January 10, 2023

Robert D. Dalquest, AICP, MPA, MURP
Development Services Director, City of Upland
460 N. Euclid Avenue, Upland, CA 91786

Subject: San Bernardino Kangaroo Rat and California Gnatcatcher Habitat Assessment for a 26.2- acre parcel located in Upland, San Bernardino County, California

Dear Mr. Dalquest:

This letter report presents the results of a focused habitat assessment for the federally and state endangered San Bernardino kangaroo rat (*Dipodomys merriami parvus)* (SBKR) and federally threatened California gnatcatcher (*Polioptila californica*) (CAGN) conducted for Diversified Pacific at an approximate 26.2-acre parcel (biological study area or study area) located in Upland, San Bernardino County, California. This was prepared in support of a proposed residential subdivision (Tract 20245). A previous general biological report was prepared by RCA Associates in May 2022.

PROJECT LOCATION

The study area is located north of East 15th Street and Red Hill North Drive, east of Fernando Avenue, and west of Campus Avenue in the City of Upland, San Bernardino County (Figure 1). The study area is surrounded by urban development, with the Upland Hills Country Club located to the north, Red Hill Country Club to the southweast, the Dry Dock Depot Boat and RV Storage located to the south, and residential development (including city streets) abutting the study area to the west, south, and east.

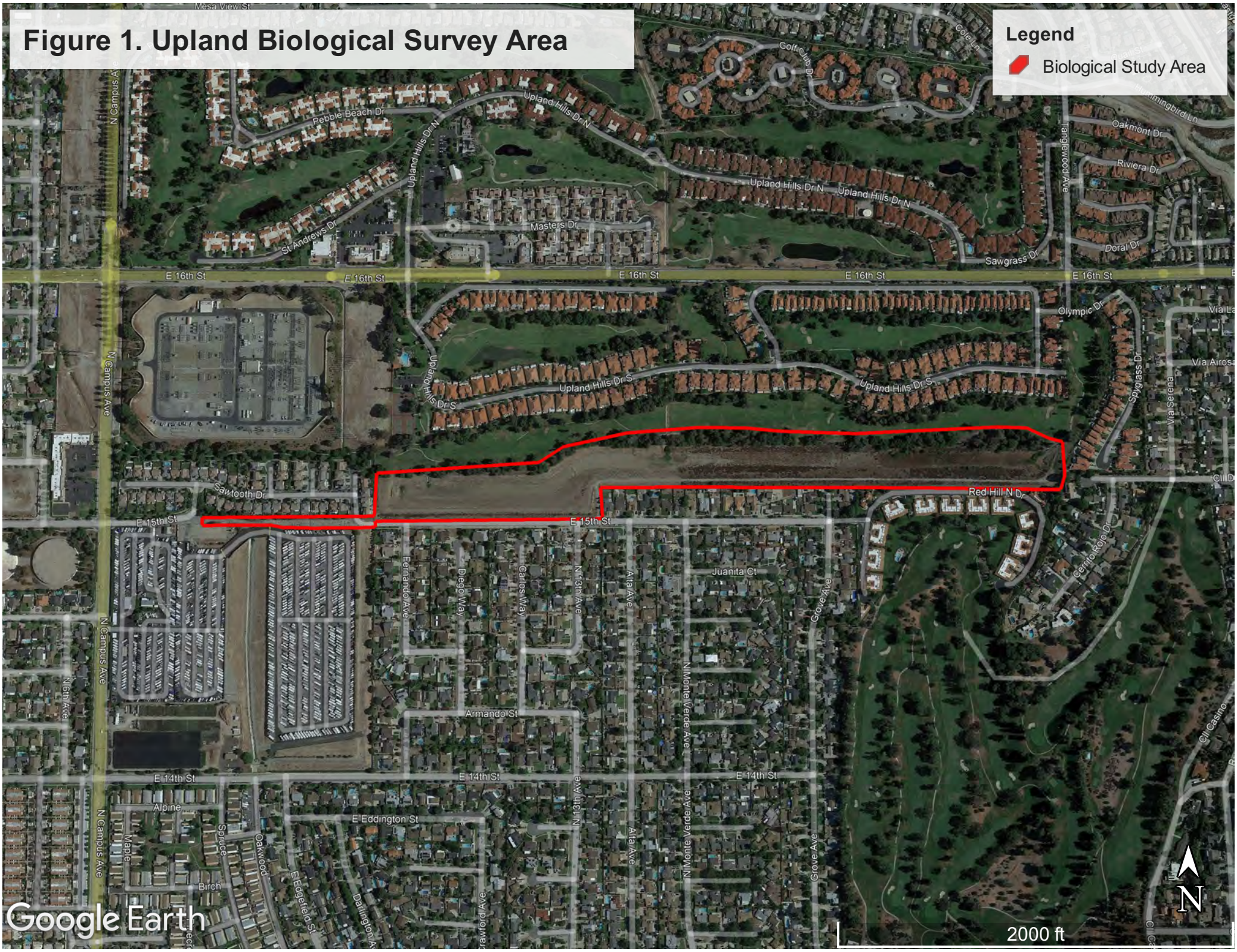
Methodology

Permitted SBKR and CAGN biologist Mikael Romich (USFWS 10(A)1(a) permit # TE-068799-5 and state scientific collecting permit #7043) conducted a habitat assessment for SBKR and CAGN for the study area on June 3, July 1, 2022, and January 9, 2023. The study area was assessed on foot with meandering transects while noting vegetation and soil characteristics that would be suitable for SBKR. The condition of the vegetation was noted to determine suitability for CAGN. All plant and wildlife species observed were recorded.

SITE DESCRIPTION

Most the study area was formerly a water detention basin and thus the far western part of the basin has two large culverts, as well as an overspill area. There was pooled water present and hydric vegetation at the base of the larger culvert and western toad (*Anaxyrus boreas*) tadpoles were observed. In addition, five drainage swales appear to enter the site's basin area from the Upland Hills

Figure 1. Upland Biological Survey Area



Country Club to the north where small patches of hydric vegetation were observed. Hydric vegetation observed included cattail (*Typha latifolia*), sedges, willowherb (*Epilobium* species), curly dock (*Rumex crispus*), stinging nettle (*Urtica dioica*), seep monkeyflower (*Erythranthe guttata*), and water primrose (*Ludwigia* species); Pacific tree frog (*Pseudacris regilla*) was heard during the January 2023 field visit. The swales in the east part of the survey area support a narrow riparian swath consisting of sandbar willow (*Salix exigua*), western sycamore (*Platanus racemosa*), and mulefat (*Baccharis salicifolia*). During the January 2023 field visit, it was observed that maintenance had been conducted within the eastern basin areas such that the cattails had been removed likely with heavy machinery and stockpiled nearby.

Much of the western part of the survey area was mechanically cleared between 2020 and 2021; it is currently largely ruderal with sparse vegetation as it recovers from this disturbance. Seedlings and short-stature shrub species common in a sage scrub community were observed in the ruderal areas, such as California sagebrush (*Artemisia californica*), California buckwheat (*Eriogonum fasciculatum*), hairy yerbasanta (*Eriodictyon trichocalyx*), scalebroom (*Lepidospartum squamatum*), and deerweed (*Acmispon glaber*). Other common species included jimsonweed (*Datura stramonium*), ribwort plantain (*Plantago lanceolata*), California poppy (*Eschscholzia californica*), holly leaf navarretia (*Navarretia atractyloides*), and prickly lettuce (*Lactuca serriola*). Not subject to mechanical clearing is a narrow strip of habitat north of and abutting East 15th Street that is California buckwheat scrub with patches of hairy yerbasanta and some California sagebrush, black sage (*Salvia mellifera*), and hollyleaf cherry (*Prunus ilicifolia*). In addition, the eastern portion of survey area has been cleared in the past but is now recovered and is dominated by a native California sagebrush-California buckwheat scrub with subdominant species as described above.

RESULTS AND DISCUSSION

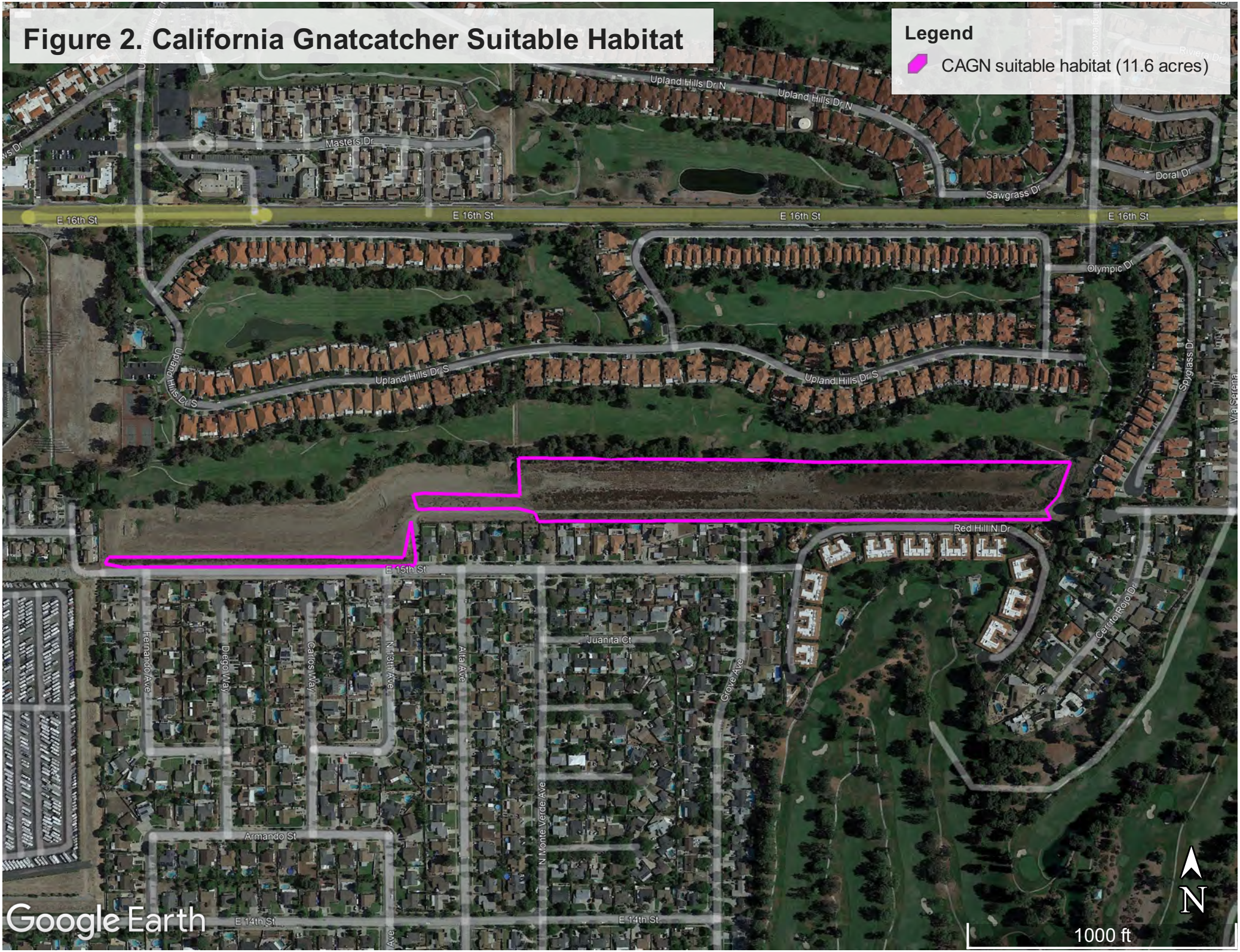
SBKR Habitat Assessment

The habitat assessment determined that the study site does not provide suitable habitat characteristics for SBKR, primarily due to the lack of sandy substrates and absence of alluvial fan terraces. A review of 1938 aerial shows that even historically there was not evidence of fluvial processes at the study area. The soils on the basin bottom were compacted, which would also not be conducive to SBKR. Finally, the study area is outside of the current and historical known range of SBKR and does not overlap USFWS designated critical habitat for SBKR. SBKR would not occur at the study area.

CAGN Habitat Assessment

The habitat assessment determined that the study area has habitat that could be suitable for CAGN, which consists of approximately 1.0 acre of California buckwheat scrub on the south facing slope north of and abutting East 15th Street in the western part of the study area (Figure 2). In addition, 10.6 acres of habitat in the eastern part of the survey area was determined as suitable for CAGN (Figure 2). However, there are number of factors that suggest CAGN have a low potential to occur in the survey area. First, the study area occurs as a small island in a large matrix of urban development, making discovery, colonization, and dispersal potentially challenging. Second, existing known CAGN

Figure 2. California Gnatcatcher Suitable Habitat



occupied habitat is not recorded nearby; the closest CAGN record is 5 miles to the northeast in an area that does not have any records since 1999. The next closest records occur 9 miles to the west near Bonelli Park where they appear to be regularly present. Finally, CAGN were not detected during the January 9 2023, June 3 or July 1, 2022 surveys, nor during five (5) surveys conducted by RCA (2022) between January 25 and April 22, 2022. Considering these factors, CAGN have a low potential to occur in the survey area.

Least Bell's Vireo

In the eastern portion of the survey area, narrow strips of riparian vegetation at the north and south edges of the basin combined with non-native woodland habitat that separates the basin from the golf course, could provide suitable breeding habitat to the state and federally listed endangered least Bell's vireo (*Vireo bellii pusillus*) (Figure 3). Due to isolation of the survey area from other suitable habitat and the small size of the suitable habitat (2.5 acres), least Bell's vireo is considered to have a low potential to occur in the eastern part of the survey area.

Species Observed

Thirty-one avian species were observed during the habitat assessment: Canada goose (on golf course), American white pelican (overhead), mourning dove, Anna's hummingbird, Cooper's hawk, red-tailed hawk, red shouldered hawk, acorn woodpecker, northern flicker, Nuttall's woodpecker, black phoebe, Say's phoebe, Cassin's kingbird, California scrub-jay, American crow, common raven, oak titmouse, barn swallow, cliff swallow, bushtit, Bewick's wren, American robin, northern mockingbird, house finch, lesser goldfinch, white-crowned sparrow, spotted towhee, California towhee, hooded oriole, yellow-rumped warbler, and common yellowthroat.

Other species observed were western toad (tadpoles), Pacific tree frog, western whiptail (*Aspidoscelis tigris*), and desert cottontail (*Sylvilagus audubonii*). Likely due to the regular presence of ribwort plantain, a commonly used caterpillar host plant, butterfly activity in the basin area was high. In the western part of the survey area, monarch (*Danaus plexippus*) was observed, although its host plant (milkweed) was not recorded.

Conclusion and Recommendations

The western part of the survey area was mechanically disturbed between 2020 and 2021 when much of the sage scrub vegetation was cleared; it is currently recovering from this disturbance with scattered young shrubs, such as California buckwheat and deerweed, along with grasses and other ruderal vegetation. The eastern part of the survey area is dominated by California sagebrush-California buckwheat scrub with some riparian and wetland vegetation present, although the cattail patches had been mechanically removed between the July 2022 and January 2023 field visits. The study area was confirmed not to be suitable for SBKR and is outside of their current or historical range. Approximately 9.7 acres of California buckwheat scrub and California sagebrush-California buckwheat scrub habitat was found to be potentially suitable for CAGN on the site, but is judged to have a low potential to occur. To confirm they are absent, a focused breeding or non-breeding survey may be warranted.


Figure 3. Least Bell's Vireo Suitable Habitat
Legend
LBVI suitable habitat (2.5 acres)
Olympic Dr
La Quinta Dr
Upland Hills Dr S
Upland Hills Dr S
Spyglass Dr
Via Serena
Cll Del Prado
Red Hill N Dr
Red Hill N Dr
E 15th St
Grove Ave
N Red Hill Dr
Cerrito Rojo Dr
Google Earth
N
600 ft

A small patch of potentially suitable habitat for breeding least Bell's vireo was observed in the eastern part of the survey area. Should project-related activities need to remove this habitat, a focused breeding survey for least Bell's vireo may be warranted.

A total of seven (8) areas of hydric vegetation were observed, one associated with the culverts at the western end of the basin, four small patches due to golf course drainage, one larger patch at east end of basin, and two narrow strips of riparian vegetation at the north and south parts of the basin in the eastern portion of the survey area. The presence of these drainages may warrant further investigation, such as an updated formal jurisdictional delineation, to determine if removal during project development may require regulatory permits from agencies such as the California Regional Water Control Board, California Department of Fish and Wildlife, and/or the Army Corps of Engineers. During the January 2023 survey it was observed that the large eastern patch of cattail as well as others appear to have been mechanically removed and stockpiled nearby.

I certify that the information submitted in this report is complete and accurate to the best of my knowledge and belief. Please let me know if you have any questions on this report. I can be reached at (909) 810-0718 or mike.romich@gmail.com.

Sincerely,

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Literature Cited

RCA Associates. 2022. General Biological Resources Assessment (APN: 3105-171-08). Prepared for: The Colonies Partners, LLC. 37 p.

Appendix A – Site Photographs

Photo 1. Example of the ruderal habitat within the basin in the central part of the survey area. On the southern slope scalebroom shrubs are evident.

Photo 2. Example of the ruderal habitat within the basin in the western part of the survey area.

Photo 3. Example of California buckwheat scrub located in the southwestern part of the survey area that is suitable for California gnatcatcher.

Photo 4. Example of California sagebrush-California buckwheat scrub located in the eastern part of the survey area that is suitable for California gnatcatcher.

Photo 5. Example of California sagebrush-California buckwheat scrub located in the eastern part of the survey area that is suitable for California gnatcatcher.

Photo 6. Example of one of the hydrophytic vegetation areas in the survey area supported by golf course run-off.

Photo 7. July 2022 example of a hydrophytic vegetation area in the survey area supported by golf course run-off.

Photo 8. January 2023 after hydrophytic vegetation removal activities.

Photo 9. Eastern part of study area where cattails were removed and stockpiled nearby.

Photo 10. In the background is riparian habitat and non-native woodland in the eastern part of the survey area that that is suitable for least Bell's vireo.

Photo 11. Example of mulefat scrub in the eastern part of the survey area that that is suitable for least Bell's vireo.

Photo 12. Western part of survey area that is developed with urban landscaping.