and desert habitats, primarily	No suitable habitat. Does not occur.



Species Name	Status	Habitat Requirements	Potential for Occurrence
	MSHCP	associated with rock outcrops, boulders, cacti, or areas of dense undergrowth.	
Stephens' kangaroo rat <i>Dipodomys stephensi</i>	Federal: FE State: ST MSHCP	Open grasslands or sparse shrublands with less than 50% vegetation cover during the summer.	No suitable habitat. Does not occur.
Western mastiff bat <i>Eumops perotis californicus</i>	Federal: None State: SSC	Occurs in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, and chaparral. Roosts in crevices in cliff faces, high buildings, trees, and tunnels.	No suitable habitat. Does not occur.
Western yellow bat <i>Lasiurus xanthinus</i>	Federal: None State: SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roosts in trees, particularly palms. Forages over water and among trees.	No suitable habitat. Does not occur.
Yuma myotis <i>Myotis yumanensis</i>	Federal: None State: None WBWG: LM	Optimal habitats are open forests and woodlands with sources of water over which to feed. Distribution is closely tied to bodies of water. Maternity colonies in caves, mines, buildings or crevices.	No suitable habitat. Does not occur.

## **STATUS**

### **Federal**

FE – Federally Endangered  
 FT – Federally Threatened  
 FPT – Federally Proposed Threatened  
 FC – Federal Candidate  
 BCC – Bird of Conservation Concern

### **State**

SE – State Endangered  
 ST – State Threatened  
 SCE – State Candidate for listing as Endangered  
 CFP – California Fully-Protected Species  
 SSC – Species of Special Concern

### **MSHCP**

MSHCP = No additional action necessary  
 MSHCP(a) = Surveys may be required as part of wetlands mapping  
 MSHCP(b) = Surveys may be required within the Narrow Endemic Plant Species survey area  
 MSHCP(c) = Surveys may be required within locations shown on survey maps  
 MSHCP(d) = Surveys may be required within Criteria Area  
 MSHCP(e) = Conservation requirements identified in species-specific conservation objectives need to be met before classified as a Covered Species  
 MSHCP(f) = Covered species when a Memorandum of Understanding is executed with the Forest Service Land  
 Not Covered = Species not adequately conserved under MSHCP  
 None = Species not considered for conservation coverage under MSHCP

## **Western Bat Working Group (WBWG)**

H – High Priority

LM – Low-Medium Priority

M – Medium Priority

MH – Medium-High Priority

### **OCCURRENCE**

- Does not occur – The site does not contain habitat for the species and/or the site does not occur within the geographic range of the species.
- Confirmed absent – The site contains suitable habitat for the species, but the species has been confirmed absent through focused surveys.
- Not expected to occur – The species is not expected to occur onsite due to low habitat quality, however absence cannot be ruled out.
- Potential to occur – The species has a potential to occur based on suitable habitat, however its presence/absence has not been confirmed.
- Confirmed present – The species was detected onsite incidentally or through focused surveys

#### **4.5.1 Special-Status Wildlife Species Not Observed but with a Potential to Occur at the Project Site**

##### **California horned lark**

The California horned lark (WL, MSHCP) has a low potential to occur on the Project site due to the presence of suitable habitat. The Project site exhibits marginally suitable foraging habitat and nesting habitat; therefore, there is low potential for California horned lark to occur on the Project site for foraging and nesting. Refer to Section 5 below for a discussion of potential impacts to California horned lark occurring as a result of the proposed Project.

#### **4.5.2 Special-Status Wildlife Species Confirmed Absent Through Focused Surveys at the Project Site**

##### **Burrowing Owl**

The Project site occurs within the MSHCP Burrowing Owl Survey Area; however, burrowing owl was confirmed absent from the Project site during the 2014 and 2021 focused breeding season surveys. No burrowing owls were observed within the Project site, and no burrowing owl sign was detected in association with burrows.

#### **4.6 Raptor Use**

The Project site provides suitable foraging habitat for a number of raptor species, including special-status raptors. The Project site lacks potential nesting habitat (e.g., mature trees, shrubs) for raptor species but is expected to provide marginal foraging habitat in the form of insects, spiders, lizards, snakes, small mammals, and other birds.

#### **4.7 Nesting Birds**

The Project site contains immature trees, shrubs, and ground cover that provide suitable habitat for nesting migratory birds. Mortality of migratory birds (including eggs) is prohibited under California Fish and Game Code.<sup>13</sup>

Birds anticipated to nest on the Project site would be those that are common to disturbed areas and include species such as killdeer (*Charadrius vociferus*) and mourning dove (*Zenaida macroura*).

#### **4.8 Wildlife Linkages/Corridors and Nursery Sites**

Habitat linkages are areas which provide a communication between two or more other habitat areas which are often larger or superior in quality to the linkage. Such linkage sites can be quite small or constricted but can be vital to the long-term health of connected habitats. Linkage values are often addressed in terms of “gene flow” between populations, with movement potentially taking many generations.

Corridors are similar to linkages but provide specific opportunities for individual animals to disperse or migrate between generally extensive but otherwise partially or wholly separated regions. Adequate cover and tolerably low levels of disturbance are common requirements for corridors. Habitat in corridors may be quite different from habitat(s) in the connected areas but if used by the wildlife species of interest, the corridor will still function as desired.

Wildlife nurseries are sites where wildlife concentrate for hatching and/or raising young, such as rookeries, spawning areas, and bat colonies. Nurseries can be important to both special-status species as well as commonly occurring species.

While some very minor local wildlife movement may occur within the Project site, the relatively small size and highly disturbed nature of the Project site preclude it from providing migratory wildlife corridors and/or wildlife nursery sites, especially due to the site’s close proximity to I-15 to the west and development to the north, south, and east.

#### **4.9 Critical Habitat**

The Project site does not occur within any lands mapped as Critical Habitat by the USFWS.

#### **4.10 Jurisdictional Waters**

The Project site does not contain jurisdictional waters that could be regulated by the Corps, CDFW, or Regional Board.

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<sup>13</sup> Sections 3505, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs.

#### **4.11 MSHCP Riparian/Riverine Areas and Vernal Pools**

The Project site does not contain any riparian/riverine areas or vernal pools.

### **5.0 IMPACT ANALYSIS**

The following discussion examines the potential impacts to plant and wildlife resources that would occur as a result of the proposed project. Impacts (or effects) can occur in two forms, direct and indirect. Direct impacts are considered to be those that involve the loss, modification or disturbance of plant communities, which in turn, directly affect the flora and fauna of those habitats. Direct impacts also include the destruction of individual plants or animals, which may also directly affect regional population numbers of a species or result in the physical isolation of populations thereby reducing genetic diversity and population stability.

Indirect impacts pertain to those impacts that result in a change to the physical environment, but which is not immediately related to a project. Indirect (or secondary) impacts are those that are reasonably foreseeable and caused by a project but occur at a different time or place. Indirect impacts can occur at the urban/wildland interface of projects, to biological resources located downstream from projects, and other offsite areas where the effects of the project may be experienced by plants and wildlife. Examples of indirect impacts include the effects of increases in ambient levels of noise or light; predation by domestic pets; competition with exotic plants and animals; introduction of toxics, including pesticides; and other human disturbances such as hiking, off-road vehicle use, unauthorized dumping, etc. Indirect impacts are often attributed to the subsequent day-to-day activities associated with project build-out, such as increased noise, the use of artificial light sources, and invasive ornamental plantings that may encroach into native areas. Indirect effects may be both short-term and long-term in their duration. These impacts are commonly referred to as “edge effects” and may result in a slow replacement of native plants by non-native invasive species, as well as changes in the behavioral patterns of wildlife and reduced wildlife diversity and abundance in habitats adjacent to project sites.

Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. A cumulative impact can occur from multiple individual effects from the same project, or from several projects. The cumulative impact from several projects is the change in the environment resulting from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

#### **5.1 California Environmental Quality Act (CEQA)**

##### **5.1.1 Thresholds of Significance**

Environmental impacts to biological resources are assessed using impact significance threshold criteria, which reflect the policy statement contained in CEQA, Section 21001(c) of the

California Public Resources Code. Accordingly, the State Legislature has established it to be the policy of the State of California:

*“Prevent the elimination of fish or wildlife species due to man’s activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities...”*

Determining whether a project may have a significant effect, or impact, plays a critical role in the CEQA process. According to CEQA, Section 15064.7 (Thresholds of Significance), each public agency is encouraged to develop and adopt (by ordinance, resolution, rule, or regulation) thresholds of significance that the agency uses in the determination of the significance of environmental effects. A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant. In the development of thresholds of significance for impacts to biological resources CEQA provides guidance primarily in Section 15065, Mandatory Findings of Significance, and the CEQA Guidelines, Appendix G, Environmental Checklist Form. Section 15065(a) states that a project may have a significant effect where:

*“The project has the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or wildlife community, reduce the number or restrict the range of an endangered, rare, or threatened species, ...”*

Therefore, for the purpose of this analysis, impacts to biological resources are considered potentially significant (before considering offsetting mitigation measures) if one or more of the following criteria discussed below would result from implementation of the proposed project.

### **5.1.2 Criteria for Determining Significance Pursuant to CEQA**

Appendix G of the State CEQA guidelines indicate that a project may be deemed to have a significant effect on the environment if the project is likely to:

- a) 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 the California Department of Fish and Game or U.S. Fish and Wildlife Service.*
- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.*

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.*
- d) 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.*
- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.*
- f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.*

Appendix G(a) of the CEQA guidelines asks if a project is likely to “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 the California Department of Fish and Game (now CA Department of Fish and Wildlife) or U.S. Fish and Wildlife Service.”

## **5.2 Special-Status Species**

Appendix G(a) of the CEQA guidelines asks if a project is likely to “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 the California Department of Fish and Game or U.S. Fish and Wildlife Service.”

### **5.2.1 Special-Status Plants**

No special-status plants were detected at the Project site, and none are expected to occur onsite due to the lack of suitable habitat and level of disturbance. Therefore, the proposed Project would have no impacts on special-status plants.

### **5.2.2 Special-Status Animals**

The proposed Project will result in the loss of habitat with varying degrees of potential to support foraging and nesting by the California horned lark (WL, MSHCP). Given the relatively small size and highly disturbed nature of the Project site, any potential impacts to the California horned lark is unlikely to amount to the level of significant pursuant to CEQA. Furthermore, the California horned lark is considered a covered species pursuant to the MSHCP; therefore, the MSHCP addresses the loss of habitat for this species.

### 5.3 Sensitive Vegetation Communities

Appendix G(b) of the CEQA guidelines asks if a project is likely to “have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.”

The Project site does not contain any native vegetation communities, including special-status vegetation communities. As noted above, the entire property is disturbed, with vegetated areas dominated by non-native, ruderal species. Therefore, the proposed Project would have no impacts on special-status vegetation communities.

**Table 5-1. Summary of Vegetation/Land Use Impacts**

<b>Vegetation/Land Use Type</b>	<b>Project Site (Acres)</b>
Disturbed/Developed	4.56
Ruderal	3.78
<b>Total</b>	<b>8.34</b>

### 5.4 Wetlands

Appendix G(c) of the State CEQA guidelines asks if a project is likely to “have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.”

The Project site does not contain any state or federally protected wetlands. Therefore, the proposed Project would have no impact on state or federally protected wetlands.

### 5.5 Wildlife Movement and Native Wildlife Nursery Sites

Appendix G(d) of the State CEQA guidelines asks if a project is likely to “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.”

The Project site lacks migratory wildlife corridors and/or wildlife nursery sites and does not occur within any MSHCP Cores or Linkages. The proposed Project would not interfere with or impact (1) the movement of native resident or migratory fish or wildlife species, (2) established native resident or migratory wildlife corridors, or (3) the use of native wildlife nursery sites.

Any impacts to local wildlife movement occurring as a result of the proposed Project would be minor and would not rise to the level of significant pursuant to CEQA.

The project has the potential to impact active bird nests if vegetation is removed during the nesting season (February 1 to August 31). Impacts to nesting birds are prohibited by the California Fish and Game Code. Although impacts to migratory birds are prohibited by

California Fish and Game Code, impacts to migratory birds by the proposed Project would not be a significant impact under CEQA. The migratory birds with potential to nest on the Project site would be those that are extremely common to the region and highly adapted to human landscapes (e.g., killdeer, mourning dove). The number of individuals potentially affected by the Project would not significantly affect regional, let alone local, populations of such species. A measure is identified in Section 6.0 of this report to avoid impacts to nesting birds.

## **5.6 Habitat Conservation Plans**

Appendix G(f) of the State CEQA guidelines asks if a project is likely to “conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.”

As discussed throughout this report, the Project is within the Western Riverside County MSHCP. Section 7.0 of this report analyzes compliance of the Project with the Reserve Assembly and species/habitat requirements of the MSHCP. Impacts to species/habitats with MSHCP requirements are summarized here. Through compliance with the applicable requirements, the Project will not conflict with the provisions of the MSHCP.

## **5.7 Local Policies and Ordinances**

Appendix G(d) of the State CEQA guidelines asks if a project is likely to “Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.”

The City of Jurupa General Plan and City of Jurupa Code of Ordinances contains policies protecting significant trees, other significant vegetation, and trees within the City’s right of way of any City highway. According to the General Plan Policy COS 1.2 -Protection of Significant Trees and Policy COS 1.3 - Other Significant Vegetation, “significant trees are those trees that make substantial contributions to natural habitat or to the urban landscape due to their species, size, or rarity. In particular, California native trees should be protected”. Other significant vegetation protected by the General Plan include “agricultural wind screen plantings, street trees, stands of mature native and non-native trees, and other features of ecological, aesthetic, and conservation value”. Section 13.10.050 - Tree removal of the City of Jurupa Code of Ordinances regulates the trimming and removal of trees planted within the City’s right of way of any City highway.

As noted above, the entire property is disturbed, with vegetated areas dominated by non-native, ruderal species. There are no trees, including street trees, California native trees, or stands of mature native and non-native trees within the Project site. Therefore, there are no protected trees or significant vegetation on the Project site and the Project would have not conflict with local policies or ordinances protecting biological resources.



## **5.8 Jurisdictional Waters**

The Project site does not contain jurisdictional waters. Therefore, the proposed Project would have no impacts to jurisdictional waters.

## **5.9 Indirect Impacts to Biological Resources**

In the context of biological resources, indirect effects are those effects associated with developing areas adjacent to adjacent native open space. Potential indirect effects associated with development include water quality impacts from associated with drainage into adjacent open space/downstream aquatic resources; lighting effects; noise effects; invasive plant species from landscaping; and effects from human access into adjacent open space, such as recreational activities (including off-road vehicles and hiking), pets, dumping, etc. Temporary, indirect effects may also occur as a result of construction-related activities.

Volume I, Section 6.1.4 of the MSHCP (Urban/Wildland Interface Guidelines) identifies guidelines that are intended to address indirect effects associated with locating projects (particularly development) in proximity to the MSHCP Conservation Area. To minimize potential edge effects, the guidelines are to be implemented in conjunction with review of individual public and private development projects in proximity to the MSHCP Conservation Area. The proposed Project is not located in proximity to the MSHCP Conservation Area or other native habitats. As such, the Project will not result in significant indirect effects to biological resources. Furthermore, the Urban/Wildland Interface Guidelines do not apply to the proposed Project.

## **5.10 Cumulative Impacts to Biological Resources**

Cumulative impacts are defined as the direct and indirect effects of a proposed project which, when considered alone, would not be deemed a substantial impact, but when considered in addition to the impacts of related projects in the area, would be considered potentially significant. “Related projects” refers to past, present, and reasonably foreseeable probable future projects which would have similar impacts as the proposed project.

Given the small size and highly disturbed nature of the Project site, the Project is not expected result in cumulative impacts that would rise to a level of significance under CEQA. Additionally, any potentially significant cumulative impacts occurring as a result of the proposed Project will be considered fully mitigated through participation in the MSHCP.

## **6.0 MINIMIZATION/AVOIDANCE MEASURES**

The following discussion provides project-specific minimization/avoidance measures for actual or potential impacts to special-status resources.

## 6.1 **Burrowing Owl**

The Project site contains suitable habitat for burrowing owls; however, burrowing owls were not detected onsite during focused surveys conducted in 2014 and 2021. MSHCP Objective 6 for burrowing owls requires that pre-construction surveys occur prior to site grading. As such, the following measure is recommended to avoid direct impacts to burrowing owls and to ensure consistency with the MSHCP.

- **Pre-Construction Survey.** A 30-day pre-construction survey for burrowing owls is required prior to future ground-disturbing activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering, equipment staging, etc.) to ensure that no owls have colonized the site in the days or weeks preceding the ground-disturbing activities. If burrowing owls have colonized the project site prior to the initiation of ground-disturbing activities, the project proponent will immediately inform the RCA and the Wildlife Agencies and will need to coordinate in the future with the RCA and the Wildlife Agencies, including the possibility of preparing a Burrowing Owl Protection and Relocation Plan, prior to initiating ground disturbance. If ground-disturbing activities occur, but the site is left undisturbed for more than 30 days, a pre-construction survey will again be necessary to ensure that burrowing owl have not colonized the site since it was last disturbed. If burrowing owls are found, the same coordination described above will be necessary.

## 6.2 **Nesting Birds**

The Project site contains vegetation with the potential to support native nesting birds. As discussed above, the California Fish and Game Code prohibits mortality of native birds, including eggs. The following measure is recommended to avoid take of nesting birds. Potential impacts to native birds was not considered a biologically significant impact under CEQA; however, to comply with state law, the following is recommended:

- As feasible, vegetation clearing should be conducted outside of the nesting season, which is generally identified as February 1 through August 31. If avoidance of the nesting season is not feasible, then a qualified biologist shall conduct a nesting bird survey within three days prior to any disturbance of the site, including disking, vegetation grubbing, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests, and the buffer areas shall be avoided until the nests are no longer occupied and the juvenile birds can survive independently from the nests.

## 7.0 **MSHCP CONSISTENCY ANALYSIS**

The purpose of this section is to provide an analysis of the proposed Project with respect to compliance with biological aspects of the Western Riverside County MSHCP. Specifically, this analysis evaluates the proposed Project with respect to the Project's consistency with MSHCP Reserve assembly requirements, *Section 6.1.2* (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), *Section 6.1.3* (Protection of Narrow Endemic Plant

Species), *Section 6.1.4* (Guidelines Pertaining to the Urban/Wildlands Interface), and *Section 6.3.2* (Additional Survey Needs and Procedures).

### **7.1 Project Relationship to Reserve Assembly**

The Project site is not located within the MSHCP Criteria Area. As such, the Project site is not targeted for conservation by the MSHCP to meet Reserve Assembly goals. The Project is not subject to the HANS or JPR processes.

### **7.2 Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools**

The Project does not contain any riparian/riverine or vernal pools. Therefore, the Project will not impact any riparian/riverine areas or vernal pools, or any species associated with such features. The Project will be consistent with *Volume I, Section 6.1.2* of the MSHCP.

### **7.3 Protection of Narrow Endemic Plants**

*Volume I, Section 6.1.3* of the MSHCP requires that within identified NEPSSA, site-specific focused surveys for Narrow Endemic Plants Species will be required for all public and private projects where appropriate soils and habitat are present.

The Project site is located within NEPSSA 7, which identifies the following target species: San Miguel savory, San Diego ambrosia, and Brand's phacelia. The Project site does not contain suitable habitat for these species, and therefore the Project will not impact the Narrow Endemic Plants. The Project will be consistent with *Volume I, Section 6.1.3* of the MSHCP.

### **7.4 Guidelines Pertaining to the Urban/Wildland Interface**

The MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. As the MSHCP Conservation Area is assembled, development is expected to occur adjacent to the Conservation Area. Future development in proximity to the MSHCP Conservation Area may result in edge effects with the potential to adversely affect biological resources within the Conservation Area. To minimize such edge effects, the guidelines shall be implemented in conjunction with review of individual public and private development projects in proximity to the MSHCP Conservation Area and address the following:

- Drainage;
- Toxics;
- Lighting;
- Noise;
- Invasive species;
- Barriers;
- Grading/Land Development.

As discussed in Section 5.9 of this report, the Project is not located in proximity to the MSHCP Conservation Area, and therefore the Urban/Wildland Guidelines do not apply to the Project. The Project will be consistent with *Volume I, Section 6.1.4* of the MSHCP.

## **7.5 Additional Survey Needs and Procedures**

*Volume I, Section 6.3.2* of the MSHCP requires habitat assessments and focused surveys for projects located within the CAPSSA, burrowing owl, mammal, and amphibian survey areas. The Project site is located with the burrowing owl survey area, but not the CAPSSA, mammal, or amphibian survey areas. Focused burrowing owl surveys were conducted for the Project site in 2020 and 2021, and burrowing owls were not detected onsite. As noted above in Section 6.1 of this report, Project will conduct pre-construction burrowing owl surveys in compliance MSHCP Objective 6 for burrowing owls. With the implementation of this measure, the Project will be consistent with *Volume I, Section 6.3.2* of the MSHCP.

## **7.6 Conclusion of MSHCP Consistency**

As outlined above, the proposed Project will be consistent with the biological requirements of the MSHCP; specifically pertaining to the Project's relationship to reserve assembly, *Section 6.1.2* (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), *Section 6.1.3* (Protection of Narrow Endemic Plant Species), *Section 6.1.4* (Guidelines Pertaining to the Urban/Wildlands Interface), and *Section 6.3.2* (Additional Survey Needs and Procedures).

## 8.0 REFERENCES

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## 9.0 CERTIFICATION

*I hereby certify that the statements furnished above and in the attached exhibits present 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.*

A handwritten signature in black ink, appearing to read "Joseph", is positioned above the "Signed:" label.

Signed:

Date: September 17, 2021

p:0640-82a.biotech.docx



Source: ESRI World Street Map



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Miles



**VERNOLA APARTMENTS PROPERTY**

Regional Map

GLENN LUKOS ASSOCIATES

Exhibit 1

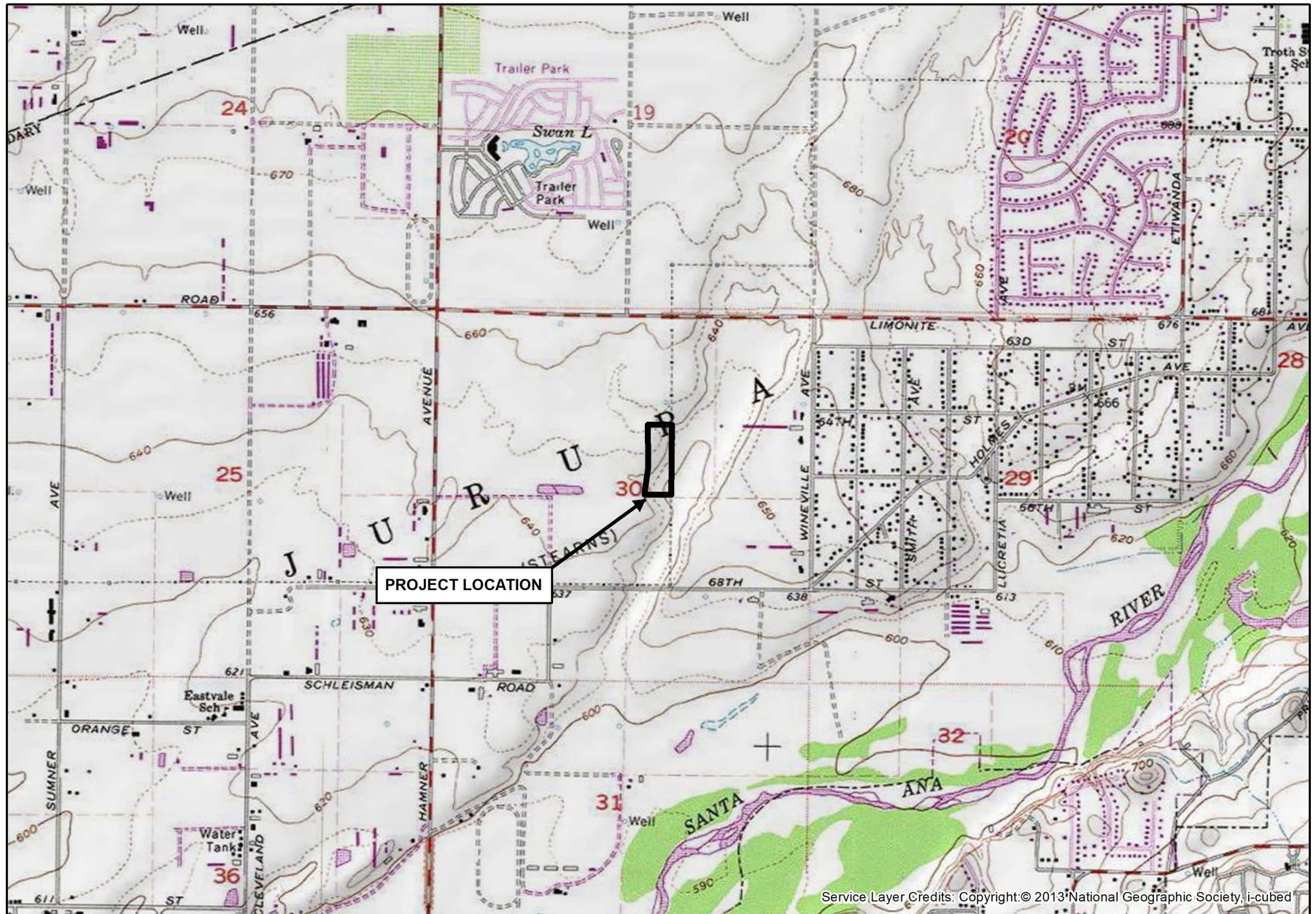




Adapted from USGS Corona North, CA quadrangle



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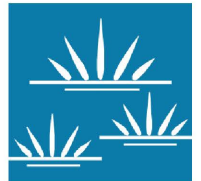


## VERNOLA APARTMENTS PROPERTY

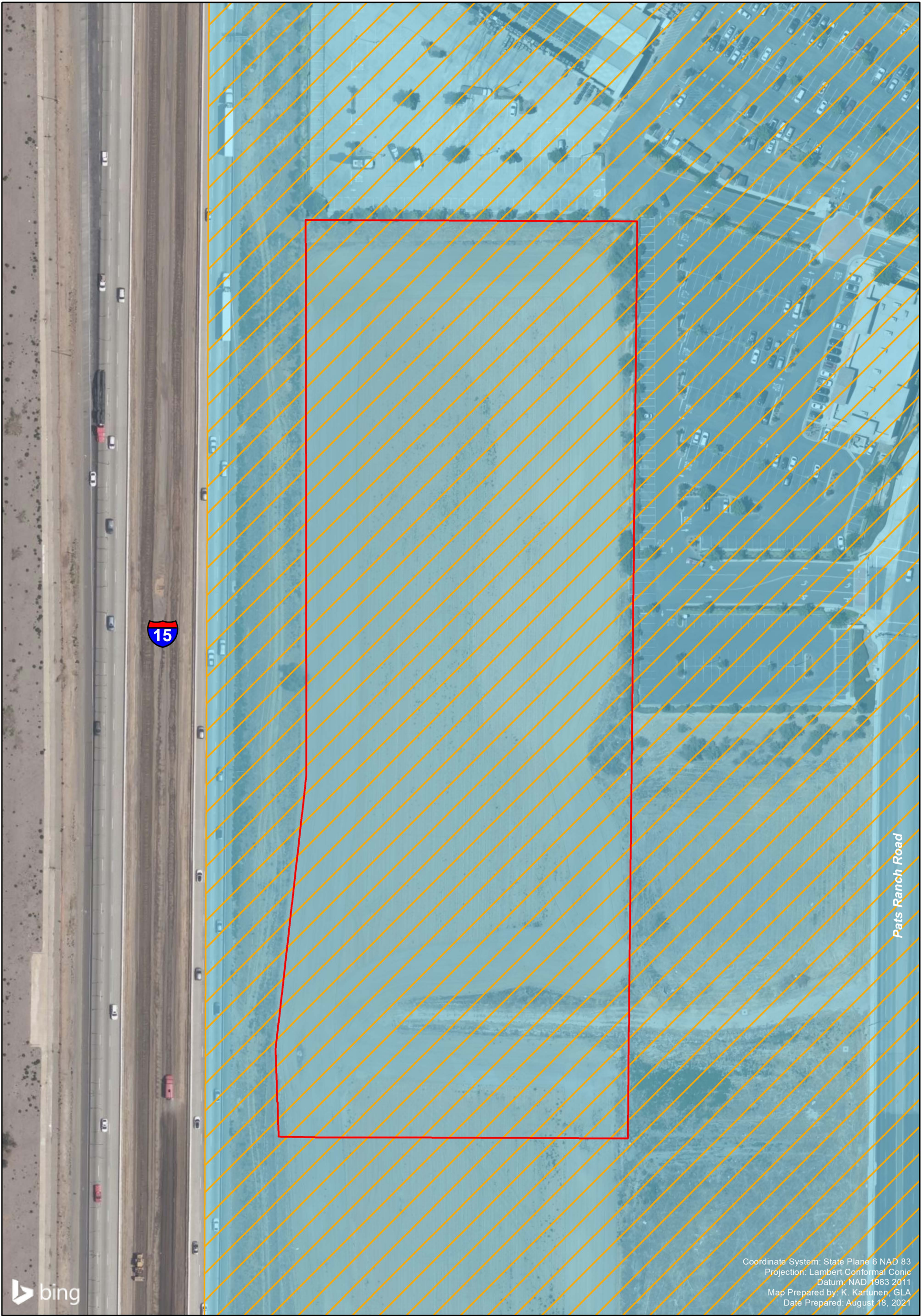
Vicinity Map

GLENN LUKOS ASSOCIATES



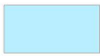
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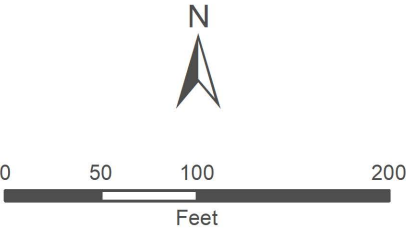






Coordinate System: State Plane 6 NAD 83  
Projection: Lambert Conformal Conic  
Datum: NAD 1983 2011  
Map Prepared by: K. Kartunen, GLA  
Date Prepared: August 18, 2021

-  Project Site
-  Narrow Endemic Plant Species Survey Area
-  Burrowing Owl Survey Area



1 inch = 100 feet

**VERNOLA APARTMENTS PROPERTY**  
MSHCP Overlay Map

**GLENN LUKOS ASSOCIATES**

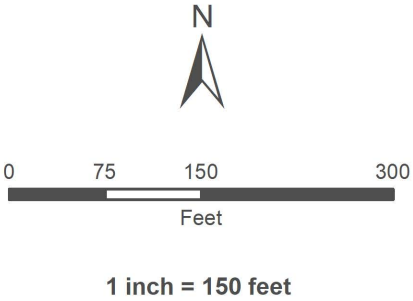
Exhibit 3







- Project Site
- 500-foot Visual Survey Buffer
- 100-ft Transect
- Burrow



**VERNOLA APARTMENTS PROPERTY**  
Burrowing Owl Transect Map


GLENN LUKOS ASSOCIATES

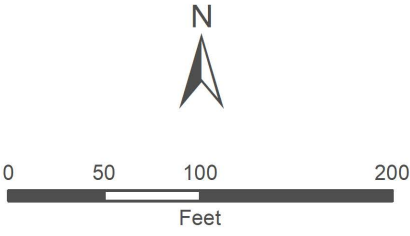
Exhibit 4







-  Project Site
-  Disturbed/Developed
-  Ruderal



1 inch = 100 feet

**VERNOLA APARTMENTS PROPERTY**  
Vegetation Map

GLENN LUKOS ASSOCIATES

Exhibit 5











Photograph 1: Project site looking from the project's northern boundary showing the existing ruderal vegetation on the Project site. View looking south.



Photograph 2: Project site looking from the project's eastern boundary showing the existing ruderal vegetation on the Project site. View looking northwest.



Photograph 3: Project site looking from the center of the Project site showing the disturbed areas of the Project site. View looking south.



Photograph 4: Project site looking from the project's southern boundary showing the disturbed areas of the Project site. View looking north.



# APPENDIX A

## FLORAL COMPENDIUM

The floral compendium lists all species identified during floristic level/focused plant surveys conducted for the Project site. Taxonomy typically follows the Angiosperm Phylogeny Group (APG), which in some cases differs from The Jepson Manual (1993). Common plant names are taken from Hickman (1993), Munz (1974), and Roberts et al (2004) and Roberts (2008). An asterisk (\*) denotes a non-native species.

### SCIENTIFIC NAME

### COMMON NAME

#### MONOCOTS

##### ARECACEAE

- \* *Washingtonia robusta*

##### Palm Family

Mexican fan palm

##### POACEAE

- \* *Cortaderia selloana*
- Distichlis spicata*
- \* *Cynodon dactylon*
- \* *Hordeum murinum*
- \* *Phalaris* sp.

##### Grass Family

pampas grass  
saltgrass  
Bermuda grass  
foxtail barley  
canarygrass

#### EUDICOTS

##### AMARANTHACEAE

- Atriplex canescens* var. *canescens*
- \* *Bassia hyssopifolia*
- \* *Salsola tragus*

##### Amaranth Family

fourwing saltbush  
five-hook bassia  
Russian-thistle

##### ANACARDIACEAE

- \* *Schinus molle*

##### Sumac Family

Peruvian pepper tree

##### ASTERACEAE

- Baccharis salicifolia*
- Encelia farinosa*
- Helianthus annuus*
- \* *Verbesina encelioides*

##### Sunflower Family

mulefat  
brittlebush  
western sunflower  
Golden crownbeard

##### BRASSICACEAE

- \* *Hirschfeldia incana*

##### Mustard Family

short podded mustard

##### EUPHORBIACEAE

- \* *Ricinis communis*

##### Spurge Family

castor bean

**SOLANACEAE**

\* *Solanum elaeagnifolium*

**Nightshade Family**

horse nettle

**TAMARICACEAE**

\* *Tamarix* sp.

**Tamarisk Family**

tamarisk



## Appendix B

### Faunal Compendium

#### REPTILIA

##### PHRYNOSOMATIDAE

*Sceloporus occidentalis*

#### AVES

##### ACCIPITRIDAE

*Buteo jamaicensis*

##### FALCONIDAE

*Falco sparverius*

##### CHARADRIIDAE

*Charadrius vociferus*

##### COLUMBIDAE

\* *Columba livia*  
*Zenaida macroura*

##### TROCHILIDAE

*Calypte anna*

##### TYRANNIDAE

*Sayornis nigricans*  
*Sayornis saya*

##### CORVIDAE

*Corvus brachyrhynchos*

##### HIRUNDINIDAE

*Petrochelidon pyrrhonota*  
*Hirundo rustica*

##### AEGITHALIDAE

*Psaltiriparus minimus*

##### MIMIDAE

*Mimus polyglottos*

#### REPTILES

##### Phrynosomatid Lizards

western fence lizard

#### BIRDS

##### Hawks And Old World Vultures

red-tailed hawk

##### Caracaras And Falcons

American kestrel

##### Plovers And Relatives

killdeer

##### Pigeons And doves

rock pigeon  
mourning dove

##### Hummingbirds

Anna's hummingbird

##### Tyrant Flycatchers

black phoebe  
Say's phoebe

##### Crows And Jays

American crow

##### Swallows

cliff swallow  
barn swallow

##### Long-Tailed Tits And Bushtits

bushtit

##### Mockingbirds And Thrashers

northern mockingbird

**MELOZONE***Melospiza crissalis***American Sparrows**

California towhee

**EMBERIZIDAE***Melospiza melodia***Emberizids**

song sparrow

**CARDINALIDAE***Passerina caerulea***Cardinals, Grosbeaks And Allies**

blue grosbeak

**FRINGILLIDAE***Haemorhous mexicanus**Spinus psaltria***Fringilline And Cardueline Finches and Allies**

house finch

lesser goldfinch

**PASSERIDAE**\* *Passer domesticus***Old World Sparrows**

house sparrow

**MAMMALIA****MAMMALS****LEPORIDAE***Sylvilagus audubonii***Rabbits And Hares**

desert (Audubon's) cottontail

**CANIDAE***Canis latrans***Foxes, Wolves And Allies**

coyote

**Taxonomy and nomenclature are based on the following.**

Amphibians and reptiles: Crother, B.I. et al.(2000. Scientific and standard English names of amphibians and reptiles of North America north of Mexico, with comments regarding confidence in our understanding. *Herpetological Circular* 29; and 2003 update.) for species taxonomy and nomenclature; Stebbins, R.C. (2003. A Field Guide to Western Reptiles and Amphibians, third edition, Houghton Mifflin, Boston.) for sequence and higher order taxonomy.

Birds: American Ornithologists' Union (1998. The A.O.U. Checklist of North American Birds, seventh edition. American Ornithologists' Union, Washington D.C.; and 2000, 2002, 2003, and 2004 supplements.).

Mammals: Grenfell, W.E., Parisi, M.D. and McGriff, D. (2003. Complete list of amphibians, reptiles, birds and mammals in California. California Department of Fish and Game. [http://www.dfg.ca.gov/whdab/pdfs/species\\_list.pdf](http://www.dfg.ca.gov/whdab/pdfs/species_list.pdf)).

The faunal compendium lists species that were either observed within or adjacent to the Study Area (denoted by a '\*'), or that have some potential to occur within or adjacent to the Study Area

(denoted by a '+'). Taxonomy and common names are taken from the California Wildlife Habitat Relationships System (CDFG 2003); AOU (1998) and CDFG (1990) for birds; Stebbins (1985), Collins (1990), Jones et al. (1992), and CDFG (1990) for reptiles and amphibians; and CDFG (1990) for mammals.