Appendix C Biological Technical Report

STRUCK AVENUE PROJECT February 2023

General Biological Technical Report

United States Geological Survey 7.5-Minute Orange Topographic Quadrangle Map Orange County, California

Prepared By



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1.0 INTRODUCTION AND EXECUTIVE SUMMARY

NOREAS Inc. (NOREAS) is pleased to provide this General Biological Technical Report for the Struck Avenue Project (hereafter referred to as the "Project"). The Project is located at 534 Struck Avenue, Orange, California, 92687 (Assessor's Parcel Number 375-331-04, Figures 1 and 2). This document details the methods and results of baseline biological resources surveys and habitat assessments for the Project. The intended use of this document is to disclose and evaluate the Project's biological conditions, and determine the potential for occurrence of common and special-status species¹ - and their habitats. For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (hereafter referred to as the Project Site), and a buffer (Figure 2).

During pedestrian surveys in February of 2023, it was determined that greater than 99% of the Project Site was comprised of developed, disturbed and non-native land cover types. To that end, the Project is not collocated with any United States Fish and Wildlife Service (USFWS) designated critical habitat, nor were any special status species detected during the 2023 field surveys. No nesting birds, remnant raptor nests, or bat guano were detected within the Project Site either.

The Project Site's developed and disturbed land cover has substantially decreased its value as suitable breeding / nesting, and foraging habitat for native species as well. Furthermore, the Project Site has limited – if any, value as a low-quality migration corridor, or overland dispersal habitat for wildlife, because it is severely movement constrained by the surrounding industrial and commercial developments, and public infrastructure.

¹ For the purposes of this analysis, "special-status species" refers to any species that has been afforded special protection by federal, state, or local resource agencies (e.g., U.S. Fish and Wildlife Service [USFWS], California Department of Fish and Wildlife [CDFW]) or resource conservation organizations (e.g., California Native Plant Society [CNPS], etc.). The term "special-status species" excludes those avian species solely identified under Section 10 of the Migratory Bird Treaty Act (MBTA) for federal protection. Nonetheless, MBTA Section 10 protected species are afforded avoidance and minimization protections per state and federal requirements.



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2.0 PROPERTY LOCATION

For the purposes of this report, the "study area" includes the Project's proposed ground disturbance footprint (Project Site) and a buffer (Figures 1 and 2). The Project can be found on the Orange United States Geological Survey (USGS) 7.5-MinuteTopographic Quadrangle Map (USGS 1987).



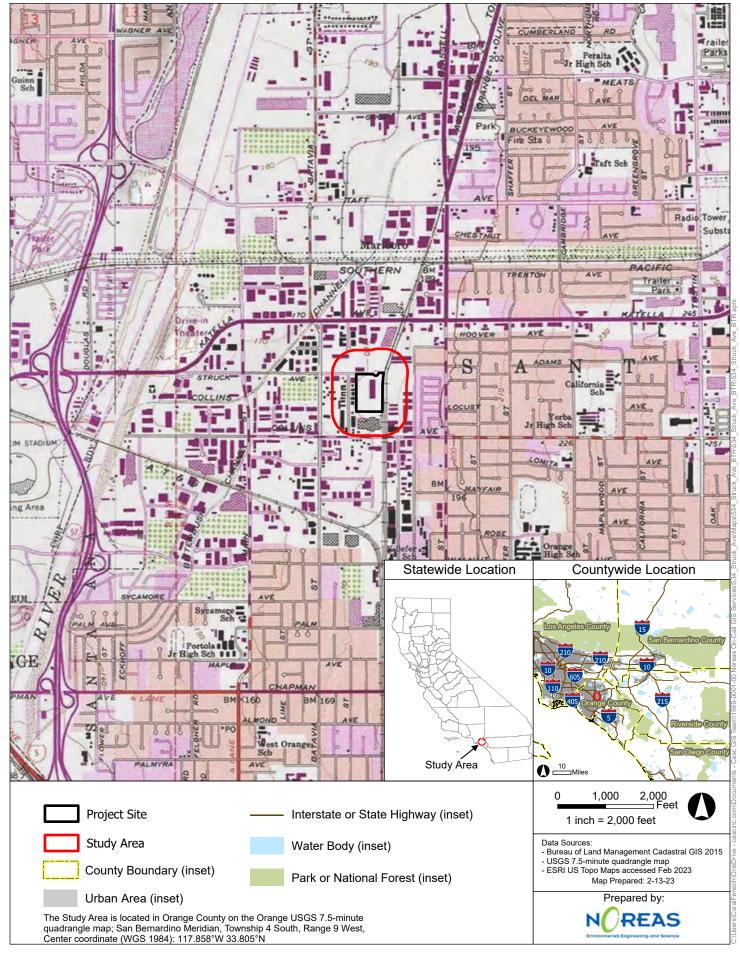


Figure 1. Regional Location

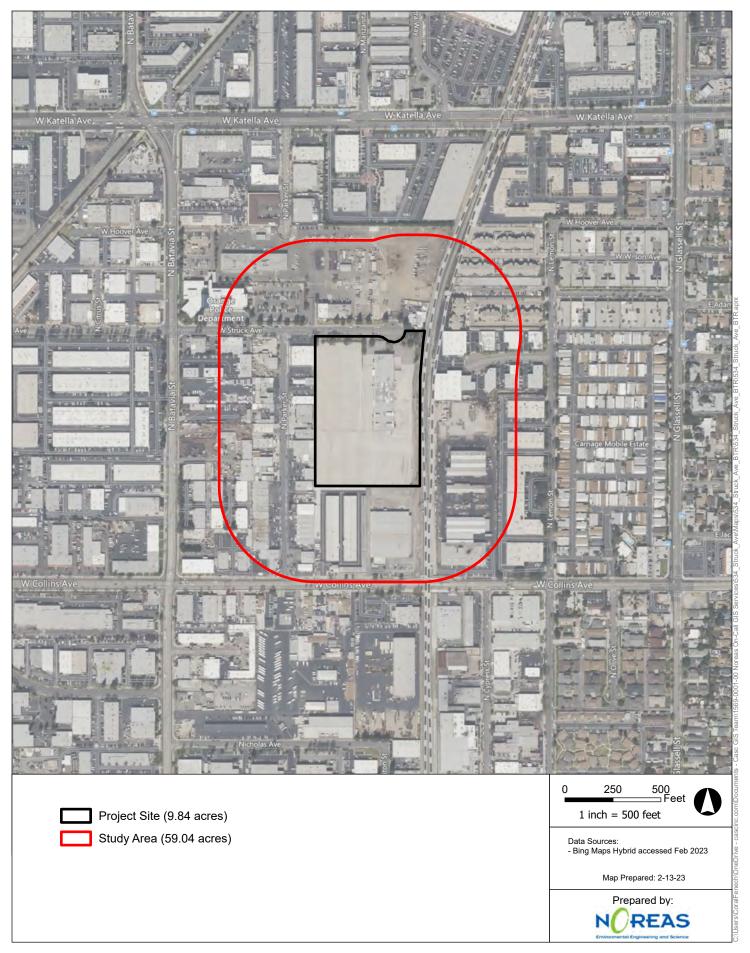


Figure 2. Site Vicinity

3.0 FOCUSED STUDY/SPECIES OF CONCERN

Prior to beginning field surveys, resource specialists were consulted and available information from resource management plans, databases and relevant documents were reviewed to determine the locations and types of biological resources² that have the potential to exist within - and adjacent to the study area. Biological resources were evaluated within several miles of the Project.

The materials reviewed included - but were not limited to, the following:

- ✓ US Fish and Wildlife Service (USFWS) Critical Habitat Mapper and File Data (USFWS 2023a);
- ✓ USFWS National Wetlands Inventory database (USFWS 2023c);
- ✓ Regional South Coast Missing Linkages Project Report (South Coast Wildlands 2008);
- ✓ California Natural Diversity Database maintained by the California Department of Fish and Wildlife (CDFW) (CDFW 2023);
- ✓ Natural Resource Conservation Service, Soil Survey Geographic Database (SSURGO) (USDA-NRCS 2023a);
- ✓ California Native Plant Society (CNPS) Electronic Inventory (CNPS 2023); and
- ✓ Aerial Photographs (Microsoft Corporation 2023).

² For the purposes of this analysis, "biological resources" refers to the plants, wildlife, and habitats that occur - or have the potential to occur, within the study area.



4.0 METHODS

To support the analysis detailed within Section 3.0 above, pedestrian-based field surveys were performed to assess land cover, general and dominant vegetation communities, habitat types, and species present within communities. Community descriptions were based on observed dominant vegetation composition, and derived from the criteria and definitions of widely accepted vegetation classification systems (Holland 1986 and Sawyer et al. 2009).

Plants were identified to the lowest taxonomic level sufficient to determine whether the species observed were non-native, native, or special-status. Plants of uncertain identity were subsequently identified from taxonomic keys (Baldwin et al. 2012). Scientific and common species names were recorded according to Baldwin et al. (2012). The presence of a wildlife species was based on direct observation and/or detection of wildlife sign (e.g., tracks, burrows, nests, scat, skeletal remains or vocalization). Field data compiled for wildlife species included scientific name, and common name. Wildlife of uncertain identity were documented and subsequently identified from specialized field guides and related literature (Burt and Grossenheider 1980; Halfpenny 2000; Sibley 2000; Elbroch 2003 and Stebbins 2003).

Additionally, the Project Site was assessed for its potential to support special-status species based on habitat³ suitability comparisons with reported occupied habitats (Appendix A). The following potential for occurrence definitions were utilized within Appendix A:

- Absent [A] Species distribution is restricted by substantive habitat requirements which do not
 occur or are negligible within the Project Site, and no further survey or study is necessary to
 determine likely presence or absence of this species.
- Habitat Present [HP] Species distribution is restricted by substantive habitat requirements
 which occur within the Project Site, and further study may be necessary to determine likely
 presence or absence of species.
- **Present [P]** Species or species sign were observed within the Project Site, or historically has been documented within Project limits.
- Critical Habitat [CH] The Project Site is located within a USFWS-designated critical habitat unit.

4.1 Evaluation of Wetlands and Waterways

Based on the aforementioned review of commercially available literature and a habitat assessment, the presence and/or absence of surface water conveyance features, riparian plant communities, riverine land cover types and wetlands - including vernal pools, was evaluated within the Project Site. Potential features were identified based on professional judgement, aerial photographic signatures, and the presence of a well-defined ordinary high-water mark, bed, bank, channel, and/or the limits of riparian habitats in the field – while showing deference to vegetation, soils, and observed hydrology.

³ A "habitat" is defined as the place - or type of locale, where a plant or animal naturally or normally lives and grows.



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5.0 GENERAL BIOLOGICAL SURVEY RESULTS

Weather conditions during the February 2023 surveys included clear skies, temperatures ranging from 50 to 68 °F, and winds fluctuating from 0 to 05 miles per hour (mph). Representative photos of the study area are provided in Appendix B.

5.1 Vegetation Communities and Land Cover Types

One vegetation communities/land cover type was observed within the study area: Developed / Disturbed (Figure 3). This cover type is described below.

Developed / Disturbed lands within the study area include locales that have been paved, cleared, graded or otherwise altered by anthropogenic activities (i.e., access roads, ornamental landscaping, train tracks, industrial facilities, storage yards, commercial enterprises, and so forth). These lands also include areas with exposed soils, minimal vegetation, and moderate cover by various non-native annual grasses, and weeds (adapted for growth on substrates subject to disturbance). Common non-native plants species detected within this type include ripgut brome (*Bromus diandrus*), Sahara mustard (*Brassica Tournefortii*), Mexican fan palm (*Washingtonia Robusta*), Schismus (*Schismus barbatus*) cheese weed (*Malva neglecta*).

5.2 Wildlife

Wildlife species observed within the study area consisted of commonly-occurring species - including, but not limited to, rock pigeon (*Columba livia*), house finch (*Haemorhous mexicanus*), common raven (*Corvus corax*), and Western fence lizard (*Sceloporus occidentalis*). Wildlife detected during the surveys are identified in Appendix D.

5.3 Special-Status Plants

No Federal or State listed plant species were observed within the study area during the 2023 field surveys. Nonetheless, several have been documented within 10 miles of the Project (Figure 4). The study area includes no USFWS-designated critical habitat for plants (Figure 5), and the Project Site does not include the substantive habitat requirements necessary to support special-status flora. Special-status species known to occur within 10 miles of the Project, and their potential for occurrence within the Project Site are detailed within Appendix A, and Figure 4. Plant species observed during the surveys are listed in Appendix C.

5.4 Special-Status Wildlife

No special status wildlife species were observed within the study area during the 2023 field survey events. The study area includes no USFWS-designated critical habitat for wildlife (Figure 5), and the Project Site does not include the substantive habitat requirements necessary to support special-status wildlife. Special-status species known to occur within 10 miles of the Project, and their potential for occurrence within the Project Site are detailed within Appendix A, and Figure 4. Wildlife species detected during the surveys are listed in Appendix D.

5.5 Wetlands and Waterways

The literature review and field survey data imply that it is appropriate to characterize the Project Site as an anthropogenically disturbed upland. As no riparian or riverine habitats - or obvious indicators of a well-defined water conveyance bed, bank or channel were detected within the Project Site. The topography suggests that the Project Site lacks waters which are typically subject to Clean Water Act, or Fish and Game Code Section 1600 jurisdiction. Furthermore, the National Wetland Inventory has no records of special aquatic resources within the Project Site (Figure 6).



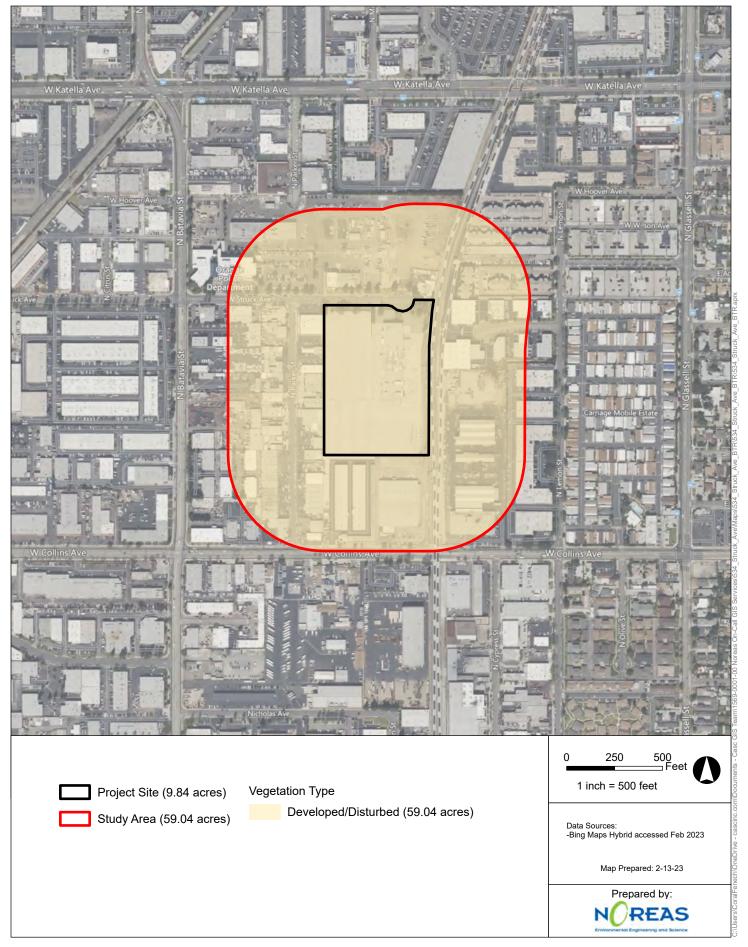


Figure 3. Vegetation Communities and Land Cover Types

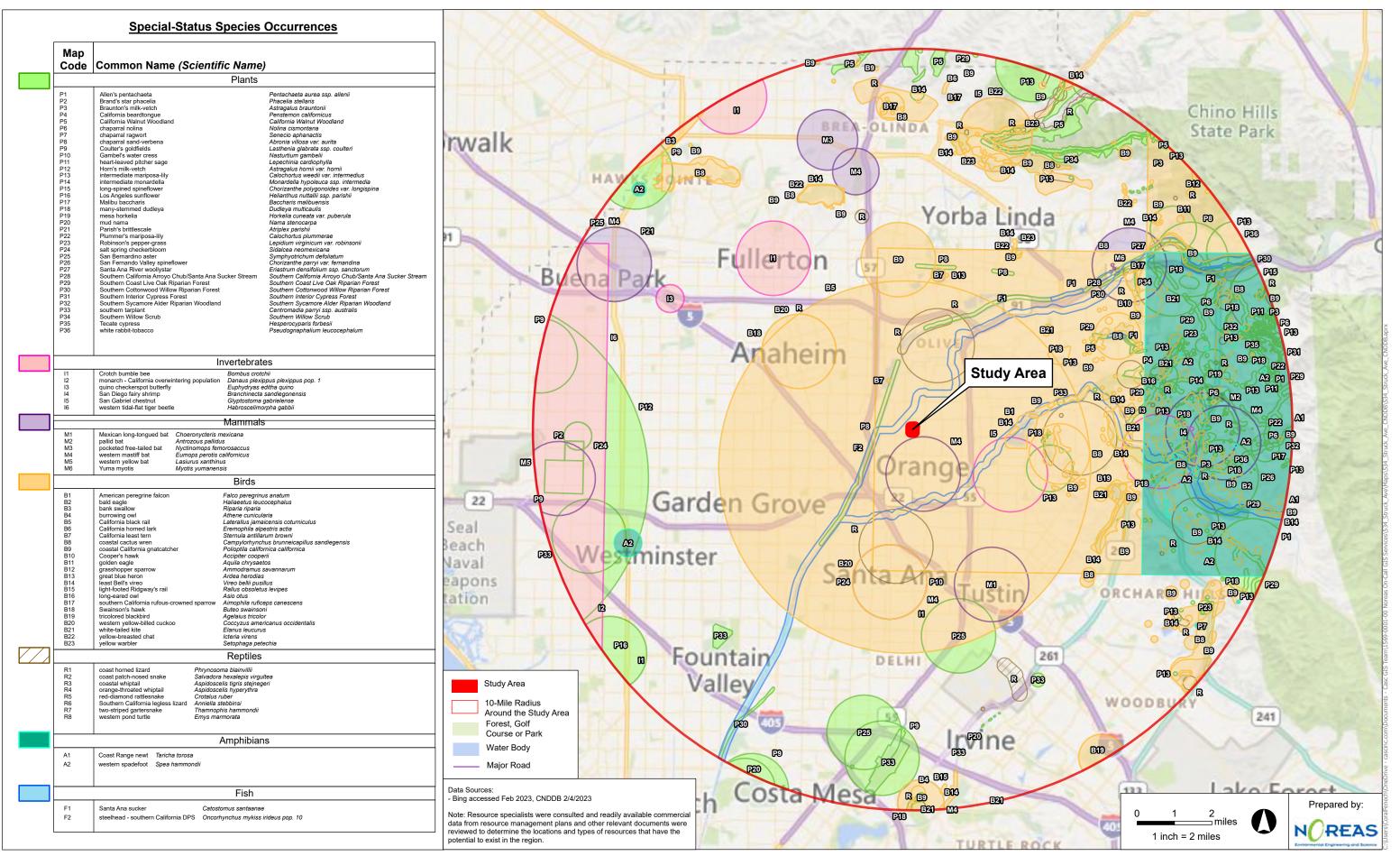


Figure 4. Literature Review

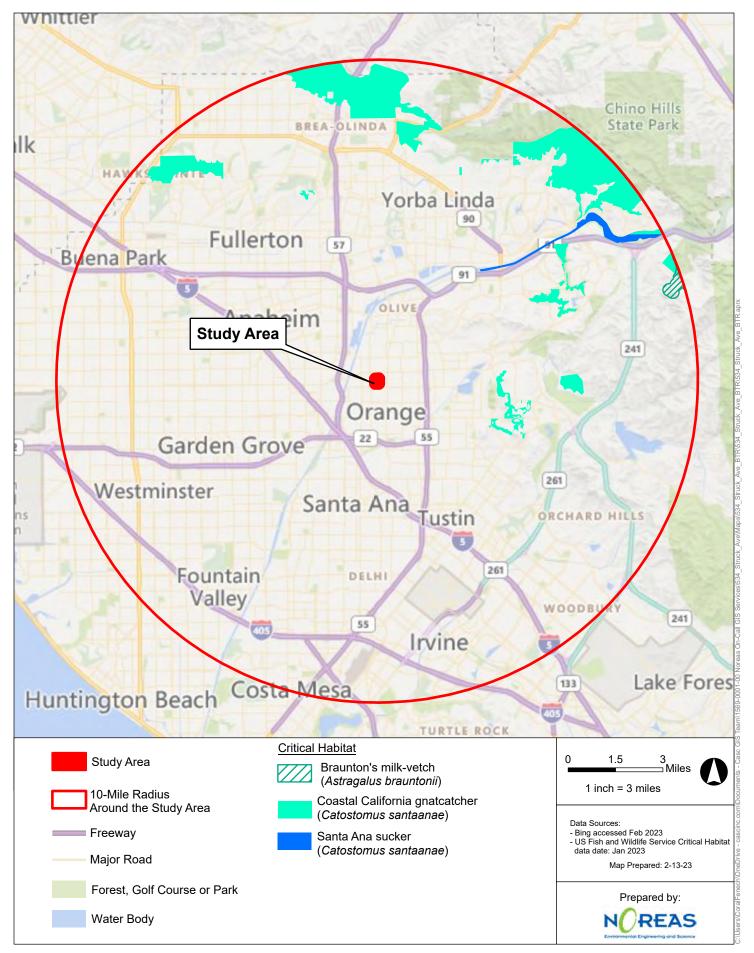


Figure 5. Critical Habitat

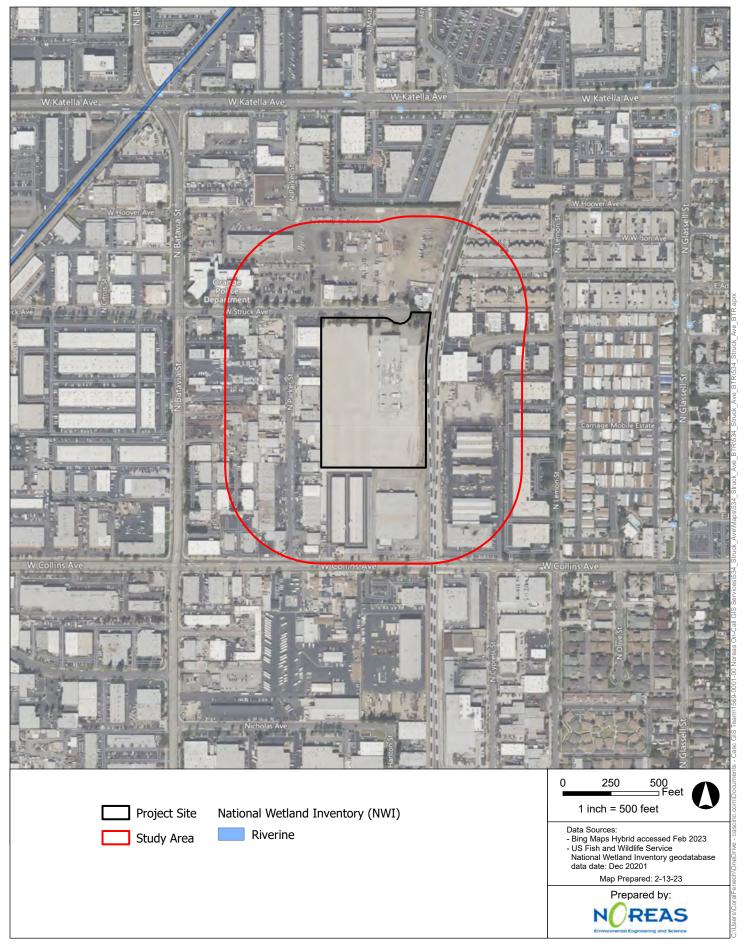


Figure 6. National Wetland Inventory

6.0 CONCLUSION AND RECOMMENDATIONS

In 2023, it was determined that greater than 99% of the Project Site was comprised of developed, disturbed or non-native habitats. Additionally, the Project is not collocated with any USFWS designated critical habitat, nor were any special status species detected during the 2023 field surveys. No nesting birds, remnant raptor nests, or bat guano were detected within the Project Site either. The Project Site's developed and disturbed land cover have substantially decreased its value as suitable breeding / nesting, and foraging habitat for native species as well. Furthermore, the Project Site has limited – if any, value as a low-quality migration corridor, or overland dispersal habitat for wildlife, because it is severely movement constrained by the surrounding industrial and commercial developments.

The following are recommended for implementation:

- Training of all field staff on applicable or relevant, and appropriate local, state, and federal
 regulatory agency requirements, environmental laws, and regulations associated with working
 around biological resources.
- No personnel working within Project limits will "take" or destroy plants, animals, or active nests (or eggs) of birds that are protected under the Federal or State Endangered Species Acts and Migratory Bird Treaty Act (MBTA)
- No personnel working within Project limits will handle or relocate, flora or fauna.
- In order to comply with Section 10 of the Migratory Bird Treaty Act and relevant sections of the California Fish and Game Code, any necessary vegetation clearing should take place outside of the typical avian nesting season (e.g., March 15th until September 1st).
 - If work needs to take place between March 15th and September 1st, a pre activity clearance sweep for nesting birds should be completed prior to the onset of ground disturbance.
 - An activity exclusion buffer zone around occupied nests should be maintained during physical ground disturbing undertakings. Once nesting has ended, the buffer may be removed.

With the implementation of the measures recommended herein, there would be no presumption that the Project would result in the loss of individual species, nor that it would adversely affect local or regional populations of them.



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APPENDIX A SPECIAL-STATUS SPECIES POTENTIAL FOR OCCURRENCE WITHIN THE PROJECT SITE



Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list	Number of records within 10 miles	Year(s) sighted
А	American peregrine falcon (Falco peregrinus anatum)	Delisted	Delisted	-	1	2015
А	California black rail (Laterallus jamaicensis coturniculus)	None	Threatened	-	1	1986
А	Steelhead - southern California (<i>Oncorhynchus mykiss irideus</i>)	Endangered	Candidate Endangered	-	1	2013
А	Western mastiff bat (Eumops perotis californicus)	None	None	-	7	1949 - XXXX
Α	Chaparral sand-verbena (Abronia villosa var. aurita)	None	None	1B.1	4	1924 - 1935
Α	Coast horned lizard (Phrynosoma blainvillii)	None	None	-	12	1922 - XXXX
Α	Santa Ana sucker (Catostomus santaanae)	Threatened	None	-	5	1987 - XXXX
Α	California least tern (Sternula antillarum browni)	Endangered	Endangered	-	2	2016 - 2018
Α	San Gabriel chestnut (Glyptostoma gabrielense)	None	None	-	2	193X - 1952
Α	Southern California legless lizard (Anniella stebbinsi)	None	None	-	3	1916 - 2019
А	Coastal California gnatcatcher (<i>Polioptila californica</i> californica)	Threatened	None	-	116	1900 - 2021
А	Least Bell's vireo (Vireo bellii pusillus)	Endangered	Endangered	-	22	1996 - 2020
А	Swainson's hawk (Buteo swainsoni)	None	Threatened	-	1	1888
А	Western yellow-billed cuckoo (Coccyzus americanus occidentalis)	Threatened	Endangered	-	2	1918 - 19XX
А	Gambel's water cress (Nasturtium gambelii)	Endangered	Threatened	1B.1	1	1927
А	Salt spring checkerbloom (Sidalcea neomexicana)	None	None	2B.2	2	1929 - 1952
А	Crotch bumble bee (Bombus crotchii)	None	Candidate Endangered	-	4	1942 - 2020
А	Coastal cactus wren (Campylorhynchus brunneicapillus sandiegensis)	None	None	-	13	1989 - 2013
А	Intermediate mariposa-lily (Calochortus weedii var. intermedius)	None	None	1B.2	35	1927 - 2021
А	Many-stemmed dudleya (Dudleya multicaulis)	None	None	1B.2	29	1982 - 2016
А	Orange-throated whiptail (Aspidoscelis hyperythra)	None	None	-	11	1962 - 2005
А	Mexican long-tongued bat (Choeronycteris mexicana)	None	None	-	1	1995
А	Southern tarplant (Centromadia parryi ssp. australis)	None	None	1B.1	9	1933 - 2003
А	Great blue heron (Ardea herodias)	None	None	-	1	2004
А	White-tailed kite (Elanus leucurus)	None	None	-	8	2008 - 2020
А	San Bernardino aster (Symphyotrichum defoliatum)	None	None	1B.2	3	1896 - 1927
А	yellow-breasted chat (Icteria virens)	None	None	-	4	2001 - 2016
Α	Yellow warbler (Setophaga petechia)	None	None	-	3	2003 - 2016



Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list	Number of records within 10 miles	Year(s) sighted
А	Tricolored blackbird (Agelaius tricolor)	None	Threatened	-	2	2014
А	Quino checkerspot butterfly (Euphydryas editha quino)	Endangered	None	-	2	1930 - 1983
Α	Western pond turtle (Emys marmorata)	None	None	-	9	1987 - XXXX
Α	Coast Range newt (Taricha torosa)	None	None	-	2	1997 - 1999
Α	Coastal whiptail (Aspidoscelis tigris stejnegeri)	None	None	-	3	1999
А	Red-diamond rattlesnake (Crotalus ruber)	None	None	-	6	1995 - 2001
Α	California beardtongue (Penstemon californicus)	None	None	1B.2	1	1981
А	Coast patch-nosed snake (Salvadora hexalepis virgultea)	None	None	-	3	1993 - 1999
А	Yuma myotis (Myotis yumanensis)	None	None	-	1	1998
Α	Long-eared owl (Asio otus)	None	None	-	2	1968 - 1974
А	Cooper's hawk (Accipiter cooperii)	None	None	-	1	2002
А	Pallid bat (Antrozous pallidus)	None	None	-	1	1993
А	Southern California rufous-crowned sparrow (Aimophila ruficeps canescens)	None	None	-	3	2000 - 2008
А	Western spadefoot (Spea hammondii)	None	None	-	14	1952 - 2019
А	Santa Ana River woollystar (<i>Eriastrum densifolium ssp. sanctorum</i>)	Endangered	Endangered	1B.1	1	1927
Α	Horn's milk-vetch (Astragalus hornii var. hornii)	None	None	1B.1	1	1896
А	pocketed free-tailed bat (Nyctinomops femorosaccus)	None	None	-	1	1989
А	San Fernando Valley spineflower (<i>Chorizanthe parryi</i> var. fernandina)	None	Endangered	1B.1	1	1902
А	San Diego fairy shrimp (Branchinecta sandiegonensis)	Endangered	None	-	1	2006
Α	Braunton's milk-vetch (Astragalus brauntonii)	Endangered	None	1B.1	4	2012 - 2020
Α	Chaparral nolina (Nolina cismontana)	None	None	1B.2	12	2000 - 2017
Α	Coulter's goldfields (Lasthenia glabrata ssp. coulteri)	None	None	1B.1	5	1932 - 1965
Α	Golden eagle (Aquila chrysaetos)	None	None	-	1	2007
А	Intermediate monardella (Monardella hypoleuca ssp. intermedia)	None	None	1B.3	1	2008
А	Robinson's pepper-grass (<i>Lepidium virginicum var.</i> robinsonii)	None	None	4.3	2	2008
А	Two-striped gartersnake (Thamnophis hammondii)	None	None	-	1	2000
Α	Mesa horkelia (Horkelia cuneata var. puberula)	None	None	1B.1	1	2008
Α	Parish's brittlescale (Atriplex parishii)	None	None	1B.1	1	1881
Α	Western tidal-flat tiger beetle (Habroscelimorpha	None	None	-	1	1998



Potential for occurrence	Common name (Scientific name)	Federal listing status	State listing status	CNPS list	Number of records within 10 miles	Year(s) sighted
	gabbii)					
Α	mud nama (Nama stenocarpa)	None	None	2B.2	2	1998
А	Long-spined spineflower (Chorizanthe polygonoides var. longispina)	None	None	1B.2	1	2001
А	White rabbit-tobacco (<i>Pseudognaphalium</i> leucocephalum)	None	None	2B.2	2	1928 - 2008
Α	Western yellow bat (Lasiurus xanthinus)	None	None	-	1	1990
Α	Allen's pentachaeta (Pentachaeta aurea ssp. allenii)	None	None	1B.1	2	2000 - 2003
Α	Plummer's mariposa-lily (Calochortus plummerae)	None	None	4.2	3	2000
Α	Bald eagle (Haliaeetus leucocephalus)	Delisted	Endangered	-	1	2011
Α	Brand's star phacelia (Phacelia stellaris)	None	None	1B.1	1	1932
Α	Los Angeles sunflower (Helianthus nuttallii ssp. parishii)	None	None	1A	1	1924
Α	Tecate cypress (Hesperocyparis forbesii)	None	None	1B.1	1	2010
Α	Chaparral ragwort (Senecio aphanactis)	None	None	2B.2	1	1989
Α	Light-footed Ridgway's rail (Rallus obsoletus levipes)	Endangered	Endangered	-	1	2020
Α	California horned lark (Eremophila alpestris actia)	None	None	-	1	2008
Α	Heart-leaved pitcher sage (Lepechinia cardiophylla)	None	None	1B.2	3	2003 - 2016
А	Malibu baccharis (Baccharis malibuensis)	None	None	1B.1	1	2008
А	Burrowing owl (Athene cunicularia)	None	None	-	1	1981
Α	Grasshopper sparrow (Ammodramus savannarum)	None	None	-	1	2001
Α	Bank swallow (<i>Riparia riparia</i>)	None	Threatened	-	1	1894

CNPS List Definitions

List 1A: Plants presumed extinct in California

List 1B.1: Plants rare, threatened, or endangered in California and elsewhere; seriously threatened in California

List 1B.2: Plants rare, threatened, or endangered in California and elsewhere, fairly threatened in California

List 1B.3: Plants rare, threatened, or endangered in California and elsewhere, not very threatened in California

List 2.1: Plants rare, threatened, or endangered in California, but more common elsewhere; seriously threatened in California

List 2.2: Plants rare, threatened, or endangered in California, but more common elsewhere; fairly threatened in California

Potential for Occurrence Definitions

Absent [A] – Species distribution is restricted by substantive habitat requirements, which do not occur – or are negligible within the Project Site, and no further survey or study is obligatory to determine likely presence or absence of this species.

Habitat Present [HP] – Species distribution is restricted by substantive habitat requirements, which occur within the Project Site, and further survey or study may be necessary to determine likely presence or absence of species.

Present [P] - Species or species sign were observed within the Project Site, or historically has been documented within Project limits

Critical Habitat [CH] – The Project Site is located within a USFWS-designated critical habitat unit.



APPENDIX B PHOTOGRAPH LOG





Photograph 1. Facing South.



Photograph 2. Facing East.



Photograph 3. Facing West.



Photograph 4. Facing Southwest.



APPENDIX C PLANT SPECIES OBSERVED WITHIN THE STUDY AREA



Scientific Name	Common Name					
Amaryllidaceae (.	Amaryllis family)					
Agapanthus sp.*	Agapanthus					
Amaranthaceae (A						
Chenopodiastrum murale*	Nettle-leaved goosefoo					
Anacardiaceae (• •					
Schinus molle*	Peruvian pepper					
Arecaceae (F						
Cycas revoluta*	Sego palm					
Phoenix dactylifera Washingtonia Robusta*	Date palm Mexican fan palm					
Asteraceae (
Centaurea melitensis*						
	Maltese star-thistle					
Conyza canadensis	Horseweed					
Heterotheca grandiflora	Telegraphweed					
Oncosiphon piluliferum*	Stinknet					
Taraxacum sp.	Dandelion					
Brassicaceae (N	fustard family)					
Brassica nigra	Black mustard					
Brassica Tournefortii*	Sahara mustard					
Sisymbrium irio *	London rocket					
Cannaceae (C	anna family)					
Canna indica*	Indian shot					
Cactaceae (C	actus family)					
Opuntia ficus-indica	Prickly pear					
Chenopodiaceae (Goosefoot family)					
Kali tragus*	Prickly Russian thistle					
Euphorbiaceae	(Spurge family)					
Ricinus communis*	Caster bean					
Fabaceae (I	Pea family)					
Melilotus indicus*	Sourclover					
Geraniaceae (Ge	eranium family)					
Erodium cicutarium*	Redstem stork's bill					
Iridaceae (i	Iridaceae (Iris family)					
Dietes grandiflora*	Fairy iris					
Malvaceae (M						
Malva neglecta*	Cheeseweed					
Myrtaceae (N	Myrtaceae (Myrtle family)					
Eucalyptus sp*	Eucalyptus					
Psidium sp.	Guava					
L						



Scientific Name	Common Name				
Nyctaginaceae (Four o'clock family)					
Bougainvillea sp.*	Bougainvillea				
Pinaceae (Pine family)					
Pinus sp.*	Pine				
Poaceae (Grass family)					
Avena barbata*	Wild oat				
Bromus diandrus *	Ripgut brome				
Bromus madritensis subsp. Rubens *	Red brome				
Cynodon dactylon*	Bermuda grass				
Hordeum marinum subsp. Gussoneanum *	Mediterranean barley				
Pennisetum sp.*	Fountain grass				
Schismus barbatus*	Schismus				
Rosaceae (Rose family)					
Rhaphiolepis Indica*	Indian hawthorn				
Prunus serotina*	Black cherry				
Sapindaceae (Soapberry Family)					
Cupaniopsis anacardioides*	Carrotwood				
Solanaceae (Nightshade family)					
Datura stramonium*	Jimsonweed				

Nomenclature follows the Jepson Manual, Second Edition (Baldwin et al 2011).



^{* =} naturalized, non- native plant species.

APPENDIX D WILDLIFE SPECIES OBSERVED WITHIN THE STUDY AREA



Scientific name	Common name				
Reptiles					
Sceloporus occidentalis	Western fence lizard				
Birds					
Calypte anna	Anna's hummingbird				
Columba livia	Rock Pigeon				
Carduelis psaltria	Lesser goldfinch				
Corvus corax	Common Raven				
Carpodacus mexicanus	House Finch				
Euphagus cyanocephalus	Brewer's blackbird				
Mimus polyglottos	Northern Mockingbird				
Sayornis nigrican	Black phoebe				
Sturnus vulgaris	European starling				
Tyrannus verticalis	Western kingbird				
Zenaida macroura	Mourning Dove				
Mammals					
Otospermophilus beecheyi	California ground squirrel				

