

BIOLOGICAL RESOURCES ASSESSMENT

AVENUE G INDUSTRIAL PROJECT

(APN 3114-011-031)

LANCASTER, CALIFORNIA

LSA

February 2022

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(APN 3114-011-031)

LANCASTER, CALIFORNIA

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EXECUTIVE SUMMARY

Warmington Properties retained LSA to conduct a Biological Resources Assessment for the Avenue G Industrial Project on Assessor's Parcel Number 3114-011-031 in Lancaster, Los Angeles County, California. The City of Lancaster is the lead agency for the project and this study is part of the environmental review process to comply with the California Environmental Quality Act. The assessment included a literature review, a field survey, and this report.

The project study area contains potential foraging habitat for the State-listed-as-threatened Swainson's hawk (*Buteo swainsoni*). No nesting habitat is present and the project will have no direct effect to this species.

The project study area contains potential habitat for the burrowing owl (*Athene cunicularia*). A preconstruction burrowing owl survey would be required to avoid project effects to burrowing owl.

The project study area contains suitable habitat for nesting birds protected under the California Fish and Game Code and the Migratory Bird Treaty Act. A pre-construction survey would be required to avoid project effects to nesting birds.

The project study area contains small, shallow, clay pan depressions that show evidence of ponding water. These features would not be regulated by the United States Army Corps of Engineers, under Section 404 of the Clean Water Act, and would likely not be subject to the regulatory authority of the California Department of Fish and Wildlife under Sections 1600 et seq. of the California Fish and Game Code. However, these features may be subject to the Regional Water Quality Control Board under the Porter-Cologne Water Quality Act. The water resource agencies reserve the right to make the final determination with regard to regulatory jurisdiction. A jurisdictional delineation would be required to determine any project effects.

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BIOLOGICAL RESOURCES ASSESSMENT

INTRODUCTION

Warmington Properties retained LSA to conduct a Biological Resources Assessment for the Avenue G Industrial Project (project) (Assessor's Parcel Number 3114-011-031). The approximately 72-acre project site is southwest of the intersection of Avenue G and State Route 14 (SR-14) in Lancaster, California. The project is depicted on the United States Geological Survey (USGS) *Lancaster, California* topographic quadrangle map in Section 5, Township 7 North, Range 12 West, San Bernardino Baseline and Meridian (USGS 1974; Appendix A, Figure 1).

The proposed project is an industrial/ commercial center.

METHODS

Literature Review

LSA conducted a literature review to assist in determining the existence or potential occurrence of special-status plant and animal species on or in the vicinity of the project site. Database records for the *Lancaster West California, Del Sur California, Ritter Ridge, California and Rosemond, California*, USGS 7.5-minute quadrangles were searched on December 15, 2022, using the California Department of Fish and Wildlife's (CDFW) Natural Diversity Database (CNDDB) application *Rarefind 5* online edition (v 5.2.14). United States Fish and Wildlife Service (USFWS) listed species and designated critical habitat information was searched using the USFWS Information for Planning and Consultation system (accessed on February 1, 2022). Aerial photographs (Google Earth 2022) were also reviewed. Soil types were determined using the WebSoil Survey (Natural Resource Conservation Service Web Soil Survey ver. 3.4.0.).

Reconnaissance Field Survey

LSA Biologist Denise Woodard conducted a general reconnaissance-level field survey on January 12, 2022, by between the hours of 10:30 a.m. and 1:30 p.m. Weather conditions consisted of partly cloudy skies (50 percent cloud cover), with temperatures ranging from 50 to 56 degrees Fahrenheit, and mild winds. A pedestrian survey was used to cover survey the project site using approximately 150-foot-wide belt transects. Ms. Woodard took notes on general site conditions, vegetation, and suitability of habitat for various special-status elements. All plant species observed during this field survey were noted and are listed in Appendix B. Animal species observed or otherwise detected are discussed below.

RESULTS

Existing Site Conditions

The project site study area is bounded on the north by Avenue G and undeveloped open space, on the south by the Antelope Valley fairgrounds, on the east by SR-14, and on the west by undeveloped open space. The following discusses topography and soils, vegetation and wildlife within the study area .

Topography and Soils

The topography of the study area is relatively flat with elevations ranging from 2,315 feet above mean sea level on the western boundary to 2,310 feet above mean sea level on the eastern boundary.

Soils within the study area are mapped as Pond-Onban Complex. These soils are moderately alkaline with surface soils consisting of fine sandy loams and subsurface soils consisting of heavy clay loam.

Soils observed on the site appeared relatively consistent with these designations.

Vegetation/Land Cover

The vegetation/land cover within the study area consists of shadscale scrub (*Atriplex confertifolia*) and disturbed areas. The shadscale scrub vegetation occupies approximately 60 acres of the study area and is dominated by shadscale and rubber rabbit bush (*Ericameria nauseosa*). The disturbed areas are on the southern portion of the study area and occupy approximately 12 acres. The disturbed areas are either completely devoid of vegetation or vegetated by ruderal plant species including Russian-thistle (*Salsola sp.*) and cheatgrass (*Bromus tectorum*). Trash and landscape waste dumping are also present in the disturbed areas. Appendix B provides a complete list of plant species observed.

Figure 2 shows vegetation/land cover and photograph locations; Figure 3 provides site photographs.

Wildlife

Wildlife species observed during the field survey included common raven (*Corvus corax*), house finch (*Haemorhous mexicanus*), Sage sparrow (*Artemisiospiza bellii*), kangaroo rat (*Dipodomys sp.*) and coyote (*Canis latrans*).

Special-Status Species

This section discusses special-status species observed or potentially occurring within the limits of the study area. Legal protection for special-status species varies widely, from the comprehensive protection extended to listed Threatened/Endangered species, to no legal status at present. The CDFW, USFWS, local agencies, and special-status groups, such as the California Native Plant Society, publish watch lists of declining species. Species on watch lists can be included as part of the special-status species assessment. Species that are candidates for State and/or federal listing and species on watch lists are included in the special-status species list. Inclusion of species described in the special-status species analysis is based on the following criteria:

- Direct observation of the species or its sign in the study area or immediate vicinity during previous biological studies;
- Sighting by other qualified observers;
- Records reported by the CNDDDB, published by the CDFW;
- Presence or location information for specific species provided by private groups; and/or
- Study area lies within known distribution of a given species and contains appropriate habitat.

Table A summarizes special-status species known to occur in the region, along with their status, habitat and distribution, activity/bloom period, and probability of occurrence.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
Plants				
<i>Astragalus hornii</i> var. <i>hornii</i> Horn's milk-vetch	US: – CA: 1B	Alkaline playas and lake margins from 60 to 850 meters (200 to 2,800 feet) in elevation. In California, known only from Inyo and Kern counties. Believed extirpated from San Bernardino County. Also occurs in Nevada.	Blooms May through October (annual herb)	Absent. Outside known range of species
<i>Astragalus preussii</i> var. <i>laxiflorus</i> Lancaster milk-vetch	US: – CA: 1B	Alkaline clay flats, gravelly or sandy washes, and along draws in gullied badlands, in chenopod scrub below about 700 meters (2,300 feet) in elevation. Known in California only from near Lancaster and Edwards Air Force Base in Los Angeles, Kern, and San Bernardino counties, and from one historical occurrence (1928) near La Quinta in Riverside County. Also occurs in Nevada and Arizona.	Blooms March through May (perennial herb)	High. Alkaline clay flats and chenopod (shadscale) scrub are present.
<i>Calochortus striatus</i> Alkali mariposa-lily	US: – CA: 1B	Mesic alkaline soils, usually within chaparral, chenopod scrub, and Mojavean desert scrub at 70 to 1,600 meters (200 to 5,200 feet) in elevation. Known from Inyo, Kern, Los Angeles, San Bernardino, and Tulare counties. Also occurs in Nevada.	Blooms April through June (perennial herb)	High. Alkaline soils and chenopod (shadscale) scrub are present.
<i>Calystegia peirsonii</i> Peirson's morning-glory	US: – CA: 4	Forest, woodland, chaparral, scrub, and grassland communities from 30 to 1,500 meters (100 to 5,000 feet) in elevation. Known only the mountains and adjacent Mojave Desert (Antelope Valley) in northern Los Angeles County, California.	Blooms May through June (perennial herb)	Absent. Outside known range of this species.
<i>Canbya candida</i> White pygmy-poppy	US: – CA: 4	Sandy and gravelly places in Joshua tree woodland, pinyon and juniper woodland, and Mojave Desert scrub from 600 to 1,460 meters (2,000 to 4,800 feet) in elevation. Known only from Kern, Los Angeles, Inyo, Imperial, and San Bernardino counties.	Blooms March through June (annual herb)	Moderate. Sandy soils and desert scrub is present.
<i>Chorizanthe parryi</i> var. <i>parryi</i> Parry's spineflower	US: – CA: 1B	Sandy or rocky soils in chaparral, coastal scrub, oak woodlands, and grassland at 40 to 1,705 meters (100 to 5,600 feet) in elevation. Known only from Los Angeles, Riverside, and San Bernardino counties.	Blooms April through June (annual herb)	Absent. No suitable soils or vegetation.
<i>Cryptantha clokeyi</i> Clokey's cryptantha	US: – CA: 1B	Sand and gravel in Mojave Desert woodland and scrub at 725 to 1,700 meters (2,400 to 5,600 feet) in elevation. Known only from Inyo, Kern, Los Angeles, and San Bernardino counties, California.	Blooms in April (annual herb)	Low. Sandy soils and desert scrub are present.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
<i>Eriastrum rosamondense</i> Rosamond eriastrum	US: – CA: 1B	Alkaline hummocks, often sandy, in openings in chenopod scrub and edges of seasonal pools at 700 to 715 meters (2,300 to 2,350 feet) in elevation in the western Mojave Desert. Known only from the Rosamond and Rogers Dry Lake areas in Kern and Los Angeles counties, California.	Blooms April through May (July) (annual herb)	High. Alkaline soils, chenopod (shadscale) scrub, and seasonal pools are present. Known from the immediate project vicinity.
<i>Loeflingia squarrosa</i> var. <i>artemisiarum</i> Sagebrush loeflingia	US: – CA: 2B	Dunes, sandy flats, and clay pan in scrub in desert and Great Basin floristic provinces at 700 to 1,615 meters (2,300 to 5,300 feet) in elevation. In California, known from Inyo, Kern, Lassen, Los Angeles, Plumas, Ventura, and San Bernardino counties. Also occurs in Nevada, Oregon, and Wyoming. [A synonym of <i>L. squarrosa</i> in TJM 2]	Blooms April through May (annual herb)	High. Sandy flats, clay pan and scrub are present.
<i>Opuntia basilaris</i> var. <i>brachyclada</i> Short-joint beavertail	US: – CA: 1B	Sandy soil or coarse, granitic loam in chaparral, Joshua tree woodland, Mojavean desert scrub, and pinyon-juniper woodland at 425 to 1,800 meters (1,400 to 5,900 feet) elevation in the Providence Mountains and desert slopes of the San Gabriel and San Bernardino mountains. Known only from Los Angeles and San Bernardino counties, California. Individuals of <i>Opuntia basilaris</i> in the Santa Clarita area, which are occasionally identified as variety <i>brachyclada</i> , are more properly considered variety <i>basilaris</i> , a common variety of this species (Andrew Sanders, Herbarium Curator at University of California, Riverside, pers. comm. to Stanley Spencer, August 29, 2007; Steve Boyd, Herbarium Curator at Rancho Santa Ana Botanic Garden, pers. comm. to Stanley Spencer, August 29, 2007).	Blooms April through June; identifiable year-round (perennial stem succulent)	Absent. Although desert scrub is present, no cactus species were observed during the January 2022 field survey.
Invertebrates				
<i>Bombus crotchii</i> Crotch bumble bee	US: – CA: SA	Inhabits open scrub and grassland from coastal California to crest of Sierra-Cascade and in desert edge areas, south into Mexico. Primarily nests underground. Suitable bumble bee habitat requires the continuous availability of flowers on which to forage throughout the duration of the colony (spring through fall), colony nest sites, and overwintering sites for the queens.	Spring and summer	Moderate. Open scrub present.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
<i>Branchinecta lynchi</i> Vernal pool fairy shrimp	US: FT CA: SA	Vernal pools and similar features in unplowed grassland areas. Pools must contain water continuously for at least 18 days in all but the driest years to allow for reproduction. Known from the Central Valley and adjacent foothill areas, the Central Coast and south coast ranges, from the transverse ranges near Santa Clarita, from the Santa Rosa Plateau, Skunk Hollow, and the Stowe Road vernal pool west of Hemet in Riverside County, and from northwestern San Diego County. May also occur in Orange County. Occurs at up to about 2,300 feet in elevation in areas north of Kern County and at up to 5,600 feet in elevation in areas to the south.	Seasonally following rains; typically January through April	Absent. No suitable habitat. Outside currently known range of species.
<i>Danaus plexippus</i> (wintering sites) Monarch butterfly	US: FPE CA: SA	Winter roosts are located in wind-protected tree groves (eucalyptus, Monterey pine, cypress) with nectar and water sources nearby.	September through March	Absent. Roosting habitat absent.
Reptiles				
<i>Anniella pulchra</i> Northern California legless lizard	US: – CA: SSC	Occurs in sparsely vegetated habitat types including coastal sand dunes, chaparral, pine–oak woodland, desert scrub, open grassland, and riparian areas. Primarily inhabits areas with sandy, loose, loamy or organic soils.	Nearly year round.	Moderate. Desert scrub and sandy loamy soils present.
<i>Arizona elegans occidentalis</i> California glossy snake	US: – CA: SSC	Scrub and grassland habitats, often with loose or sandy soils. Patchily distributed from the eastern portion of San Francisco Bay to southern San Joaquin Valley and in non-desert areas of Southern California. Also occurs in Baja California, Mexico.	Most active March through June (nocturnal)	Moderate. Scrub and sandy soils present.
<i>Emys marmorata</i> Western pond turtle	US: – CA: SSC	Inhabits permanent or nearly permanent water. Absent from desert regions, except in the Mojave Desert along the Mojave River and its tributaries. Requires basking sites such as partially submerged logs, rocks, or open mud banks.	Year-round with reduced activity November through March	Absent. No permanent water source.
<i>Gopherus agassizii</i> Desert tortoise	US: FT CA: ST	Historically found throughout most of the Mojave and Sonoran deserts into Arizona, Nevada, and Utah. Believed to have been extirpated from the western and southern portions of the Antelope Valley. Found in creosote bush scrub, saltbush scrub, thornscrub (in Mexico), and Joshua tree woodland. Found in the open desert as well as in oases, riverbanks, washes, dunes, and occasionally rocky slopes.	Spring, and again in early fall in areas of summer rains, with brief periods of activity at other times	Absent. Outside the current known range of the species.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
<i>Phrynosoma blainvillii</i> (<i>coronatum</i>) Coast horned lizard	US: – CA: SSC	Primarily in sandy soil in open areas, especially washes and floodplains, in many plant communities. Requires open areas for sunning, bushes for cover, patches of loose soil for burial, and an abundant supply of ants or other insects. Occurs west of the deserts from northern Baja California north to Shasta County below 2,400 meters (8,000 feet) in elevation.	April through July with reduced activity August through October	Absent. Outside the current known range of the species.
<i>Thamnophis hammondi</i> Two-striped garter snake	US: – CA: SSC	Highly aquatic. Only in or near permanent sources of water. Streams with rocky beds supporting willows or other riparian vegetation. From Monterey County to northwest Baja California.	Diurnal Year-round	Absent. No permanent water source.
Birds				
<i>Agelaius tricolor</i> (<i>nesting colony</i>) Tricolored blackbird	US: – CA: ST/SSC (breeding)	Open country. Forages in grassland and cropland habitats. Nests in large groups near fresh water, preferably in emergent wetland with tall, dense cattails or tules, but also in thickets of willow, blackberry, wild rose, or tall herbs. Seeks cover for roosting in emergent wetland vegetation, especially cattails and tules, and also in trees and shrubs. Occurs in western Oregon, California, and northwestern Baja California.	Year-round	Absent. No suitable breeding habitat.
<i>Aimophila ruficeps canescens</i> Southern California rufous-crowned sparrow	US: – CA: SA	Steep, rocky coastal sage scrub and open chaparral habitats, particularly scrubby areas mixed with grasslands. From Santa Barbara County to northwestern Baja California.	Year-round, diurnal activity	Absent. No coastal sage scrub or chaparral.
<i>Artemisiospiza (Amphispiza) belli belli</i> Bell's sage sparrow	US: – CA: SA	Occupies chaparral and coastal sage scrub from west central California to northwestern Baja California	Year-round, diurnal activity	Absent. No coastal sage scrub or chaparral.
<i>Athene cunicularia</i> (<i>burrow sites</i>) Burrowing owl	US: – CA: SSC (breeding)	Open country in much of North and South America. Usually occupies ground squirrel burrows in open, dry grasslands, agricultural and range lands, railroad rights-of-way, and margins of highways, golf courses, and airports. Often utilizes man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, or wood debris piles. They avoid thick, tall vegetation, brush, and trees, but may occur in areas where brush or tree cover is less than 30 percent.	Year-round	Moderate. Suitable brush (desert scrub) is present.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
<i>Buteo regalis</i> (wintering) Ferruginous hawk	US: – CA: SA	Forages in open fields, grasslands and agricultural areas, sagebrush flats, desert scrub, fringes of pinyon-juniper habitats, and other open country in western North America. Not known to breed in California.	Mid-September through mid-April	Moderate. May use the project site for foraging activities.
<i>Buteo swainsoni</i> (nesting) Swainson's hawk	US: – CA: ST	Open desert, grassland, or cropland containing scattered, large trees or small groves. Breeds in stands with few trees in juniper-sage flats, riparian areas, and in oak savannah in the Central Valley. Forages in adjacent grasslands or suitable grain or alfalfa fields, or livestock pastures. Breeds and nests in western North America; winters in South America. Uncommon breeding resident and migrant in the Central Valley, Klamath Basin, Northeastern Plateau, Lassen County, and Mojave Desert. Very limited breeding reported from Lanfair Valley, Owens Valley, Fish Lake Valley, and Antelope Valley. In Southern California, now mostly limited to spring and fall transient. Formerly abundant in California with wider breeding range.	Spring and fall (in migration)	Moderate. No suitable nesting habitat, but may use the project site during foraging activities.
<i>Charadrius montanus</i> (wintering) Mountain plover	US: – CA: SSC (wintering)	Forages in areas with flat topography and bare ground or short vegetation: short grasslands, freshly plowed fields, newly sprouting grain fields, grazed areas, and sometimes sod farms. Found on short grasslands and plowed fields of the Central Valley from Sutter and Yuba counties southward. Also found in foothill valleys west of San Joaquin Valley, Imperial Valley, plowed fields of Los Angeles and western San Bernardino counties, and along the central Colorado River Valley. Recent extralimital records exist for locations along the northern coast of California. Winters below 1,000 meters (3,200 feet) in elevation.	Winters (September through March) in California	Absent. No suitable bare ground or short vegetation.
<i>Circus hudsonius</i> (nesting) Northern harrier	US: – CA: SSC (breeding)	Marshy habitats, grassland and other open country; uncommon in open desert and brushlands. Nests on the ground in open (treeless) wetland and upland areas, including cultivated cropland and dry grassland. Nests usually constructed in tall, dense clumps of vegetation. Found in the Temperate Zone worldwide.	Year-round	Low. No suitable nesting habitat, and marginal open desert foraging habitat is present.
<i>Falco columbarius</i> (wintering) Merlin	US: – CA: SA (wintering)	Open country; breeds in the Holarctic Region and winters south to the tropics. Rare fall migrant and winter visitor to southwestern California.	September through April	Moderate. May forage on the project site during migration.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
<i>Gymnogyps californianus</i> California condor	US: FE CA: SE	Mountain and foothill rangeland and forest habitats; nests on cliffs and in large trees. Below 8,000 feet in elevation.	Year-round	Absent. No nesting habitat, and not expected to use the site for foraging.
<i>Lanius ludovicianus (nesting)</i> Loggerhead shrike	US: – CA: SSC (breeding)	Prefers open habitats with scattered small trees and with fences, utility lines, or other perches. Inhabits open country with short vegetation, pastures, old orchards, cemeteries, golf courses, riparian areas, and open woodlands. Highest density occurs in open-canopied valley foothill hardwood, valley foothill hardwood-conifer, valley foothill riparian, pinyon-juniper, juniper, desert riparian, and Joshua tree habitats. Occurs only rarely in heavily urbanized areas, but often found in open cropland. Found in open country in much of North America.	Year-round	Low. Marginally suitable open country with short vegetation (desert scrub).
<i>Plegadis chihi (nesting colony)</i> White-faced ibis	US: – CA: SA	Winters locally in wet meadows, shallow freshwater marshes, ponds, lakes, rivers, flooded fields, and estuaries. May frequent brackish areas or feed in flooded fields. Known rookery in western Riverside County. In the Coachella Valley and Imperial Valley, this species primarily occurs in irrigated agricultural lands, particularly alfalfa and wheat.	Year-round	Low. Marginally suitable shallow, ponding areas present.
<i>Toxostoma lecontei</i> Le Conte's thrasher	US: – CA: SA	Inhabits sparsely vegetated desert flats, dunes, alluvial fans, or gently rolling hills having a high proportion of saltbush (<i>Atriplex spp.</i>) or cholla (<i>Cylindropuntia spp.</i>), often occurring along small washes or sand dunes. Prefers dense thorny shrubs (most often saltbush or cholla) for nesting. Uncommon and local resident in low desert scrub throughout most of the Mojave Desert, extending up into the southwestern corner of the San Joaquin Valley. Breeding range in California extends from these areas into the eastern Mojave, north into the Owens Valley and south into the lower Colorado Desert. Only the San Joaquin Valley population of this species is considered a Bureau of Land Management Sensitive species or California Species of Concern.	Year-round	High. Suitable desert flats with saltbush present.
<i>Vireo bellii pusillus</i> Least Bell's vireo	US: FE CA: SE	Riparian forests and willow thickets. The most critical structural component of Least Bell's Vireo habitat in California is a dense shrub layer 2 to 10 feet (0.6–3.0 meter) above ground. Willows usually dominant. Nests from central California to northern Baja California. Winters in southern Baja California.	April through September	Absent. No suitable riparian habitat.

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
Mammals				
<i>Corynorhinus townsendii</i> Townsend's big-eared bat	US: – CA: SCE	Requires caves, mines, tunnels, bridges, buildings, or other similar structures for roosting. Has also been documented using rock crevices and hollow trees for roosting. Often uses separate sites for night, day, hibernation, or maternity roosts. Ranges from southwestern Canada through the western United States to southern Mexico.	Year-round; nocturnal	Absent. No suitable roosting habitat.
<i>Perognathus inornatus inornatus</i> San Joaquin pocket mouse	US: – CA: SA	Occurs in fine-textured, usually sandy, soils in open grassland and oak savanna and desert-shrub communities at 350 to 600 meters (1,100 to 2,000 feet) in elevation in the San Joaquin Valley and possibly the Sacramento Valley.	Nocturnal. May become torpid during extreme heat or cold.	High. Fine textured sandy soils in desert scrub are present.
<i>Xerospermophilus mohavensis</i> Mohave ground squirrel	US: – CA: ST	Flat to moderate terrain in sandy alluvial, gravelly, or rocky soils in major desert scrub habitats, having been observed in creosote bush scrub, desert saltbush scrub, desert sink scrub, desert greasewood scrub, shadscale scrub, Joshua tree woodland, and Mojave mixed woody scrub (typically occurring on hilly terrain and composed of a variety of shrub species) ("Mohave ground squirrel [<i>Spermophilus mohavensis</i>]." West Mojave Plan species account by D. Laabs, 1998.). Occurs in the western Mojave Desert, with a historical range from the area of Palmdale, Victorville, and Lucerne Valley in the south to Fort Irwin and Owens Lake in the north. Not known from west of Palmdale, Lancaster, and Mojave. Believed to have recently been nearly extirpated from the southern portion of its range around Palmdale and Lancaster south of Edwards Air Force Base, and in the Victorville and Lucerne Valley areas (<i>Federal Register</i> 75:22063-22069 [April 27, 2010]). Commonly found in association with the white-tailed antelope squirrel, a sympatric species.	generally March to August	Absent. Outside the current known range of the species.
US: Federal Classifications				
FE	Listed as Endangered.			
FT	Listed as Threatened.			
FPE	Proposed for listing as Endangered			
CA: State Classifications				
SE	State-listed as Endangered.			
ST	State-listed as Threatened.			
SCE	Candidate for State-listing as Endangered.			
SSC	Species of Special Concern. Refers to animals with vulnerable or seriously declining populations.			
SA	Special Animal. Refers to any other animal monitored by the Natural Diversity Database, regardless of its legal or rarity status.			

Table A: Special-Status Species Occurrence Probability

Species	Status	Habitat and Distribution	Activity Period	Occurrence Probability
1B	California Rare Plant Rank 1B:	Rare, threatened or endangered in California and elsewhere.		
2B	California Rare Plant Rank 2B:	Rare, threatened or endangered in California, but more common elsewhere.		
4	California Rare Plant Rank 4:	A watch list of plants of limited distribution.		

Threatened and Endangered Species

Under provisions of Section 7(a)(2) of the federal Endangered Species Act, a federal agency that permits, licenses, funds, or otherwise authorizes a project activity must consult with the USFWS to ensure that its actions would not jeopardize the continued existence of any listed Threatened or Endangered species or destroy or adversely modify critical habitat. The USFWS designates as Threatened or Endangered species that are at risk of extinction and may also adopt recovery plans that identify specific areas that are essential to the conservation of a listed species. Critical habitat areas that may require special management considerations or protections can also be designated.

The California Endangered Species Act (CESA) is administered by the CDFW and prohibits the “take” of plant and animal species identified as either Threatened or Endangered in the State of California by the Fish and Game Commission (Fish and Game Code Section 2050 to 2097). “Take” is defined as to hunt, pursue, catch, capture, or kill. Sections 2091 and 2081 of the CESA allow the CDFW to authorize exceptions to the prohibition of “take” of State-listed Threatened or Endangered plant and animal species for purposes such as public and private development. The CDFW requires formal consultation to ensure that a proposed project’s actions would not jeopardize the continued existence of any listed species or destroy or adversely affect listed species’ habitats.

As identified in Table A, eight State/federally listed, federally proposed, and State candidate species were evaluated for the proposed project, and include:

- Vernal Pool fairy shrimp
- Monarch butterfly
- Desert tortoise
- Tricolored blackbird
- Swainson’s hawk
- California condor
- Least Bell’s vireo
- Mohave ground squirrel

Seven of the eight species listed above are considered absent due to a lack of suitable habitat because the study area is outside the current known range of the species. Therefore, the project will have no effects to these seven species.

Habitat is present for one species, Swainson's hawk. No suitable nesting habitat occurs for the Swainson's hawk within the study area, but it may use the study area during foraging activities. Due to the lack of nesting habitat, the project will have no direct effects this species. However, indirect effects may occur through an incremental loss of 72 acres of potential foraging habitat.

No USFWS designated critical habitat is present within the study area for any of the eight species identified above. Therefore, the project will have no effects to designated critical habitat.

Non-Listed Special-Status Species

Of the 36 non-listed species identified in Table A, 11 are considered absent, 4 species have a low probability for occurrence, 7 species are considered to have a moderate probability for occurrence, and 6 species are considered to have a high probability of occurrence. No non-listed, special-status species were identified as present during the January 2020 field survey. The 13 species with a moderate-to-high probability for occurrence are listed below.

- Lancaster milk-vetch
- Alkali mariposa lily
- White pygmy poppy
- Rosemond eriastrum
- Sagebrush loenflingia
- Crotch bumblebee
- Northern legless lizard
- California glossy snake
- Burrowing owl
- Ferruginous hawk (foraging habitat)
- Merlin (foraging habitat)
- Le Conte's thrasher
- San Joaquin pocket mouse

These species have a limited population distribution in Southern California and development is further reducing their ranges and numbers. These species have no official State or federal protection status but require consideration under CEQA. The effects to these species are not considered substantial because the project site is currently effected by surrounding development and onsite disturbance, habitats onsite are relatively widespread in the region, and with implementation of avoidance and minimization measures for burrowing owl and nesting birds, identified below.

Burrowing Owl and Nesting Birds

The site contains suitable for habitat for a special-status bird (burrowing owl) and other non-special status nesting bird species. No burrowing owl or its sign were observed during the January 2022 field survey. The burrowing owl and other nesting bird species with potential to occur within the

project study area are protected by California Fish and Game Code Sections 3503, 3503.5, and 3800, and by the Migratory Bird Treaty Act (16 United States Code 703–711). These laws regulate the take, possession, or destruction of the nest or eggs of any migratory bird or bird of prey.

To avoid potential effects to the burrowing owl nesting birds and the burrowing owl, implementation of the following measure is recommended:

- Within 14 days prior to construction activities and vegetation removal, a pre-construction burrowing owl survey will be conducted in accordance with CDFW's 2012 *Staff Report on Burrowing Owl Mitigation*. If burrowing owl is detected, the preparation of a burrowing owl mitigation plan would be required.
- Prior to construction activities, including vegetation removal, a pre-construction nesting bird survey will be conducted by a qualified biologist no more than 3 days prior to any construction activities and vegetation removal. Should nesting birds be found, an exclusionary buffer will be established by the qualified biologist. The buffer will be clearly marked in the field by construction personnel under guidance of the qualified biologist. No construction activities will be allowed within this zone until the qualified biologist determines that the young have fledged or the nest is no longer active.

Jurisdictional Waters

The United States Army Corps of Engineers (USACE) regulates discharges of dredged or fill material into waters of the United States. These waters include wetlands and non-wetland bodies of water that meet specific criteria, including a direct or indirect connection to interstate commerce. The USACE regulatory jurisdiction pursuant to Section 404 of the federal Clean Water Act (CWA) is founded on a connection, or nexus, between the water body in question and interstate commerce. This connection may be direct (through a tributary system linking a stream channel with traditional navigable waters used in interstate or foreign commerce), or it may be indirect (through a nexus identified in the USACE regulations). To be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics, each with its unique set of mandatory wetland criteria: hydrophytic vegetation, hydric soils, and wetland hydrology.

The CDFW, under Sections 1600 through 1616 of the California Fish and Game Code, regulates alterations to lakes, rivers, and streams (defined by the presence of a channel bed and banks, and at least an intermittent flow of water) where fish or wildlife resources may be adversely affected.

The Regional Water Quality Control Board (RWQCB) is responsible for the administration of Section 401 of the CWA. Typically, the areas subject to jurisdiction of the RWQCB coincide with those of the USACE (i.e., waters of the U.S., including any wetlands). The RWQCB may also assert authority over "waters of the State" under waste discharge requirements pursuant to the Porter-Cologne Act.

The study area contains small, shallow depression that show evidence of ponding water consisting of soil surface cracks (see Figure 3, photograph 5). These depressions appear to be a result of a subsoil clay pan layer that has developed in association with the onsite soils series, Pond-Onban Complex, which has a subsoil horizon of heavy clay loams. These depressions are isolated and do not

flow on or off the project site. The depressions contained little to no vegetation, and vegetation present at the time of the January 2020 survey was dominated by upland (non-hydric) plant species associated with the shadscale scrub vegetation as described above. According to Weather Underground weather history for Lancaster California (Weather Underground 2022), there were rain events, within 13 days of January 12, 2022 field survey, on December 30 and 31, 2021. The rainfall for these 2 days totaled 1.25 inches. No ponded water was observed during the field survey.

The clay pan depressions would not be subject to USACE jurisdiction under section 404 of the CWA, because there is no direct connection between these depressions and a traditional navigable waterway, or an indirect connection with other USACE regulations.

The clay pan depressions are unlikely to be regulated by CDFW under Section 1600 et seq. of the California Fish and Game Code. The depression do not exhibit characteristics of a streambed (channel bed and banks), and do not exhibit the characteristics of a traditional lake due to their small size. However, when charged with water, these features provide wildlife value.

The clay pan depressions would not be regulated by the RWQCB under Section 401 of the CWA because there is no USACE regulatory authority under Section 404 of the CWA. However, these features may be regulated by the RWQCB as waters of the State under the waste discharge requirements pursuant to the Porter-Cologne Water Quality Control Act.

The USACE, the CDFW, and the RWQCB reserve the right to make the final determination with regard to regulatory jurisdiction. A jurisdictional delineation would be required to determine any project effects.

Wildlife Movement, Corridors, and Nursery Sites

The study area is adjacent to existing commercial development and transportation corridors (Avenue G and SR-14). As a result, the study area is considered isolated and does not support regional wildlife movement. In addition, on-site habitats do not serve as a nursery site. Therefore, the proposed project will have no impacts to regional wildlife movement or nursery sites.

Natural Communities of Concern

No natural communities of concern are present. Therefore, the project will have no impacts to natural communities of concern.

Local Policies and Ordinances

The project will not conflict with any local policies or ordinances applicable to biological resources.

Adopted Habitat Conservation Plans

The study area is not within an area associated with an adopted habitat conservation plan.

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APPENDIX A

FIGURES

APPENDIX B

PLANT SPECIES OBSERVED

Plant Species Observed

Scientific Name	Common Name
PLANTS	
EUDICOTS	
Asteraceae	Sunflower family
<i>Ambrosia salsola</i>	Burrobrush
<i>Ericameria cooperi</i>	Cooper's goldenbush
<i>Ericameria nauseosa</i>	Rubber rabbitbrush
Boraginaceae	Borage family
<i>Amsinckia sp.</i>	Fiddleneck
Brassicaceae	Mustard family
<i>Lepidium fremontii</i>	Peppergrass
Chenopodiaceae	Saltbush family
<i>Atriplex confertifolia</i>	Shadscale saltbush
<i>Atriplex polycarpa</i>	Cattle saltbush
Frankeniaceae	Frankenia family
<i>Frankenia salina</i>	Alkali heath
Onagraceae	Evening primrose family
<i>Eremothera boothii</i>	Booth evening primrose
MONOCOT FLOWERING PLANTS	
Poaceae	Grass family
<i>Bromus tectorum (non-native species)</i>	Cheatgrass
<i>Distichlis spicata</i>	Saltgrass