Appendix D Biological Survey and Jurisdictional Delineation Technical Memorandum

Appendices

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VCS Environmental
EXPERTS IN STRATEGIC SOLUTIONS

Memorandum

Date: August 15, 2019 [Updated November 30, 2021]

To: Joann Hadfield
Place Works
3 MacArthur Place, Suite 1100
Santa Ana, California 92707

From: Carla Marriner, VCS Environmental

Subject: Town Center Project Site, City of Laguna Niguel, Orange County, California

This memorandum provides the results of a biological survey conducted at the Town Center Project site (previously AGORA Arts District Downtown Project; Project site) located in the City of Laguna Niguel to document whether field conditions are consistent with or have changed from the biological assessment conducted in March 2016.

VCS biologist Carla Marriner conducted a biological survey within the Project site on August 13, 2019. The survey was performed between 8:15 am and 10:15 am. Temperatures fluctuated between 66° F and 76° F, sunny conditions and clear skies were predominant.

The biological survey, including vegetation/land cover mapping, a jurisdictional delineation which concluded that no jurisdictional waters are present onsite, and observations of plants and wildlife species, determined the present conditions are consistent with the findings from the 2016 Biological survey and jurisdictional delineation (biological assessment). No significant changes appear to have occurred to the Project site since the 2016 survey and no California Natural Diversity Database (CNDDB) observations have been made within the Project site since the 2016 survey. No sensitive plant species were observed during the survey. One single sensitive raptor species, Cooper's hawk (*Accipiter cooperii*), a California Department of Fish and Wildlife Watch List species when nesting, was observed during the survey. Additionally, there is foraging and nesting potential onsite for other avian species, including sensitive species, such as the white-tailed kite (*Elanus leucurus*) [California Fully Protected]. The eucalyptus trees and other ornamental trees provide habitat for nesting, and the open space areas provide habitat for foraging.

The biological assessment includes a recommendation to conduct a nesting bird survey prior to ground disturbance and/or removal of potentially suitable nesting habitat for raptors or songbirds, if activities occur during the nesting season. This requirement will avoid/minimize any potential impacts to nesting birds. Additionally, new trees will be planted as part of the proposed project.

Based on the survey observations, the 2016 biological assessment is still accurate. Minor changes were made in the report to include appropriate mitigation/avoidance measures to reduce impacts to avian species.

Please contact me at (949) 324-8359 if you have any further concerns or questions.

Enclosures:

- Biological survey and jurisdictional delineation at the AGORA Arts District Downtown Project site. March 2016 [Updated November 30, 2021].

Biological survey and Jurisdictional Delineation at the Town Center Project Site – Former [AGORA Arts District Downtown Project] March 2016 [Updated November 2021]

March 24, 2016 [Updated November 30, 2021]

Joann Hadfield
Place Works
3 MacArthur Place, Suite 1100
Santa Ana, CA 92707

Subject: Biological survey and jurisdictional delineation at the AGORA Arts District Downtown project site

Dear Joann:

This letter transmits the results of a general reconnaissance-level habitat assessment, wildlife survey, and a jurisdictional delineation conducted by VCS Environmental (VCS) at the AGORA Arts District Downtown (AGORA) project site (study area) located in southern Orange County in the City of Laguna Niguel. The purpose of the survey was to evaluate the site for sensitive habitats, vegetation, wildlife, and jurisdictional waters. The results of the field survey and analysis are described below.

Project Location

The Project is located in the City of Laguna Niguel, County of Orange. The site is bordered by Pacific Island Drive to the north, Alicia Parkway to the east, Crown Valley Parkway to the south, and multifamily residential communities to the west (Figures 1 and 2).

The study area includes the following facilities: South County Justice Center (closed in 2008) in the eastern portion of the site, the Orange County library in the southern portion of the site, a county maintenance yard in the northwest portion of the site, and mostly undeveloped land in the central portion of the site (Figure 3). Associated with the buildings are parking lots, paved roads, ornamental planting, hardscape, and adjacent manufactured slopes vegetated with ornamental plant species.

Methodology

Habitat and Wildlife Assessment

Prior to the field survey, available literature and databases were reviewed regarding sensitive habitats and special status plant and wildlife species. Reviewed and consulted literature and databases focused on Orange County, California, and included the California Natural Diversity Database (CNDDB). The CNDDB, a California Department of Fish and Wildlife (CDFW) species account database that inventories status and locations of rare plants and wildlife in California, was used to identify any sensitive plant communities and special status plants and wildlife that may exist within the study area and surrounding area.

The study area was surveyed on foot by walking methodically across the property. I assessed the existing habitat/land uses and vegetation onsite paying special attention to those areas that exhibited potentially suitable habitat to support sensitive plants, sensitive wildlife, and breeding birds.

The habitats within the study area were characterized and the potential to support sensitive species was evaluated. Plant field guides were used to assist with identification of plant species during the field survey. Plant species encountered during the field survey, except for some of the ornamental plant species in the landscaping, were identified and recorded in field notes.

The methods used to detect and identify wildlife included sight and vocalizations. Binoculars were used to aid in the identification of observed wildlife. Wildlife field guides were used to assist with identification of wildlife species during the field survey. All wildlife species or their sign encountered during the field survey were identified and recorded in field notes.

The study area was also assessed for jurisdictional waters, as described below.

Jurisdictional Waters Assessment

The study area was assessed for jurisdictional wetland Waters of the United States. To determine the presence of a wetland, three indicators are required: (1) hydrophytic vegetation, (2) hydric soils, and (3) wetland hydrology. The methodology published in the *U.S. Army Corps of Engineers 1987 Wetland Delineation Manual* and the *Arid West Supplement* sets the standards for meeting each of the three indicators, which normally require that 50 percent or more dominant plant species typical of a wetland, soils exhibiting characteristics of saturation, and hydrological indicators be present. Projects with impacts to Waters of the U.S. are regulated under Sections 401 and 404 of the Clean Water Act.

Additionally, the study area was assessed for jurisdictional non-wetland Waters of the U.S., which is typically determined through the observation of an Ordinary High Water Mark (OHWM) and is defined as the “line on the shore established by the fluctuation of water and indicated by physical characteristics such as a 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." Projects with impacts to Waters of the U.S. are regulated under Sections 401 and 404 of the Clean Water Act.

Furthermore, the study area was assessed for jurisdictional Waters of the State, which is defined as the "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." Waters of the State are regulated through the California Department of Fish and Wildlife (CDFW) through Section 1600 et seq. of the California Fish and Game Code.

Results

The survey began at 8:50 am and ended at 11:30 am. The sky was partly cloudy with a slight breeze. The temperature ranged from the low 60's°F to mid 60's°F during the survey. VCS conducted the survey on foot, walking all accessible areas within the study area. The vegetation, jurisdictional waters, and any sensitive species were documented and representative photographs of the study area were taken (Exhibit A).

Habitat Assessment
The land cover/vegetation communities described below were observed within the study area as depicted on Figure 4.

Non-native Grassland (8.76 acres)
The non-native grassland occurs within the central undeveloped portion of the site. The topography is mostly flat but generally slopes gently toward the south. The non-native grassland is comprised primarily of non-native species including the following: barley (*Hordeum murinum*), ripgut brome (*Bromus diandrus*), oat (*Avena sp.*), red brome (*Bromus madritensis* ssp. *rubens*), soft chess (*Bromus hordeaceus*), rattail fescue (*Festuca myuros*), red-stem filaree (*Erodium cicutarium*), tocalote (*Centaurea melitensis*), bristly ox tongue (*Helminthotheca echioides*), and black mustard (*Brassica nigra*). Along the toe of the manufactured slope to the west there is a moderate density of artichoke thistle (*Cynara cardunculus*) and Italian thistle (*Carduus pycnocephalus* ssp. *pycnocephalus*). Fiddleneck (*Amsinckia menziesii*), a native herbaceous species, was also observed within the non-native grassland area.

Developed (7.13 acres)
A portion of the site is developed which includes areas that have been altered due to construction of aboveground facilities such as buildings, paved parking lots and roads, and sidewalks.

Landscaped and Ornamental (7.10 acres)
The landscaping and ornamental vegetation is a human-influenced assemblage of plant species, located mostly around the perimeter of the site and along the edges of the roads, parking lots, and buildings located in the northern and southern portions of the site, and along the bottom of the manufactured slope adjacent to the residential development on the western edge of the study area. The landscaping is primarily associated with the onsite development. The landscaped and ornamental vegetation contains primarily non-native trees and shrubs. Many trees are located on the site including species such as eucalyptus (*Eucalyptus* sp.), Brazilian pepper (*Schinus terebinthifolius*), carrotwood (*Cupaniopsis anacardioides*), jacaranda (*Jacaranda mimosifolia*), magnolia (*Magnolia* sp.), Mexican fan palm (*Washingtonia robusta*), and pines (*Pinus* sp.). Ornamental ground cover species including English ivy (*Hedera helix*), periwinkle (*Vinca major*), freeway iceplant (*Carpobrotus edulis*), and prostrate acacia (*Acacia redolens*), were observed in high density within the landscaped and ornamental portion of the study area.

A few naturally recruited native shrubs found in the landscaped areas include lemonade berry (*Rhus integrifolia*), laurel sumac (*Malosma laurina*), California sagebrush (*Artemisia californica*), and coyote bush (*Baccharis pilularis*).

Disturbed (0.31 acre)
The disturbed portion of the site includes a small dirt road and small adjacent area of bare ground in the northern portion of the site as well as an area of mostly bare ground along the eastern edge of the study area.

Plants
No sensitive special status plants were observed during the field survey. Because of the developed and generally disturbed nature of the study area, the site has little to no potential to support sensitive plant species. A complete list of plant species observed during the field survey is provided in Table 1. There were additional ornamental, non-native species present onsite but they were not identified and are not included on this list.

Table 1
Plant Species Observed within the Study Area

Note: * Exotic (non-native) plant species

Scientific Name	***Common Name***
Gymnosperms	
Araucariaceae	***Araucarian Family***
*Araucaria heterophylla**	*Norfolk island pine*

Scientific Name	***Common Name***
Pinaceae	***Pine Family***
Pinus sp.*	*pine*
Eudicots	
Aizoaceae	***Fig-Marigold or Iceplant Family***
*Carpobrotus edulis**	*hottentot fig (freeway iceplant)*
Anacardiaceae	***Sumac or Cashew Family***
Malosma laurina	*laurel sumac*
Rhus integrifolia	*lemonade berry*
*Schinus terebinthifolius**	*Brazilian pepper tree*
Apocynaceae	***Dogbane Family***
*Vinca major**	*periwinkle*
Araliaceae	***Ginseng Family***
*Hedera helix**	*English ivy*
Asteraceae (Compositae)	***Sunflower Family***
Artemisia californica	*California sagebrush*
Baccharis pilularis	*coyote bush*
Baccharis salicifolia ssp. salicifolia (=Baccharis salicifolia)	*mule fat*
*Carduus pycnocephalus ssp. pycnocephalus**	*Italian thistle*
*Centaurea melitensis**	*tocalote (Malta star thistle)*
*Cynara cardunculus**	*artichoke thistle (cardoon)*
*Helminthotheca echioides (=Picris echioides)**	*bristly ox-tongue*
*Sonchus oleraceus**	*common sow-thistle*
Bignoniaceae	***Trumpet-Creeper Family***
*Jacaranda mimosifolia**	*jacaranda*
Boraginaceae	***Borage or Waterleaf Family***
Amsinckia menziesii	*common fiddleneck (Menzie's fiddleneck)*
*Echium candicans**	*pride of Madeira*
Brassicaceae (Cruciferae)	***Mustard Family***
*Brassica nigra**	*black mustard*
Cardamine pensylvanica	*Pennsylvania bittercress*

Scientific Name	***Common Name***
Fabaceae (Leguminosae)	***Legume Family***
*Acacia redolens**	*prostrate acacia*
*Melilotus officinalis**	*yellow sweet clover*
Geraniaceae	***Geranium Family***
*Erodium cicutarium**	*red-stemmed filaree*
Magnoliaceae	***Magnolia Family***
Magnolia sp.*	*magnolia tree*
Myrtaceae	***Myrtle Family***
*Eucalyptus sp.**	*eucalyptus*
*Melaleuca viminalis**	*weeping bottlebrush*
Oxalidaceae	***Oxalis Family***
*Oxalis pes-caprae**	*Bermuda buttercup (sour grass)*
Rhamnaceae	***Buckthorn Family***
Ceanothus sp.	*ceanothus*
Sapindaceae	***Soapberry Family***
*Cupaniopsis anacardioides**	*carrotwood*
Monocots	
Arecaceae (Palmae)	***Palm Family***
*Washingtonia robusta**	*Mexican fan palm*
Musaceae	***Banana Family***
*Musa x paradisiaca**	*banana*
Poaceae	***Grass Family***
Avena sp.*	*oat*
*Bromus diandrus**	*ripgut grass*
*Bromus hordeaceus**	*soft chess (soft brome)*
Bromus madritensis ssp. *rubens**	*red brome*
*Cortaderia selloana**	*pampas grass*
*Festuca myuros (=Vulpia myuros)**	*rattail fescue (rattail sixweeks grass)*

Scientific Name	***Common Name***
*Hordeum murinum**	*wall barely*
Strelitziaceae	***Bird of Paradise Family***
*Strelitzia reginae**	*bird of paradise*
Xanthorrhoeaceae	***Grass Tree Family***
Phormium sp.*	*flax*

Wildlife

A complete list of wildlife species observed/detected during the field survey is provided in Table 2.

Table 2
Wildlife Species Observed/Detected within the Study Area

Scientific Name	**Common Name**
Birds	
Charadrius vociferus	killdeer
Selasphorus sasin	Allen's hummingbird
Colaptes auratus	northern flicker
Sayornis saya	Say's phoebe
Sayornis nigricans	black phoebe
Tyrannus vociferans	Cassin's kingbird
Corvus brachyrhynchos	American crow
Sialia mexicana	western bluebird
Sturnus vulgaris	European starlings
Setophaga coronata	yellow rumped warbler
Melozone crissalis	California towhee
Spinus psaltria	lesser goldfinch
Sayornis nigricans	black phoebe
Mammals	
Otospermophilus beecheyi	California ground squirrel
Thomomys sp.	pocket gopher

No species status wildlife species were observed within the study area during the field survey. Because of the predominantly developed and disturbed nature of the study area, the site has low potential to support sensitive wildlife species. In addition, several birds' nests were observed during the field survey. It is likely these nests may be from past seasons. Although no birds were observed in or visiting the nests, it's unknown whether the nests were active. Several birds were observed foraging; however, no birds displaying nesting behavior were observed during the survey.

The eucalyptus trees and other ornamental trees provide suitable foraging and nesting habitat for raptor species including sensitive species such as White-tailed kite (*Elanus leucurus*), a California Fully Protected species. No incidental sightings of this or other sensitive species were made during the survey.

Jurisdictional Delineation

The study area is not considered to contain jurisdictional Waters of the United States (U.S.) as defined by the U.S. Army Corps of Engineers (Corps) pursuant to Section 404 of the Clean Water Act nor is the study area considered to contain jurisdictional Waters of the State as defined by the CDFW pursuant to Section 1600-1603 of the California Fish and Wildlife Code. There are a number of features onsite that appear to be designed for the management of storm flows but are not considered jurisdictional including:

- portions of concrete drainage ditches along the bottom of the manufactured slope along the western and north-western edge of the study area which drain to the toe of the slope onto the non-native grassland;
- concrete drainage ditches and storm drains within the developed portion of the site to transmit runoff to the storm drain system;
- individual storm drains openings located south of the county maintenance facility in the northern portion of the site;
- a swale at the southern edge of the non-native grassland with no evidence of defined hydrology (stream bed/banks or OHWM) which appears to be designed to collect sheet flows from on-site runoff and avoid storm flows from washing into the adjacent parking lot and County Library. The swale slopes toward the west. There is corrugated metal standpipe at the west end of the swale which appears to transmit water directly to the storm drain system;
- a concrete inlet located at the southern end of the toe of the manufactured slope on the west side of the study area, which appears to be designed to gather storm flows draining off the manufactured slope and transmit flows directly to the storm drain system.

No water was present during the site visit and there is no evidence of defined hydrology (stream bed/banks, ordinary high-water mark, etc.) within the study area including along the toe of the manufactured slope and within the swale. There were a couple of mulefat (*Baccharis salicifolia*) plants and a small patch of Pennsylvania bittercress (*Oligosperma pensylvanica*) located near the standpipe on at the west end of the swale, however due to the very localized occurrence of these plants and lack of any other hydrologic indication this is not considered to constitute jurisdictional waters. No other characteristic wetland or riparian vegetation was found onsite.

Jurisdictional waters are not considered present on site; therefore, regulatory permits including a Section 1600 Streambed Alteration Agreement from the California Department of Fish and Wildlife, Section 401 Water Quality Certification from the Regional Water Quality Control Board, Section 404 Nationwide Permit from the United States Army Corps of Engineers are not considered to be necessary for any impacts to those resources.

Riparian Habitat or Other Sensitive Natural Communities

No riparian habitat or other sensitive natural communities were observed during the site visit (the few mulefat shrubs observed are not considered to constitute riparian habitat).

Wildlife Corridor

The study area is not located within any contiguous native habitat corridors and is unlikely to provide any significant function as a wildlife corridor or wildlife movement area due to the proximity of major roads and residential development. The site is bordered to the north by Pacific Island Drive, to the east by Alicia Parkway, to the south by Crown Valley Parkway, and to the west by residential housing.

NCCP/HCP

The study area is located within the boundaries of the Orange County Central and Coastal Natural Community Conservation Plan (NCCP)/Habitat Conservation Plan (HCP) Subregion; however, the City of Laguna Niguel is not a participant or permittee to this subregional plan. The study area has not been identified as an area proposed for inclusion in the NCCP Reserve System and has not been identified as having high, medium or low conservation value for the NCCP, based on the Final Orange County Central and Coastal NCCP/HCP Subregion Plan (Parts I & II: NCCP/HCP) dated July 17, 1996.

Critical Habitat

The Project is not located within United States Fish and Wildlife (USFWS) critical habitat for federally threatened and endangered species. The closest USFWS critical habitat is located approximately 0.7 mile southwest of the study area for the coastal California gnatcatcher *(Polioptila californica californica*). The developed and disturbed nature of the study area does not support suitable habitat for the coastal California gnatcatcher.

CNDDB

The CNDDB was used to identify any sensitive plant communities and special status plants and wildlife that have potential to occur within the study area. A two-mile radius surrounding the Project was assessed for special status plant and wildlife occurrences. The CNDDB Potential Occurrence Table is attached as Exhibit B.

Conclusion

The study area is highly developed and disturbed consisting predominantly of non-native grassland and ornamental and landscaped vegetation. No sensitive wildlife species were observed during the survey. The site has low potential to support sensitive plant or wildlife species. The study area contains what appear to be past years' birds' nests and although no breeding birds appeared to be using the site at the time of the field visit, the site does host suitable breeding, nesting, and/or roosting habitat for avian species. Since removal of vegetation including eucalyptus and other ornamental trees could result in impacts to songbirds and raptor species, the following mitigation measure (BIO-1) is included to reduce impacts to songbirds and raptors to less than significant. Additionally, new trees will be planted as part of the proposed project.

The study area is not considered to contain jurisdictional waters and is not considered to be a part of a regional wildlife corridor.

With these considerations, the following measures are recommended for construction being conducted onsite:

BIO-1 Prior to removal of potentially suitable nesting habitat for raptors or songbirds, the project applicant shall demonstrate to the satisfaction of the City of Laguna Niguel that the following has been or will be accomplished.

a. Vegetation removal activities shall be scheduled outside the nesting season (September 16 to February 14 for songbirds; September 16 to January 14 for raptors) to avoid potential impacts to nesting birds including sensitive raptor species such as Cooper's hawk and white-tailed kite.

b. If vegetation removal cannot be avoided during the nesting season (January 15 to September 15), a qualified biologist shall survey all potential nesting vegetation within the property for nesting birds, prior to commencing vegetation removal. This will help prevent potential violation of the federal Migratory Bird Treaty Act (MBTA), the Endangered Species Act (ESA), or California Endangered Species Act (CESA). If no nesting activities are observed, work activities may begin. If an active bird nest is located, the nest site should be avoided, and a buffer should be marked/flagged at an appropriate

distance in all directions. The buffer distance is dependent on the nesting bird species, typically 500 feet for endangered, threatened, and candidate species and all raptors, and 100 to 300 feet for other species as determined appropriate by the qualified biologist. No work shall occur within the buffer area until after the nest becomes inactive, or unless a qualified biologist monitors the nest during construction activities within the buffer and does not observe any signs of stress or erratic behavior that indicate a negative effect on nesting. The biologist should inform construction personnel regarding the location of active nest(s) and required avoidance measures.

BIO-2 The limits of work should be mapped and clearly flagged or marked prior to initiation of work. All project personnel should be instructed that their activities must be confined to locations within the defined work areas. Disturbance beyond the actual work zone should be prohibited without site-specific surveys.

If you have any questions, please feel free to contact me at (949) 324-8359.

Sincerely,

Carla Marriner
Senior Biologist

Attachments:

Figures
Figure 1 - Regional Location
Figure 2 - Local Vicinity
Figure 3 - Aerial Photograph
Figure 4 - Vegetation Map

Exhibits
Exhibit A - Site Photographs
Exhibit B – Special Status Species Potential Occurrence

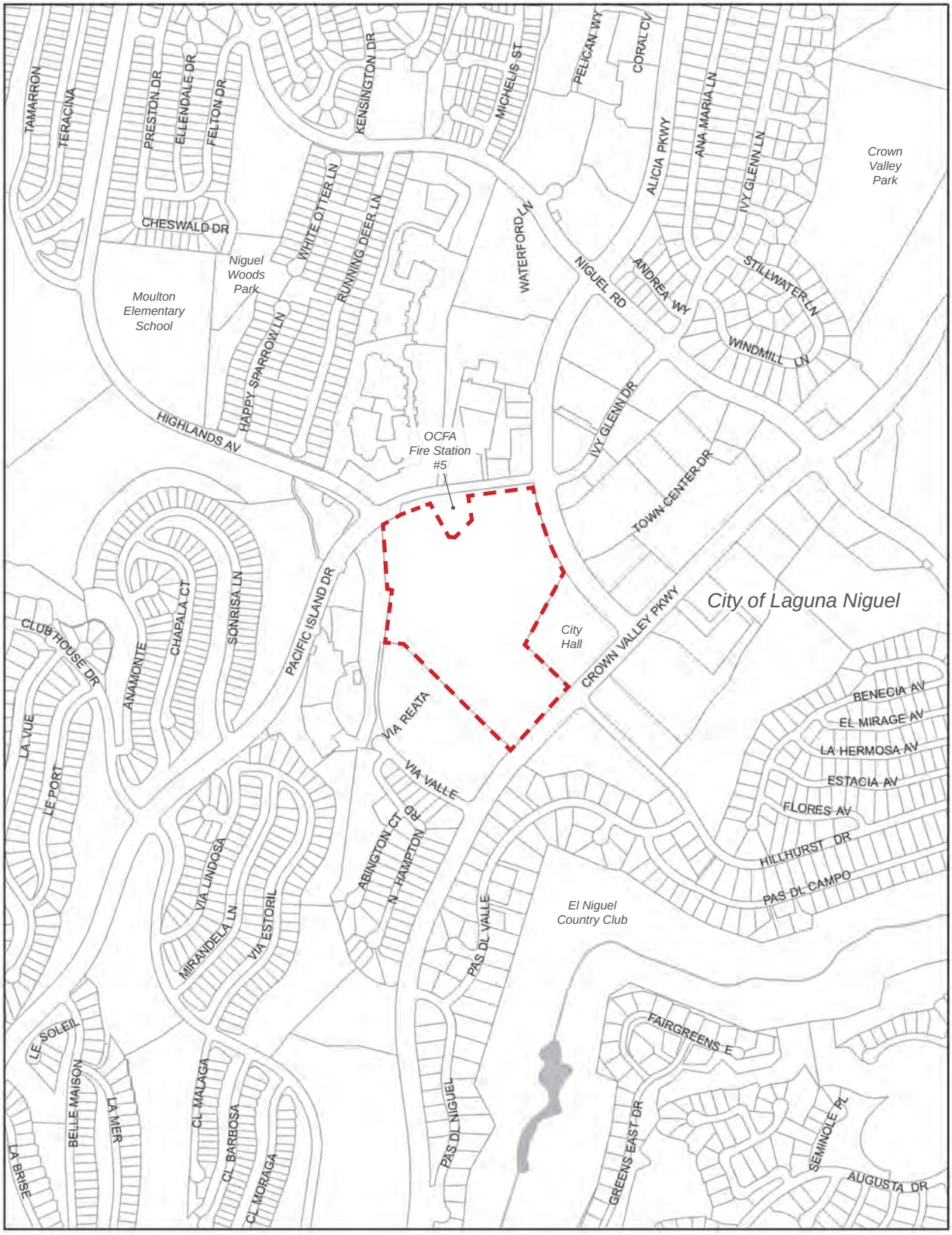
Figure 1 - Regional Location

Note: Unincorporated areas are shown in white.

0 3
Scale (Miles)

Source: ESRI, 2016

Figure 2 - Local Vicinity



Project Boundary

0 500
Scale (Feet)

Source: ESRI, 2016

PlaceWorks

Figure 3 - Aerial Photograph

Project Boundary

0 350
Scale (Feet)

Source: Google Earth Pro, 2016

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AGORA

FIGURE 4.

LAND COVER/ VEGETATION MAP

N
W E
S

0 75 150 225 300
Feet

1 in = 150 ft

Map Date: March 24, 2016
Source: Bing Maps

Exhibit A

Site Photographs

Photo 1. View of a concrete drainage ditch near the county maintenance facility.

Photo 2. View of a concrete drainage ditch on the adjacent manufactured/landscaped slope at the west edge of the project site.

Photo 3. View of the adjacent manufactured slope, non-native grassland, and concrete inlet in background (viewing south/southeast).

Photo 4. View of concrete inlet which appears to collect runoff from adjacent manufactured/landscaped slopes between the study area and residential development.

Photo 5. View of fencing near concrete inlet and view to north/northwest of toe of slope and non-native grassland.

Photo 6. Typical view of onsite storm water management drainage features within developed area

Photo 7. Typical storm drain and concrete feature adjacent to on-native grassland.

Photo 8. View of the swale which appears to collect storm water sheet flowing over study area to prevent it from running into parking lots and buildings (standpipe in foreground).

Photo 9. Distant view of swale (mid- and background of photo); off-site manufactured slope in background.

Photo 10. View of the standpipe at the west end of the swale which appears to transmit storm water to storm drain system.

Photo 11. Overview of land covers including non-native grassland, landscaped and ornamental, and developed.

Photo 12. Typical view of the now closed South County Justice Center.

Photo 13. View of disturbed dirt road, non-native grassland, and ornamental trees in the background.

Photo 14. View of ornamental landscaping, adjacent to non-native grassland, and the County Library building in the background.

Photo 15. Typical view of the non-native grassland surrounded by manufactured slopes and residential development to the west.

Photo 16. Typical view of landscaped ornamental trees surrounding developed parking lots onsite.

Photo 17. View of the County maintenance facility in the northern portion of the study area.

Exhibit B

Special Status Species Potential Occurrence

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Exhibit B

Special Status Species Potential Occurrence Determination

This table summarizes conclusions from analysis and field surveys regarding the potential occurrence of special status species within the Study Area. During the field survey, the potential for special status species to occur within the Study Area was assessed based on the following criteria:

- Present: observed on the site during the field surveys, or recorded on-site by other qualified biologists.

- High potential to occur: observed in similar habitat in the region by a qualified biologist or habitat on the site is a type often utilized by the species, and the site is within the known distribution and elevation range of the species.

- Moderate potential to occur: reported sightings in surrounding region, or the site is within the known distribution and elevation range of the species, and habitat on the site is a type occasionally used by the species.

- Low potential to occur: the site is within the known distribution and elevation range of the species, but habitat on the site is rarely used by the species or for which there are no known recorded occurrences of the species within or adjacent to the site.

- Absent: a focused study failed to detect the species or no suitable habitat is present.

- Unknown: the species' distributional/elevation range and habitat are poorly known.

Even with field surveys, biologists assessed the probability of occurrence rather than make a definitive conclusion about species presence or absence. Failure to detect the presence of the species is not definitive, and may be due to variable effects associated with fire, rainfall patterns, and/or season.

Special Status Species: Potential to Occur within the Study Area

Scientific Name	Common Name	Status	General Habitat Description	Potential for Occurrence Within the Study Area
Plants				
Comarostaphylis diversifolia ssp. diversifolia	summer holly	CNPS 1B.2, BLMS	Chaparral, cismontane woodland. Often in mixed chaparral in California, sometimes post-burn. 30-945 m.	Very low; no suitable habitat present.
Dudleya multicaulis	many-stemmed dudleya	CNPS 1B.2, BLMS	Chaparral, coastal scrub, valley and foothill grassland. In heavy, often clayey soils or grassy slopes. 15-790 m.	Very low; no suitable habitat present (grassland present is dominated by non-native species).
Dudleya stolonifera	Laguna Beach dudleya	FT, ST CNPS 1B.1	Chaparral, cismontane woodland, coastal scrub, valley and foothill grassland. In thin soil on north-facing sandstone cliffs. 5-185 m.	Very low; no suitable habitat present (grassland present is dominated by non-native species).
Euphorbia misera	cliff spurge	CNPS 2B.2	Coastal bluff scrub, coastal scrub, Mojavean desert scrub. Rocky sites. 10-430 m.	Very low; no suitable habitat present.
Pentachaeta aurea ssp. allenii	Allen's pentachaeta	CNPS 1B.1	Valley and foothill grasslands, coastal scrub. Openings in scrub or grassland. 75-520 m.	Very low; no suitable habitat present (grassland present is dominated by non-native species).
Quercus dumosa	Nuttall's scrub oak	CNPS 1B.1, FSS	Closed-cone coniferous forest, chaparral, coastal scrub. Generally on sandy soils near the coast; sometimes on clay loam. 15-400 m.	Very low; no suitable habitat present.
Verbesina dissita	big-leaved crownbeard	FT, ST CNPS 1B.1	Chaparral, coastal scrub. Steep, rocky, primarily N-facing slopes within 1.5 miles of the ocean, in gravelly soils. 45-205 m.	Very low; no suitable habitat present.
Brodiaea filifolia	thread-leaved brodiaea	FT, SE CNPS 1B.1	Chaparral (openings), cismontane woodland, coastal scrub, playas, valley and foothill grassland, vernal pools. Usually associated with annual grassland and vernal pools; often surrounded by shrubland habitats.	Very low; no suitable habitat present (grassland present is dominated by non-native species).

			Occurs in openings on clay soils. 15-1020 m.	
Calochortus weedii var. intermedius	intermediate mariposa-lily	CNPS 1B.2, FSS	Coastal scrub, chaparral, valley and foothill grassland. Dry, rocky open slopes and rock outcrops. 105-855 m.	Very low; no suitable habitat present (grassland present is dominated by non-native species).
Wildlife				
Eucyclogobius newberryi	tidewater goby	FE, SSC	Brackish water habitats along the Calif coast from Agua Hedionda Lagoon, San Diego Co. to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water & high oxygen levels.	Very low; no suitable habitat.
Aspidoscelis hyperythra	orangethroat whiptail	SSC, FSS	Inhabits low-elevation coastal scrub, chaparral, and valley-foothill hardwood habitats. Prefers washes & other sandy areas with patches of brush & rocks. Perennial plants necessary for its major food-termites.	Very low; no suitable habitat.
Emys marmorata	western pond turtle	BLMS, SSC, FSS	A thoroughly aquatic turtle of ponds, marshes, rivers, streams & irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Need basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	Very low; no suitable habitat.
Phrynosoma blainvillii	coast horned lizard	BLMS, SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial & abundant supply of ants & other insects.	Very low; typical suitable habitat not present.
Aimophila ruficeps canescens	southern California rufous-crowned sparrow	WL	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep,	Very low; no suitable habitat.

			often rocky hillsides with grass & forb patches.	
Polioptila californica californica	coastal California gnatcatcher	FT, SSC	Obligate, permanent resident of coastal sage scrub below 2500 ft in Southern California. Low, coastal sage scrub in arid washes, on mesas & slopes. Not all areas classified as coastal sage scrub are occupied.	Very low; no suitable habitat.
Vireo bellii pusillus	least Bell's vireo	FE, SE	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	Very low; no suitable habitat.
Eumops perotis californicus	western mastiff bat	BLMS, SSC	Many open, semi-arid to arid habitats, including conifer & deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees & tunnels.	Low; tall trees and buildings are present onsite, however the surrounding area is developed. Additionally the buildings appear to be maintained and closed off.

Legend

Federal Endangered Species Act (ESA) Listing Codes: federal listing is pursuant to the Federal Endangered Species Act of 1973, as amended (ESA).
FE = federally listed as endangered: any species, subspecies, or variety of plant or animal that is in danger of extinction throughout all or a significant portion of their range.
FT = federally listed as threatened: any species, subspecies, or variety of plant or animal that is considered likely to become endangered throughout all or a significant portion of its range within the foreseeable future.

California Endangered Species Act (CESA) Listing Codes: state listing is pursuant to § 1904 (Native Plant Protection Act of 1977) and §2074.2 and §2075.5 (California Endangered Species Act of 1984) of the Fish and Game Code, relating to listing of Endangered, Threatened and Rare species of plants and animals.
SE = state listed as endangered: any species, subspecies, or variety of plant or animal that are in serious danger of becoming extinct throughout all, or a significant portion, of their range.
ST = state listed as threatened: any species, subspecies, or variety of plant or animal that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future.

California Department of Fish and Wildlife (CDFW):
SSC = species of special concern: status applies to animals which 1) are declining at a rate that could result in listing, or 2) historically occurred in low numbers and known threats to their persistence currently exist. The CDFW has designated certain vertebrate species as "species of special concern" because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction.
Fully protected: animal species may not be taken or possessed at any time and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of the bird species for the protection of livestock.
WL = watch list: these birds have been designated as "Taxa to Watch" in the *California Bird Species of Special Concern report* (Shuford and Gardali 2008). The report defines "Taxa to Watch" as those that are not on the current special concern list that (1) formerly were on the 1978 (Remsen 1978) or 1992 (CDFG 1992) special concern lists and are not currently listed as state threatened and endangered; (2) have been removed (delisted) from either the state or federal threatened and endangered lists (and remain on neither), or (3) are currently designated as "fully protected" in California.

United States Forest Service (USFS):
FSS = Forest Service sensitive: those plant and animal species identified by a Regional Forester that are not listed or proposed for listing under the ESA and for which population viability is a concern, as evidenced by: (a) significant current or predicted downward trends in population numbers or density or (b) significant current or predicted downward trends in habitat capability that would reduce a species' existing distribution."

United States Bureau of Land Management (BLM):
BLMS = BLM sensitive: those plant and animal species on BLM administered lands and that are (1) under status review by the USFWS/NMFS; or (2) whose numbers are declining so rapidly that federal listing my become necessary, or (3) with typically small and widely dispersed populations; or (4) those inhabiting ecological refugia or other specialized or unique habitats. BLM policy is to provide the same level of protection as USFWS candidate species.

California Rare Plant Ranks (Formerly known as CNPS Lists): the CNPS is a statewide, non-profit organization that maintains, with CDFG, an Inventory of Rare and Endangered Plants of California. In the spring of 2011, CNPS and CDFG officially changed the name "CNPS List" or "CNPS Ranks" to "California Rare Plant Rank" (or CPRP). This was done to reduce confusion over the fact that CNPS and CDFG jointly manage the Rare Plant Status Review Groups and the rank assignments are the product of a collaborative effort and not solely a CNPS assignment.

CRPR: 1B - California Rare Plant Rank 1B (formerly List 1B): Plants Rare, Threatened, or Endangered in California and Elsewhere. All of the plants constituting California Rare Plant Rank 1B meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.

CRPR: 2 - California Rare Plant Rank 2 (formerly List 2): Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere. All of the plants constituting California Rare Plant Rank 2 meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of Fish and Game Code, and are eligible for state listing. It is mandatory that they be fully considered during preparation of environmental documents relating to CEQA.

CRPR: 4 - California Rare Plant Rank 4 (formerly List 4): Plants of Limited Distribution - A Watch List. Very few of the plants constituting California Rare Plant Rank 4 meet the definitions of Sec. 1901, Chapter 10 (Native Plant Protection Act) or Secs. 2062 and 2067 (California Endangered Species Act) of the California Department of

Fish and Game Code, and few, if any, are eligible for state listing. Nevertheless, many of them are significant locally, and CNPS and CDFG strongly recommend that California Rare Plant Rank 4 plants be evaluated for consideration during preparation of environmental documents relating to CEQA.

California Native Plant Society (CNPS) Threat Ranks: The CNPS Threat Rank is an extension added onto the California Rare Plant Rank (CRPR) and designates the level of endangerment by a 1 to 3 ranking with 1 being the most endangered and 3 being the least endangered. A Threat Rank is present for all California Rare Plant Rank 1B's, 2's, 4's, and the majority of California Rare Plant Rank 3's. California Rare Plant Rank 4 plants are seldom assigned a Threat Rank of 0.1, as they generally have large enough populations to not have significant threats to their continued existence in California; however, certain conditions exist to make the plant a species of concern and hence be assigned a California Rare Plant Rank. In addition, all California Rare Plant Rank 1A (presumed extinct in California), and some California Rare Plant Rank 3 (need more information) plants, which lack threat information, do not have a Threat Rank extension.

0.1 = seriously endangered in California (over 80% of occurrences threatened / high degree and immediacy of threat)
0.2 = fairly endangered in California (20-80% occurrences threatened / moderate degree and immediacy of threat)