

Biological Technical Report and MSHCP Consistency Analysis

Proposed Residential Development in Hemet, California

Riverside County, California
APN 439-23-0005

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ECORP Consulting, Inc. has assisted public and private land owners with environmental regulation compliance since 1987. We offer full-service capability, from initial baseline environmental studies through environmental planning review, permitting negotiation, liaison to obtain legal agreements, mitigation design, construction supervision, and monitoring and compliance reporting.

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CONTENTS

1.0 INTRODUCTION 1

 1.1 Project Description and Location..... 1

2.0 SPECIAL-STATUS SPECIES REGULATIONS..... 1

 2.1 Federal Regulations..... 1

 2.1.1 The Federal Endangered Species Act 1

 2.1.2 Migratory Bird Treaty Act..... 4

 2.1.3 Federal Clean Water Act 4

 2.2 State and Local Regulations 5

 2.2.1 California Endangered Species Act..... 5

 2.2.2 Fully Protected Species 5

 2.2.3 Native Plant Protection Act 5

 2.2.4 California Fish and Game Code 5

 2.2.5 Western Riverside County Multiple Species Habitat Conservation Plan..... 6

 2.2.6 CEQA Significance Criteria 6

3.0 METHODS 7

 3.1 Literature Review..... 7

 3.2 Western Riverside County MSHCP Consistency Analysis..... 9

 3.3 Field Survey 9

 3.3.1 Biological Reconnaissance Survey 9

 3.3.2 Aquatic Resources Delineation 10

4.0 RESULTS..... 10

 4.1 Literature Review..... 10

 4.1.1 Special-Status Plants and Wildlife 10

 4.1.2 U.S. Fish and Wildlife Service Designated Critical Habitat 10

 4.2 Biological Reconnaissance Survey..... 10

 4.2.1 Property Characteristics 11

 4.2.2 Vegetation Communities..... 11

 4.2.3 Plants 11

 4.2.4 Wildlife..... 11

 4.2.5 Potential for Special-Status Plant and Wildlife Species to Occur on the Project Site
..... 12

 4.2.6 Aquatic Resources Delineation 18

 4.3 Raptors and Migratory Birds 18

 4.4 Wildlife Movement Corridors, Linkages, and Significant Ecological Areas 18

5.0 IMPACT ANALYSIS..... 19

 5.1 Special-Status Species..... 19

 5.2 Sensitive Natural Communities 20

 5.3 State or Federally Protected Wetlands and Waters of the United States..... 20

 5.4 Wildlife Corridors and Nursery Sites 20

 5.5 Habitat Conservation Plans and Natural Community Conservation Plans..... 20

 5.5.1 Western Riverside County MSHCP Consistency Analysis..... 20

 5.5.2 Stephens' Kangaroo Rat Mitigation Fee..... 21

6.0 MITIGATION MEASURES..... 23

7.0 CERTIFICATION 24

8.0 LITERATURE CITED 25

LIST OF FIGURES

Figure 1. Project Vicinity 2

Figure 2. Project Location..... 3

LIST OF APPENDICES

- Appendix A - Representative Site Photographs
- Appendix B - Plant Species Observed
- Appendix C - Wildlife Species Observed
- Appendix D - Summary of MSHCP Consistency Findings

1.0 INTRODUCTION

ECORP Consulting, Inc. provided California Environmental Quality Act (CEQA) services for the proposed residential development (Project) located in the City of Hemet, Riverside County. A reconnaissance-level biological survey of the Project site was conducted to document the existing biological resources, to assess the habitat for its potential to support sensitive plant and wildlife species, and to determine whether Project-related impacts would occur to sensitive biological resources, as required under CEQA. The surveys were conducted in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The MSHCP provides information on plant and wildlife species of concern to the County of Riverside (referred to as Planning Species) and outlines goals for their conservation. Information on the MSHCP can be found at www.rctlma.org (Riverside County Transportation and Land Management Agency [RCTLMA] 2019). The purpose of these studies is to comply with the requirements of the MSHCP and identify any biological resources that may require mitigation prior to impacts from development.

1.1 Project Description and Location

The Proposed Project would construct a 51 residential lot development on an approximately 13-acre project site. The Project site is located west of Mount San Jacinto and north of SR-74 within the City of Hemet (Figure 1). The Project site is located on the northwest corner of East Menlo Avenue and Park Avenue (Figure 2). The Project is depicted on the U.S. Geological Survey (USGS) San Jacinto 7.5-minute topographic quadrangle within the San Jacinto Viejo Landgrant. Elevation at the Project site is approximately 1,620 feet above mean sea level.

2.0 SPECIAL-STATUS SPECIES REGULATIONS

The biological reconnaissance survey was conducted to identify potential constraints and to ensure compliance with state and federal regulations regarding listed, protected, and sensitive species. The regulations are detailed below.

2.1 Federal Regulations

2.1.1 *The Federal Endangered Species Act*

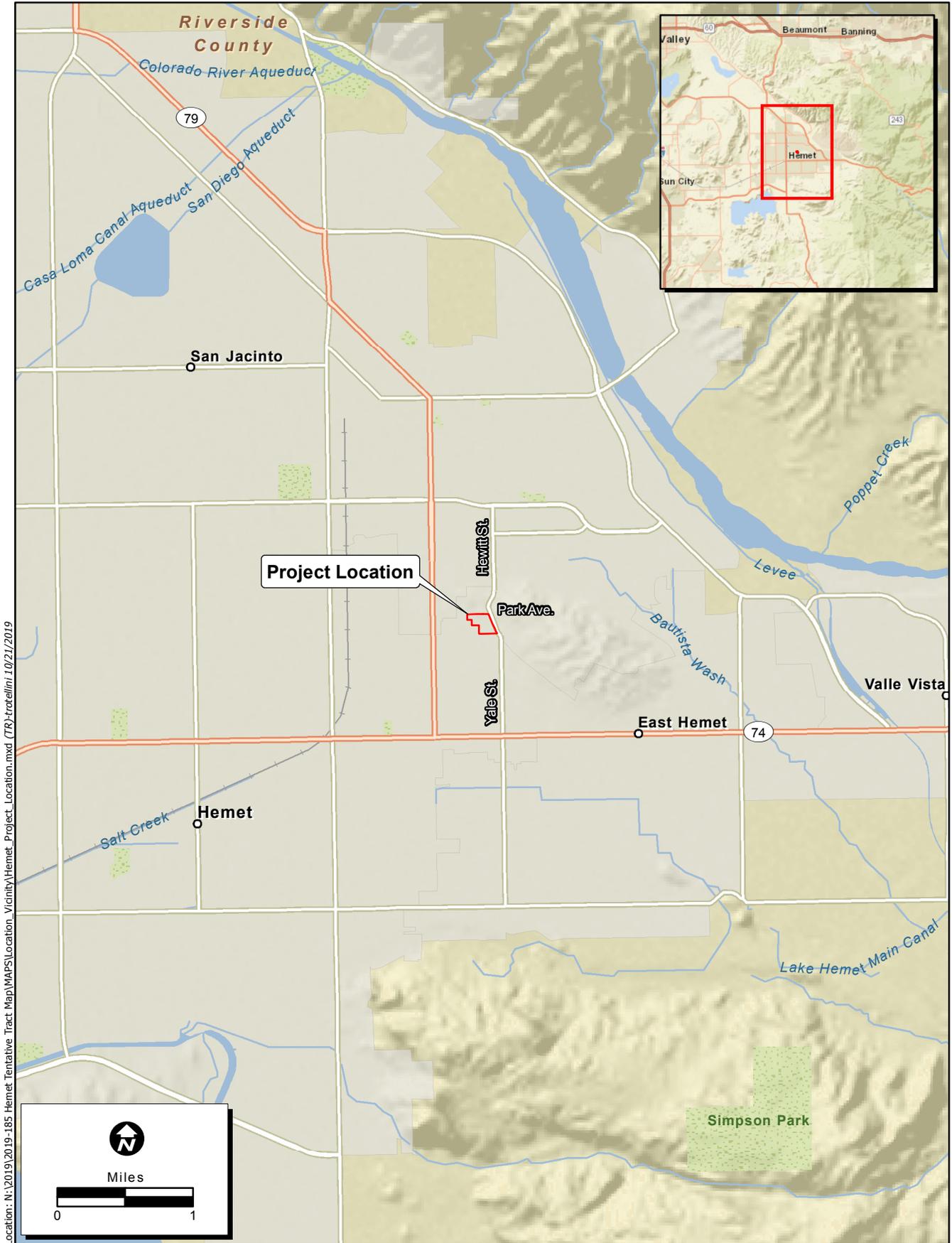
The federal Endangered Species Act (ESA) protects plants and animals that are listed as endangered or threatened by the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service. Section 9 of the ESA prohibits the taking of endangered wildlife, where taking is defined as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct" (50 Code of Federal Regulations [CFR] 17.3). For plants, this statute governs removing, possessing, maliciously damaging, or destroying any endangered plant on federal land and removing, cutting, digging up, damaging, or destroying any endangered plant on non-federal land in knowing violation of state law (16 U.S. Code 1538). Under Section 7 of the ESA, federal agencies are required to



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Map Date: 10/21/2019
 Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Figure 1. Project Vicinity
 2019-185 Hemet Tentative Tract Map



Location: N:\2019\2019-185 Hemet Tentative Tract Map\MAPS\Location_Vicinity\Hemet_Project_Location.mxd (TR)-trattelli 10/21/2019

Map Date: 10/21/2019

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Figure 2. Project Location
2019-185 Hemet Tentative Tract Map

consult with the USFWS if their actions, including permit approvals or funding, could adversely affect a listed (or proposed) species (including plants) or its critical habitat. Through consultation and the issuance of a biological opinion, the USFWS may issue an incidental take statement allowing take of the species that is incidental to an otherwise authorized activity provided the activity will not jeopardize the continued existence of the species. Section 10 of the ESA provides for issuance of incidental take permits where no other federal actions are necessary provided a habitat conservation plan (HCP) is developed.

2.1.2 Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) implements international treaties between the United States and other nations devised to protect migratory birds, any of their parts, eggs, and nests from activities such as hunting, pursuing, capturing, killing, selling, and shipping, unless expressly authorized in the regulations or by permit. As authorized by the MBTA, the USFWS issues permits to qualified applicants for the following types of activities: falconry, raptor propagation, scientific collecting, special purposes (rehabilitation, education, migratory game bird propagation, and salvage), take of depredating birds, taxidermy, and waterfowl sale and disposal. The regulations governing migratory bird permits can be found in 50 CFR Part 13 General Permit Procedures and 50 CFR Part 21 Migratory Bird Permits. The State of California has incorporated the protection of birds of prey in Sections 3800, 3513, and 3503.5 of the California Fish and Game Code.

2.1.3 Federal Clean Water Act

The federal Clean Water Act's (CWA's) purpose is to "restore and maintain the chemical, physical, and biological integrity of the nation's waters." Section 404 of the CWA prohibits the discharge of dredged or fill material into Waters of the United States (U.S.) without a permit from the U.S. Army Corps of Engineers (USACE). The definition of Waters of the U.S. includes rivers, streams, estuaries, the territorial seas, ponds, lakes, and wetlands. Wetlands are defined as those areas "that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3 7b). The U.S. Environmental Protection Agency acts as a cooperating agency to set policy, guidance and criteria for use in evaluation permit applications and also reviews USACE permit applications.

The USACE regulates "fill" or dredging of fill material within its jurisdictional features. "Fill material" means any material used for the primary purpose of replacing an aquatic area with dry land or changing the bottom elevation of a water body. Substantial impacts to wetlands may require an individual permit. Projects that only minimally affect wetlands may meet the conditions of one of the existing Nationwide Permits. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions; this certification or waiver is issued by the State Water Quality Control Board, administered by each of nine California Regional Water Quality Control Boards.

2.2 State and Local Regulations

2.2.1 California Endangered Species Act

The California ESA generally parallels the main provisions of the ESA but, unlike its federal counterpart, the California ESA applies the take prohibitions to species proposed for listing (called “candidates” by the State). Section 2080 of the California Fish and Game Code prohibits the taking, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or in the regulations. Take is defined in Section 86 of the California Fish and Game Code as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill.” The California ESA allows for take incidental to otherwise lawful development projects. State lead agencies are required to consult with California Department of Fish and Wildlife (CDFW) to ensure that any action they undertake is not likely to jeopardize the continued existence of any endangered or threatened species or result in destruction or adverse modification of essential habitat.

2.2.2 Fully Protected Species

The State of California first began to designate species as “fully protected” prior to the creation of the federal and California ESAs. Lists of fully protected species were initially developed to provide protection to those animals that were rare or faced possible extinction, and included fish, amphibians and reptiles, birds, and mammals. Most fully protected species have since been listed as threatened or endangered under federal and/or California ESAs. The regulations that implement the Fully Protected Species Statute (California Fish and Game Code § 4700) provide that fully protected species may not be taken or possessed at any time. Furthermore, CDFW prohibits any state agency from issuing incidental take permits for fully protected species, except for necessary scientific research.

2.2.3 Native Plant Protection Act

The Native Plant Protection Act (NPPA) of 1977 (California Fish and Game Code §§ 1900-1913) was created with the intent to “preserve, protect and enhance rare and endangered plants in this State.” The NPPA is administered by CDFW. The Fish and Wildlife Commission has the authority to designate native plants as “endangered” or “rare” and to protect endangered and rare plants from take. The California ESA of 1984 (California Fish and Game Code § 2050-2116) provided further protection for rare and endangered plant species, but the NPPA remains part of the California Fish and Game Code.

2.2.4 California Fish and Game Code

Streambed Alteration Agreement

Section 1602 of the California Fish and Game Code requires that a Notification of Lake or Streambed Alteration be submitted to CDFW for “any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake.” The CDFW reviews the proposed actions and, if necessary, submits to the Applicant a proposal for measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the Applicant is the Streambed Alteration Agreement (SAA). Often, projects that require an SAA also require a permit from the USACE under Section 404 of the CWA. In these instances, the conditions of the Section 404 permit and the SAA may overlap.

Migratory Birds

The CDFW enforces the protection of nongame native birds in §§ 3503, 3503.5, and 3800 of the California Fish and Game Code. Section 3513 of the California Fish and Game Code prohibits the possession or take of birds listed under the MBTA. These sections mandate the protection of California nongame native birds' nests and also make it unlawful to take these birds. All raptor species are protected from "take" pursuant to California Fish and Game Code § 3503.5 and are also protected at the federal level by the MBTA of 1918 (USFWS 1918).

2.2.5 Western Riverside County Multiple Species Habitat Conservation Plan

The Western Riverside County MSHCP is a comprehensive, multi-jurisdictional HCP focusing on conservation of species and their associated habitats in western Riverside County. The MSHCP identified 146 species, referred to as "Covered Species," for which the federal and California ESAs "take" authorization has been granted to signatories to the plan as long as they comply with its requirements. Of the 146 Covered Species within the MSHCP, 118 are considered to be "adequately conserved." The remaining 28 Covered Species will be considered to be adequately conserved when certain landmark conservation requirements are met during the course of future development. The goal of the MSHCP is to maintain the biological and ecological diversity within a rapidly urbanizing region while also improving the future economic development in the county by providing an efficient, streamlined regulatory process through which development can proceed in an efficient way.

The approval of the MSHCP and execution of the Implementing Agreement (IA) by the wildlife agencies allows signatories of the IA to issue "take" authorizations for all species covered by the MSHCP, including state- and federally listed species, as well as other identified sensitive species and/or their habitats. Each city of local jurisdiction will impose a Development Mitigation Fee for projects within their jurisdiction. With payment of the mitigation fee to the county and compliance with the survey requirements of the MSHCP where required, full mitigation in compliance with CEQA, National Environmental Policy Act (NEPA), the California ESA, and the ESA will be granted. The Development Mitigation Fee varies according to project size and project description and is dependent on development density (Riverside County Ordinance No. 810.2). Payment of the mitigation fee and compliance with the requirements of Section 6.0 of the MSHCP are intended to provide full mitigation under CEQA, NEPA, and the California and federal ESAs for impacts to the species and habitats covered by the MSHCP, pursuant to agreements with USFWS, CDFW, and/or any other appropriate participating regulatory agencies as set forth in the IA for the MSHCP.

2.2.6 CEQA Significance Criteria

Section 15064.7 of the CEQA Guidelines encourages local agencies to develop and publish the thresholds the agency uses in determining the significance of environmental effects caused by projects under its review. However, agencies may also rely upon the guidance provided by the expanded Initial Study checklist contained in Appendix G of the CEQA Guidelines. Appendix G provides examples of impacts that would normally be considered significant. Based on these examples, impacts to biological resources would normally be considered significant if the project would:

- have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS;
- have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, and coastal) through direct removal, filling, hydrological interruption, or other means;
- interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; and
- conflict with the provisions of an adopted HCP, Natural Community Conservation Plan (NCCP), or other approved local, regional or state HCP.

An evaluation of whether an impact on biological resources would be substantial must consider both the resource itself and how that resource fits into a regional or local context. Substantial impacts would be those that would diminish, or result in the loss of, an important biological resource, or those that would obviously conflict with local, state, or federal resource conservation plans, goals, or regulations. Impacts are sometimes locally important but not significant according to CEQA. The reason for this is that although the impacts would result in an adverse alteration of existing conditions, they would not substantially diminish, or result in the permanent loss of an important resource on a population-wide or region-wide basis.

3.0 METHODS

3.1 Literature Review

Prior to conducting the biological reconnaissance survey, ECORP biologists performed a literature review using the CDFW's California Natural Diversity Data Base (CNDDDB; CDFW 2019a) and the California Native Plant Society's (CNPS') Electronic Inventory (CNPSEI; CNPS 2019) to determine the special-status plant and wildlife species that have been documented in the vicinity of the Project site. The CNDDDB and CNPSEI database searches were conducted on September 27, 2019. ECORP searched CNDDDB and CNPSEI records within the Project site boundaries as depicted on USGS 7.5-minute San Jacinto topographic quadrangle, and the surrounding eight topographic quadrangles: El Casco, Beaumont, Cabazon, Lakeview, Lake Fulmor, Winchester, Hemet, and Blackburn Canyon. The CNDDDB and CNPSEI contain records of reported occurrences of federally or state-listed endangered, threatened, proposed endangered or threatened species, California Species of Special Concern (SSC), and/or other special-status species or habitat that may occur within or in the vicinity of the Project. Additional information was gathered from the following sources and includes, but is not limited to:

- U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS) *Web Soil Survey* (NRCS 2019);
- *State and Federally Listed Endangered and Threatened Animals of California* (CDFW 2019b);
- *Special Animals List* (CDFW 2019c);
- *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012);
- *The Manual of California Vegetation*, 2nd Edition (Sawyer et al. 2009); and
- various online websites (e.g., CalFlora 2019).

Using this information and observations in the field, a list of special-status plant and animal species that have potential to occur within the Project site was generated. For the purposes of this assessment, special-status species are defined as plants or animals that:

- have been designated as either rare, threatened, or endangered by CDFW, CNPS, or the USFWS, and/or are protected under either the federal or California ESAs;
- are candidate species being considered or proposed for listing under these same acts;
- are fully protected by the California Fish and Game Code, §§ 3511, 4700, 5050, or 5515;
- are of expressed concern to resource and regulatory agencies or local jurisdictions; and/or
- are covered species under the MSHCP.

Special-status species reported for the region in the literature review or for which suitable habitat occurs on the Project site were assessed for their potential to occur within the Project site based on the following guidelines:

Present: The species was observed on site during a site visit or focused survey.

High: Habitat (including soils and elevation factors) for the species occurs within the Project site and a known occurrence has recently been recorded (within the last 20 years) within five miles of the area.

Moderate: Habitat (including soils and elevation factors) for the species occurs within the Project site and a documented observation occurs within the database search, but not within five miles of the area; a historic documented observation (more than 20 years old) was recorded within five miles of the Project site; or a recently documented observation occurs within five miles of the area and marginal or limited amounts of habitat occurs in the Project site.

Low: Limited or marginal habitat for the species occurs within the Project site and a recently documented observation occurs within the database search, but not within five miles of the area; a historic documented observation (more than 20 years old) was recorded within five miles of the Project site; or suitable habitat strongly associated with the species occurs on site, but no records or only historic records were found within the database search.

Presumed Absent: Species was not observed during a site visit or focused surveys conducted in accordance with protocol guidelines at an appropriate time for identification; habitat (including soils

and elevation factors) does not exist on site; or the known geographic range of the species does not include the Project site.

Note: Location information on some special-status species may be of questionable accuracy or unavailable. Therefore, for survey purposes, the environmental factors associated with a species' occurrence requirements may be considered sufficient reason to give a species a positive potential for occurrence. In addition, just because a record of a species does not exist in the databases does not mean it does not occur. In many cases, records may not be present in the databases because an area has not been surveyed for that particular species.

A desktop review of the NRCS' Web Soil Survey (NRCS 2019) and the corresponding USGS topographic maps was also conducted to determine if there were any blue line streams or drainages that might potentially fall under the jurisdiction of either federal or state agencies were present on the Project site.

3.2 Western Riverside County MSHCP Consistency Analysis

Data regarding the Project site were reviewed to determine consistency with the MSHCP. The Western Riverside County Regional Conservation Authority (RCA) MSHCP Information Map was queried to determine requirements for habitat assessment(s), potential focused survey(s), or other issues related to biological resources that could exist on the Project site (RCA 2019).

Section 6.0 of the MSHCP also requires that an assessment of the Project site be completed to identify any potential Project-related effects on biological resources, including riparian/riverine areas, vernal pools, and fairy shrimp, if applicable. In addition, the MSHCP requires that an Urban/Wildlands Interface analysis be conducted to address the indirect effects associated with locating proposed development in the proximity of MSHCP Conservation Areas.

3.3 Field Survey

3.3.1 Biological Reconnaissance Survey

The biological reconnaissance survey was conducted by walking the entire Project site to identify the vegetation communities and wildlife habitats on the Project site. The biologists documented the plant and animal species present on the Project site, and the location and condition of the Project site were assessed for the potential to provide habitat for special-status plant and wildlife species. Data were recorded on a Global Positioning System (GPS) unit, field notebooks, and/or maps. Photographs were also taken during the survey to provide visual representation of the various vegetation communities within the Project site. The Project site was also examined to assess its potential to facilitate wildlife movement or function as a movement corridor for wildlife moving throughout the region. In addition, the biologist mapped the vegetation communities present on the Project site.

Plant and wildlife species, including any special-status species that were observed during the survey, were recorded. Plant nomenclature follows that of *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012). Wildlife nomenclature follows Society for the Study of Amphibians and Reptiles (SSAR 2017), *Check-list of North American Birds* (Chesser et al. 2019), and the *Revised Checklist of North American Mammals North of Mexico* (Bradley et al. 2014).

In instances where a special-status species was observed, the species, location and habitat, and GPS coordinates were recorded.

3.3.2 Aquatic Resources Delineation

An aquatic resources delineation was conducted by ECORP biologists during a separate survey effort, the results of which are presented under a separate cover (ECORP 2019).

4.0 RESULTS

Summarized below are the results of the literature review and field surveys, including site characteristics, vegetation communities, wildlife, special-status species, and special-status habitats (including any potential wildlife corridors).

4.1 Literature Review

4.1.1 Special-Status Plants and Wildlife

The CNDDDB and CNPSEI searches were conducted on September 27, 2019. The database searches identified 52 special-status plant species and 50 special-status wildlife species that could occur on and/or near the Project site. A list was generated from the results of the literature review and the Project site was evaluated for suitable habitat that could support any of the special-status plant or wildlife species on the list.

4.1.2 U.S. Fish and Wildlife Service Designated Critical Habitat

The Project site is not located within any USFWS-designated critical habitat. The closest designated critical habitat is for San Bernardino Merriam’s kangaroo rat (*Dipodomys merriami parvus*) and is located approximately 1.5 miles to the northeast of the Project site.

4.2 Biological Reconnaissance Survey

The biological reconnaissance survey was conducted on October 10, 2019 by ECORP biologists Kristen Wasz and Christina Torres. Summarized below are the results of the biological reconnaissance survey, including site characteristics, plants and plant communities, wildlife, special-status species, and special-status habitats (including any potential wildlife corridors). Weather conditions during the survey are summarized below in Table 1.

Date	Time		Temperature (°F)		Cloud Cover (%)		Wind Speed (mph)	
	Start	End	Start	End	Start	End	Start	End
10/10/2019	1015	1130	68	72	0	0	0-1	2-5

4.2.1 Property Characteristics

The Project site consists of a vacant lot containing ruderal vegetation that was heavily disturbed by substantial amounts of trash dumping and unauthorized off-highway vehicle (OHV) use. Remnant concrete pads, an asphalt road, and structure foundations are present throughout the Project site. Soil types within the Project site consist of San Emigdio fine sandy loam, 0 to 2 percent slopes, occasional frost; San Emigdio fine sandy loam, 2 to 8 percent slopes, eroded; San Emigdio loam, 2 to 8 percent slopes; and San Emigdio loam, 8 to 15 percent slopes, eroded. The Project site is bordered to the north and southwest by urban development and undeveloped land to the east. Evidence of previous structures, such as concrete foundations and a paved road, were found throughout the site. Representative site photographs are included in Appendix A.

4.2.2 Vegetation Communities

The Project site is within an urban environment that is generally subjected to repeated and ongoing disturbance from human activities. No native or non-native vegetation communities were identified on the Project site. The entire Project site was classified as disturbed.

Disturbed

Disturbed is not a vegetation classification, but rather a land cover type. The dominant plant species observed on the Project site were nonnative or invasive weedy species. A single small patch of native California buckwheat (*Eriogonum fasciculatum*) was identified near the eastern edge of the project site but was of insufficient size to be classified as a vegetation community. Of the 19 plant species observed on the project site, twelve were non-native species. Large trees observed within the Project site included non-native eucalyptus (*Eucalyptus* sp.), pine (*Pinus* sp.) and palm (*Washingtonia* sp.) species. Soils throughout the entire site appeared to have been recently mechanically disturbed.

4.2.3 Plants

Plant species observed on the Project site were generally characteristic of disturbed urban areas. Non-native plant species observed on the Project site included Russian thistle (*Salsola tragus*), tamarisk species (*Tamarix* sp.), Jimson weed (*Datura stramonium*), puncture vine (*Tribulus terrestris*), and tree of Heaven (*Ailanthus altissima*). Native vegetation observed on the Project site included Palmer's amaranth (*Amaranthus palmeri*), common sunflower (*Helianthus annuus*), and California buckwheat (*Eriogonum fasciculatum*). A full list of plant species observed on or immediately adjacent to the Project site is included in Appendix B.

4.2.4 Wildlife

The Project site provided habitat only for species adapted to disturbances and urban environments. One reptile species was observed during the survey, western fence lizard (*Sceloporus occidentalis*). Eleven bird species were observed during the reconnaissance visit: California scrub-jay (*Aphelocoma californica*), red-tailed hawk (*Buteo jamaicensis*), Anna's hummingbird (*Calypte anna*), rock pigeon (*Columba livia*), common raven (*Corvus corax*), house finch (*Haemorhous mexicanus*), California towhee (*Melospiza crissalis*), northern mockingbird (*Mimus polyglottos*), black phoebe (*Sayornis nigricans*), Say's phoebe (*Sayornis saya*), and mourning dove (*Zenaida macroura*). Five mammal species were observed

or signs of the species were observed: coyote (*Canis latrans*), domestic dog (*Canis lupus familiaris*), California ground squirrel (*Otospermophilus beecheyi*), desert cottontail (*Sylvilagus audubonii*), and Botta's pocket gopher (*Thomomys bottae*). A full list of wildlife species observed on or immediately adjacent to the Project site is included in Appendix C.

4.2.5 Potential for Special-Status Plant and Wildlife Species to Occur on the Project Site

The literature review and database searches identified 52 special-status plant species and 50 special-status wildlife species that occur on or near the Project site. However, due to the level of human disturbance at the Project site and the current lack of suitable habitat for the special-status plant and wildlife species, many of the species are presumed absent from the Project site. Additionally, with various habitat types occurring within the nine-quadrangle search, including Lake Fulmor and Diamond Valley Lake, species appeared in the literature review results that had no potential to occur on or near the Project site.

Special-Status Plants

There were 52 special-status plant species (of those, 8 are federally and/or state listed and 31 are covered by the MSHCP) that appeared in the literature review and database searches for the Project site (CDFW 2019a, CNPS 2019). A list was generated from the results of the literature review and the project was evaluated for suitable habitat that could support any of the special-status plant species on the list. Descriptions of the CNPS designations are found in Table 2. All of the 52 special-status plant species were presumed absent from the Project site due to a lack of suitable habitat.

List Designation	Meaning
1A	Plants Presumed Extirpated in California and Either Rare or Extinct Elsewhere
1B	Plants Rare, Threatened, or Endangered in California and Elsewhere
2A	Plants Presumed Extirpated in California, But Common Elsewhere
2B	Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
3	Plants about which we need more information; a review list
4	Plants of limited distribution; a watch list
List 1B, 2, and 4 extension meanings:	
.1	Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
.2	Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)

Note: According to CNPS (Skinner and Pavlik 1994), plants on Lists 1B and 2 meet definitions for listing as threatened or endangered under Section 1901, Chapter 10 of the California FGC (CDFW 1984). This interpretation is inconsistent with other definitions.

Plant Species Presumed Absent

The following species are presumed absent from the Project site due to the lack of suitable habitat, soil type, and/or elevation range at the project site:

- chaparral sand-verbena (*Abronia villosa* var. *aurita*), CNPS 1B.1
- Yucaipa onion (*Allium marvinii*), CNPS 1B.1, MSHCP Covered Species
- Munz's onion (*Allium munzii*), federally-listed Endangered, state-listed Threatened, CNPS 1B.1, MSHCP Covered Species
- Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*), federally-listed Endangered, CNPS 1B.2
- Jaeger's bush milk-vetch (*Astragalus pachypus* var. *jaegeri*), CNPS 1B.1, MSHCP Covered Species
- San Jacinto Valley crownscale (*Atriplex coronata* var. *notatior*), federally-listed Endangered, CNPS 1B.1, MSHCP Covered Species
- South Coast saltscale (*Atriplex pacifica*), CNPS 1B.2
- Parish's brittlescale (*Atriplex parishii*), CNPS 1B.1, MSHCP Covered Species
- Davidson's saltscale (*Atriplex serenana* var. *davidsonii*), CNPS 1B.2, MSHCP Covered Species
- thread-leaved brodiaea (*Brodiaea filifolia*), federally-listed Threatened, state-listed Endangered, CNPS 1B.1, MSHCP Covered Species.
- San Jacinto mariposa lily (*Calochortus palmeri* var. *munzii*), CNPS 1B.2, MSHCP Covered Species
- Palmer's mariposa lily (*Calochortus palmeri* var. *palmeri*), CNPS 1B.2
- Plummer's mariposa lily (*Calochortus plummerae*), CNPS 4.2, MSHCP Covered Species
- intermediate mariposa lily (*Calochortus weedii* var. *intermedius*), CNPS 1B.2, MSHCP Covered Species
- Payson's jewelflower (*Caulanthus simulans*), CNPS 4.2, MSHCP Covered Species
- smooth tarplant (*Centromadia pungens* ssp. *laevis*), CNPS 1B.1, MSHCP Covered Species
- Peninsular spineflower (*Chorizanthe leptotheca*), CNPS 4.2
- Parry's spineflower (*Chorizanthe parryi* var. *parryi*), CNPS 1B.1, MSHCP Covered Species
- long-spined spineflower (*Chorizanthe polygonoides* var. *longispina*), CNPS 1B.2, MSHCP Covered Species
- white-bracted spineflower (*Chorizanthe xanti* var. *leucotheca*), CNPS 1B.2
- San Miguel savory (*Clinopodium chandleri*), CNPS 1B.2, MSHCP Covered Species
- Mojave tarplant (*Deinandra mohavensis*), state-listed Endangered, CNPS 1B.3, MSHCP Covered Species
- paniculate tarplant (*Deinandra paniculata*), CNPS 4.2
- slender-horned spineflower (*Dodecahema leptoceras*), federally-listed Endangered, state-listed Endangered, CNPS 1B.1, MSHCP Covered Species

- little purple monkeyflower (*Erythranthe purpurea*), CNPS 1B.2
- San Jacinto Mountains bedstraw (*Galium angustifolium* ssp. *jacinticum*), CNPS 1B.3
- Alvin Meadow bedstraw (*Galium californicum* ssp. *primum*), CNPS 1B.2, MSHCP Covered Species
- graceful tarplant (*Holocarpha virgata* ssp. *elongate*), CNPS 4.2, MSHCP Covered Species
- vernal barley (*Hordeum intercedens*), CNPS 3.2, MSHCP Covered Species
- mesa horkelia (*Horkelia cuneata* var. *puberula*), CNPS 1B.1
- beautiful hulsea (*Hulsea vestita* ssp. *callicarpha*), CNPS 4.2, MSHCP Covered Species
- California satintail (*Imperata brevifolia*), CNPS 2B.1
- Southern California black walnut (*Juglans californica*), CNPS 4.2
- Coulter's goldfields (*Lasthenia glabrata* ssp. *coulteri*), CNPS 1B.1, MSHCP Covered Species
- heart-leaved pitcher sage (*Lepechinia cardiophylla*), CNPS 1B.2, MSHCP Covered Species
- lemon lily (*Lilium parryi*), CNPS 1B.2, MSHCP Covered Species
- Torrey's box-thorn (*Lycium torreyi*), CNPS 4.2
- spiny-hair blazing star (*Mentzelia tricuspis*), 2B.1
- San Felipe monardella (*Monardella nana* ssp. *leptosiphon*), CNPS 1B.2
- little mousetail (*Myosurus minimus* ssp. *apus*), CNPS 3.1, MSHCP Covered Species
- mud nama (*Nama stenocarpa*), CNPS 2B.2, MSHCP Covered Species
- spreading navarretia (*Navarretia fossalis*), federally-listed Threatened, CNPS 1B.1, MSHCP Covered Species
- California Orcutt grass (*Orcuttia californica*), federally-listed Endangered, state-listed Endangered, CNPS 1B.1, MSHCP Covered Species
- California beardtongue (*Penstemon californicus*), CNPS 1B.2, MSHCP Covered Species
- narrow-leaf sandpaper-plant (*Petalonyx linearis*), CNPS 2B.3
- white rabbit-tobacco (*Pseudognaphalium leucocephalum*), CNPS 2B.2
- Latimer's woodland-gilia (*Saltugilia latimeri*), CNPS 1B.2
- southern mountains skullcap (*Scutellaria bolanderi* ssp. *austromontana*) CNPS 1B.2
- salt spring checkerbloom (*Sidalcea neomexicana*), CNPS 2B.2
- San Bernardino aster (*Symphotrichum defoliatum*) CNPS 1B.2
- California screw-moss (*Tortula californica*), CNPS 1B.2
- Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*), CNPS 2B.1, MSHCP Covered Species

Special-Status Wildlife

The literature search documented 50 special-status wildlife species in the vicinity of the Project site, 13 of which are federally and/or state-listed and 36 are covered by the MSHCP. Of the 50 special-status

wildlife species identified in the literature review, two were found to have a moderate potential to occur and 13 were found to have a low potential to occur; the remaining 35 species are presumed absent from the Project site. Frequent mechanical disturbances on site, proximity to residential development, and the presence of anthropogenic influences on site likely preclude these species from occurring on or adjacent to the site. A brief natural history and discussion of the two special-status wildlife species found to have a moderate potential to occur on the Project site are provided below. None of the sensitive wildlife species with a potential to occur in the area were observed during the reconnaissance survey.

Wildlife Species with a Moderate Potential to Occur

The following species have a moderate potential to occur on the Project site because either habitat for the species occurs onsite and a known occurrence has been reported in the database, but not within five miles of the site, a historic documented observation was recorded within five miles of the Project site; or a known recently documented occurrence has been reported within five miles of the site and marginal or limited amounts of habitat occurs onsite.

Cooper's hawk

Cooper's hawk (*Accipiter cooperii*) is an MSHCP Covered Species. Cooper's hawks are commonly found in suburban habitats and will often nest in tall trees at habitat edges. Tall eucalyptus and pine trees suitable as Cooper's hawk nesting sites were observed within the Project site, including one observed to contain a previously used raptor-sized nest. While nesting trees occur both on and in the vicinity of the Project site, no nesting occurrences have been mapped within five miles of the project site by the CNDDDB (CDFW 2019a). Therefore, the Cooper's hawk has a moderate potential to occur on the Project site.

Western yellow bat

Western yellow bat (*Lasiurus xanthinus*) is a CDFW SSC but is not an MSHCP Covered Species. The western yellow bat is a tree-roosting species that is known to roost in native and non-native palm trees as well as cottonwood trees (WBWG 2019). Untrimmed palm trees and other broadleaf trees were observed within the Project site and adjacent areas. While suitable roost trees occur both on and in the vicinity of the project site, no recent occurrences of western yellow bat have been mapped within five miles of the project site (CDFW 2019a). Therefore, the western yellow bat has a moderate potential to occur on the Project site.

Wildlife Species with a Low Potential to Occur

The following species have a low potential to occur on the Project site because limited or marginal habitat for the species occurs within the Project site and a recently documented observation occurs within the database search, but not within five miles of the area; a historic documented observation (more than 20 years old) was recorded within five miles of the Project site; or suitable habitat strongly associated with the species occurs on site, but no records or only historic records were found within the database search.

- Pallid bat (*Antrozous pallidus*), CDFW SSC

- Orange-throated whiptail (*Aspidoscelis hyperythra*), MSHCP Covered Species
- Coastal whiptail (*Aspidoscelis tigris stejnegeri*), CDFW SSC, MSHCP Covered Species
- Burrowing owl (*Athene cunicularia*), CDFW SSC, MSHCP Covered Species
- California glossy snake (*Arizona elegans occidentalis*), CDFW SSC
- ferruginous hawk (*Buteo regalis*), MSHCP Covered Species
- northern harrier (*Circus hudsonius*), CDFW SSC, MSHCP Covered Species
- red-diamond rattlesnake (*Crotalus ruber*), CDFW SSC, MSHCP Covered Species
- California horned lark (*Eremophila alpestris actia*), MSHCP Covered Species
- Loggerhead shrike (*Lanius ludovicianus*), CDFW SSC, MSHCP Covered Species
- San Diego black-tailed jackrabbit (*Lepus californicus bennettii*), CDFW SSC, MSHCP Covered Species
- San Diego desert woodrat (*Neotoma lepida intermedia*), CDFW SSC, MSHCP Covered Species
- Coast horned lizard (*Phrynosoma blainvillii*), CDFW SSC, MSHCP Covered Species

Wildlife Species Presumed Absent

The following species are presumed absent from the Project site due to the lack of suitable habitat on the Project site:

- tricolored blackbird (*Agelaius tricolor*), state-listed Threatened, CDFW SSC, MSHCP Covered Species
- southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*), MSHCP Covered Species
- arroyo toad (*Anaxyrus californicus*), federally-listed Endangered, CDFW SSC, MSHCP Covered Species
- Southern California legless lizard (*Anniella stebbinsi*), CDFW SSC
- Golden eagle (*Aquila chrysaetos*), CDFW Fully Protected, MSHCP Covered Species
- Bell's sage sparrow (*Artemisiospiza belli belli*), MSHCP Covered Species
- Crotch bumble bee (*Bombus crotchii*), state-listed Candidate Endangered
- vernal pool fairy shrimp (*Branchinecta lynchi*), federally-listed Threatened, MSHCP Covered Species
- coastal cactus wren (*Campylorhynchus brunneicapillus sandiegensis*), CDFW SSC, MSHCP Covered Species
- Dulzura pocket mouse (*Chaetodipus californicus femoralis*), CDFW SSC

- Northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), CDFW SSC, MSHCP Covered Species
- pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), CDFW SSC
- southern rubber boa (*Charina umbratica*), state-listed Threatened, MSHCP Covered Species
- western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), federally-listed Threatened, state-listed Endangered
- San Diego banded gecko (*Coleonyx variegatus abbotti*), CDFW SSC, MSHCP Covered Species
- Townsend's big-eared bat (*Corynorhinus townsendii*), CDFW SSC
- black swift (*Cypseloides niger*), CDFW SSC, MSHCP Covered Species
- San Bernardino kangaroo rat (*Dipodomys merriami parvus*), federally-listed Endangered, state-listed Candidate Endangered, CDFW SSC, MSHCP Covered Species
- Stephens' kangaroo rat (*Dipodomys stephensi*), federally-listed Endangered, state-listed Threatened, MSHCP Covered Species
- White-tailed kite (*Elanus leucurus*), CDFW SSC, MSHCP Covered Species
- quino checkerspot butterfly (*Euphydryas editha quino*), federally-listed Endangered, MSHCP Covered Species
- Southern grasshopper mouse (*Onychomys torridus ramona*), CDFW SSC
- Los Angeles pocket mouse (*Perognathus longimembris brevinasus*), CDFW SSC, MSHCP Covered Species
- white-faced ibis (*Plegadis chihi*), MSHCP Covered Species
- coastal California gnatcatcher (*Polioptila californica californica*), federally-listed Threatened, CDFW SSC, MSHCP Covered Species
- purple martin (*Progne subis*), CDFW SSC, MSHCP Covered Species
- southern mountain yellow-legged frog (*Rana muscosa*), federally-listed Endangered, state-listed Endangered, MSHCP Covered Species
- yellow warbler (*Setophaga petechia*), CDFW SSC, MSHCP Covered Species
- western spadefoot (*Spea hammondi*), CDFW SSC, MSHCP Covered Species
- Riverside fairy shrimp (*Streptocephalus woottoni*), federally-listed Endangered, MSHCP Covered Species
- American badger (*Taxidea taxus*), CDFW SSC
- Le Conte's thrasher (*Toxostoma lecontei*), CDFW SSC

- least Bell's vireo (*Vireo bellii pusillus*), federally-listed Endangered, state-listed Endangered, MSHCP Covered Species
- yellow-headed blackbird (*Xanthocephalus xanthocephalus*), CDFW SSC
- Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), CDFW SSC

None of the sensitive wildlife species with a potential to occur in the area were observed during the reconnaissance survey.

4.2.6 Aquatic Resources Delineation

An aquatic resources delineation was conducted by ECORP biologists during a separate survey effort, the results of which are presented under a separate cover (ECORP 2019).

4.3 Raptors and Migratory Birds

Potential nesting habitat for migratory birds and raptors protected by the MBTA and California Fish and Game Code was present within and adjacent to the Project site in the eucalyptus trees, pine trees, palm trees, and other ornamental trees and shrubs. Raptors typically breed between February and August, and songbirds and other passerines generally nest between March and August.

4.4 Wildlife Movement Corridors, Linkages, and Significant Ecological Areas

The concept of habitat corridors addresses the linkage between large blocks of habitat that allow the safe movement of mammals and other wildlife species from one habitat area to another. The definition of a corridor is varied, but corridors may include such areas as greenbelts, refuge systems, underpasses, and biogeographic land bridges, for example. In general, a corridor is described as a linear habitat, embedded in a dissimilar matrix, which connects two or more large blocks of habitat. Wildlife movement corridors are critical for the survivorship of ecological systems for several reasons. Corridors can connect water, food, and cover sources, spatially linking these three resources with wildlife in different areas. In addition, wildlife movement between habitat areas provides for the potential of genetic exchange between wildlife species populations, thereby maintaining genetic variability and adaptability to maximize the success of wildlife responses to changing environmental conditions. This is especially critical for small populations subject to loss of variability from genetic drift and effects of inbreeding. Naturally, the nature of corridor use and wildlife movement patterns varies greatly among species.

The Project site was assessed for its ability to function as a wildlife corridor. The Project site is very disturbed and surrounded by development to the west, south, and north. A large undeveloped area is located east of the Project site; however, this undeveloped area is also surrounded by development and is isolated from large, contiguous blocks of native habitat. Additionally, the lack of vegetative cover and the urban nature of the Project site would likely deter wildlife from moving through the area. Therefore, the Project site would not be considered a linkage or corridor between conserved natural habitat areas.

5.0 IMPACT ANALYSIS

All areas where construction and/or grading are currently proposed to take place are highly disturbed areas. Impacts to sensitive biological resources resulting from construction activities are presented below.

5.1 Special-Status Species

The Project site, consisting wholly of disturbed land, was devoid of native vegetation communities. The literature review and database searches identified 52 special-status plant species that occur near the Project site but, due to elevational factors and the current lack of suitable habitat for special-status plant species on Project site, all of the special-status plant species identified in the literature review were presumed absent from the Project site. The removal of primarily nonnative ruderal vegetation on the Project site will not contribute to the overall decline of any of the special-status plant species identified in the literature review and database searches. No significant impacts to special-status plant species are anticipated to result from the development of this Project.

Of the 50 special-status wildlife species identified in the literature search, two species were found to have a moderate potential to occur: Cooper's hawk and western yellow bat.

The trees on and immediately adjacent to the Project site could provide nesting habitat for Cooper's hawk and other nesting birds and raptors protected by the MBTA and California Fish and Game Code. If construction of the proposed Project occurs during the bird breeding season (typically February 1 through August 31), ground-disturbing construction activities could directly affect Cooper's hawk and other birds protected by the MBTA and their nests through the removal of habitat on the Project site, and indirectly through increased noise, vibrations, and increased human activity. Impacts to Cooper's hawk and nesting birds (including those listed as having a moderate to low potential to occur at the Project site) would be less than significant with the implementation of Mitigation Measure BIO-1. The Mitigation Measures for the Proposed Project are discussed in Section 6 below.

Trees on and immediately adjacent to the Project site provide potential roosting habitat for western yellow bat. Tree removal and ground-disturbing construction activities could directly affect western yellow bat through the removal of habitat on the Project site and indirectly through increased noise, vibrations, and increased human activity. Impacts to western yellow bat would be less than significant with the implementation of Mitigation Measure BIO-2.

The burrowing owl was found to have a low potential for occurrence, and the Project site is not located within a designated survey area under the MHSCP for burrowing owl. However, it was determined that marginally suitable burrowing owl habitat was present on the Project site. Although no burrowing owls were observed during the site visit, due to the mobile nature of the species, it is possible that burrowing owls could use the site prior to the start of Project activities. If burrowing owls are found to be using or nesting on the Project site prior to the start of construction, direct impacts in the form of ground disturbance, vegetation removal, habitat loss, and mortality and indirect impacts from construction noise and vibrations may occur. Impacts to burrowing owl would be less than significant with the implementation of Mitigation Measure BIO-1.

An additional 11 wildlife species were found to have a low potential to occur due to the lack of high-quality suitable habitat on the project site, none of which are state- or federally listed. The mechanical disturbances on site, proximity to commercial and residential development, and the presence of anthropogenic influences on site likely preclude these species from occurring on or adjacent to the site. If these species were present, impacts in the form of ground disturbance, vegetation removal, mortality, construction noise, and vibrations may occur. However, if these species were present on the project site, they would likely be in such low numbers that impacts to the species would not be considered significant, nor would they contribute to the overall decline of the species. Further, the MSHCP Covered Species with a low potential to occur are considered adequately conserved species under the MSHCP. The Project is not expected to result in significant impacts to any of the SSC species with a low potential to occur.

5.2 Sensitive Natural Communities

In general, the Project site consists of disturbed and developed land that supports mostly nonnative grass and forb species. The Project site does not contain any riparian habitat or other sensitive natural communities that would need to be preserved. No impacts to sensitive natural communities are anticipated to result from the development of this Project.

5.3 State or Federally Protected Wetlands and Waters of the United States

The results of the Aquatic Resources Delineation and discussion of potential impacts on state or federally protected wetlands or Waters of the U.S are discussed in the Aquatic Resources Delineation Report (ECORP 2019), prepared under a separate cover.

5.4 Wildlife Corridors and Nursery Sites

The Project site is located within and adjacent to areas containing existing disturbances (e.g., paved roads and residential, commercial, and industrial developments). The Project site is heavily disturbed and/or developed and contains very little vegetative cover that would facilitate wildlife movement. No migratory wildlife corridors or native wildlife nursery sites were identified within the Project site. No impacts to such resources are expected to occur during the development of the Project site.

5.5 Habitat Conservation Plans and Natural Community Conservation Plans

The Project site is located within the planning area for the Western Riverside MSHCP. The Project site is not located within any Conservation Areas, Criteria Cells, or Subunit designations according to the MSHCP. The Project site is also not located within any MSHCP-designated survey areas for special-status species. A summary of Project consistency with the MSHCP is included in Appendix D.

5.5.1 Western Riverside County MSHCP Consistency Analysis

The Project site is located within the planning area for the MSHCP, but outside of any Cell Groups, Criteria Cells, and Subunit designations. Section 6.0 of the MSHCP requires assessment of the potential effects from the Project on biological resources including riparian/riverine areas, vernal pools, and fairy shrimp, burrowing owl, and Narrow Endemic Plant Species. In addition, the MSHCP requires an Urban/Wildlands Interface analysis be conducted in order to address the indirect effects associated with

locating proposed development in proximity of MSHCP Conservation Areas. These resources were assessed during the reconnaissance survey and are discussed below in relation to the Project.

The proposed project consists of construction of residential buildings and associated parking lots, which is a covered activity under the MSHCP for areas outside of a subunits or criteria cells. Since development of the Project site is a covered activity within the MSHCP, it is an allowable use that has been contemplated within the MSHCP. However, projects that are covered still need to comply with MSHCP requirements.

Riparian/Riverine, Vernal Pool, and Fairy Shrimp Habitat Assessment (MSHCP Section 6.1.2)

In accordance with Section 6.1.2 of the MSHCP, a habitat assessment was performed for riparian and riverine communities, vernal pools, and fairy shrimp. The Project site did not contain vernal pool habitat or suitable habitat for fairy shrimp. Additionally, no riparian vegetation was observed on the Project site. No defined channels or drainages were identified on the Project site and the Project site did not contain any riverine resources.

Narrow Endemic Plant Species (MSHCP Section 6.1.3)

The RCA MSHCP Information Map was reviewed to determine whether the Project site or staging areas are located within a Narrow Endemic Plant Species Survey Area (NEPSSA), in accordance with Section 6.1.3 of the MSHCP. The Project site is not located within a NEPSSA or a Criteria Area. Further, all of the plant species identified in the literature review were determined to be presumed absent from the Project site due to the high level of disturbance and lack of native vegetation communities.

Urban/Wildlands Interface Guidelines (MSHCP Section 6.1.4)

The requirements for Urban/Wildlands Interface for the management of edge factors do not apply to the Project site or staging areas because the Project site is not situated adjacent to any wildlands or MSHCP-designated Conservation Areas. The Project site is relatively isolated from larger, contiguous blocks of native habitat and completely surrounded by residential development, urban development, and other anthropogenic land use. A net long-term increase of edge impacts is not expected as a result of this Project.

Additional Surveys (MSHCP Section 6.3.2)

The RCA MSHCP Information Map was reviewed to determine if the Project Site was located with any other MSHCP designated survey areas. The Information Map revealed that the Project site is not located within the amphibian species, criteria area species, burrowing owl, or mammalian species survey areas. Therefore, no further habitat assessments or surveys are required.

5.5.2 Stephens' Kangaroo Rat Mitigation Fee

While no suitable habitat is present for Stephens' kangaroo rat (*Dipodomys stephensi*) on the project site, the Project site is located within the Stephens' Kangaroo Rat Habitat Conservation Plan Area. To offset impacts to the species, all applicants for development permits within the plan area must pay an impact and mitigation fee of five hundred dollars (\$500.00) per gross acre located within the parcel to be developed on any offsite areas that are disturbed resulting from related Project activities (City of

Hemet Municipal Code 58-98[a-d]). Impact and mitigation fees for single-family residential developments, wherein all lots within the development are greater than one-half gross acre in size, shall be \$250.00 per residential unit. Further coordination with the RCA regarding the mitigation fee may be required. Implementation of Mitigation Measure BIO-3 would reduce impacts to a less than significant level.

6.0 MITIGATION MEASURES

The following mitigation measures would reduce impacts to sensitive biological resources to a less than significant level.

BIO-1 Preconstruction Survey for Nesting Birds: Any ground disturbance activities shall be conducted during the non-breeding season for birds (approximately September 1 through January 31). This will avoid violations of the MBTA and California Fish and Game Code §§ 3503, 3503.5 and 3513. If activities with the potential to disrupt nesting birds, including Cooper's hawk and burrowing owl, are scheduled to occur during the bird breeding season (February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist who is experienced in the identification of avian species and conducting nesting bird surveys. The nest survey shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. The preconstruction survey shall be conducted no more than three days prior to the start of ground-disturbing activities within the bird breeding season. If no nesting birds are observed during the survey, site preparation and construction activities may begin. If nesting birds (including nesting raptors) are found to be present, avoidance or minimization measures shall be undertaken to avoid potential project-related impacts. Measures may include establishment of an avoidance buffer until nesting has been completed and periodic nest monitoring by the project biologist. The width of the avoidance buffer will be determined by the Project biologist. Typically, this is 300 feet from the nest site in all directions (500 feet is typically recommended by CDFW for raptors), until the juveniles have fledged and there has been no evidence of a second attempt at nesting. The monitoring biologist will monitor the nest(s) during construction and document any findings.

BIO-2 Preconstruction Bat Survey: Tree removal should take place outside of the bat maternity season (April 1 through August 31) where possible. A pre-construction bat survey should be completed within the Project site no more than 14 days prior to scheduled tree removal (at any time of year) to determine if roosting bats are present within the trees. If roosting bats are determined to be present during the maternity season, tree removal shall be post-postponed until the maternity season is complete and young are volant. If individual roosting bats are determined to be present outside of the maternity season, the trees shall be removed using a two-step method where the outer limbs (or fronds) are first removed under the observation of a qualified bat biologist. After limb removal, 24 hours shall elapse before the remainder of the tree is removed.

BIO-3 Stephens' Kangaroo Rat Mitigation Fee: In accordance with City of Hemet Municipal Code 58-98(a-d) and to offset impacts to the Stephens' kangaroo rat, all applicants for development permits within the Stephens' kangaroo rat fee assessment area must pay an impact and mitigation fee of five hundred dollars (\$500.00) per gross acre located within the parcel to be developed and any offsite areas that are disturbed resulting from related Project activities. Impact and mitigation fees for single-family residential developments, wherein all lots within the development are greater than one-half gross acre in size, shall

be \$250.00 per residential unit. Further coordination with the RCA regarding the mitigation fee may be required.

7.0 CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Field work conducted for this assessment was performed by me or under my direct supervision. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or the applicant's representative and that I have no financial interest in the project.

Signed: _____ Date: November 14, 2019
Kristen Wasz
Senior Biologist

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LIST OF APPENDICES

Appendix A - Representative Site Photographs

Appendix B- Plant Species Observed

Appendix C- Wildlife Species Observed

Appendix D – Summary of MSHCP Consistency Findings

APPENDIX A

Representative Site Photographs

Representative Site Photographs



Photo 1: Western portion of site, facing southeast.



Photo 2: Southeastern portion of site, facing northwest.



Photo 3: Storm drainage found on eastern edge of project site.



Photo 4: Small stand of disturbed California buckwheat found on eastern portion of project site.



Photo 5: Northeastern portion of site, facing southwest.



Photo 6: Northwestern portion of site, facing southeast.



Photo 7: Unauthorized trash dumping and paved road found in central portion of site.



Photo 8: Evidence of concrete structure found on site.

APPENDIX B

Plant Species Observed

APPENDIX B

Plant Species Observed

SCIENTIFIC NAME	COMMON NAME
<i>Ailanthus altissima</i>	tree of Heaven*
<i>Amaranthus palmer</i>	Palmer's amaranth
<i>Ambrosia psilostachya</i>	ragweed
<i>Amsinckia</i> sp.	fiddleneck species
<i>Brassica</i> sp.	mustard species*
<i>Datura stramonium</i>	Jimson weed*
<i>Eriogonum fasciculatum</i>	California buckwheat
<i>Erodium cicutarium</i>	red-stemmed filaree*
<i>Eucalyptus</i> sp.	eucalyptus species*
<i>Helianthus annuus</i>	common sunflower
<i>Heterotheca sessiliflora</i>	golden aster
<i>Nicotiana glauca</i>	tree tobacco*
<i>Parkinsonia florida</i>	blue palo verde
<i>Pinus</i> sp.	pine species*
<i>Salsola tragus</i>	Russian thistle*
<i>Schinus</i> sp.	pepper tree species*
<i>Tamarix</i> sp.	tamarisk species*
<i>Tribulus terrestris</i>	puncture vine*
<i>Washingtonia</i> sp.	palm species*
*Nonnative species	

APPENDIX C

Wildlife Species Observed

APPENDIX C

Wildlife Species Observed

SCIENTIFIC NAME	COMMON NAME
<i>Aphelocoma californica</i>	California scrub-jay
<i>Buteo jamaicensis</i>	red-tailed hawk
<i>Calypte anna</i>	Anna's hummingbird
<i>Canis latrans</i>	coyote (tracks)
<i>Canis lupus familiaris</i> *	domestic dog (tracks)
<i>Columba livia</i> *	rock pigeon
<i>Corvus corax</i>	common raven
<i>Haemorhous mexicanus</i>	house finch
<i>Melospiza crissalis</i>	California towhee
<i>Mimus polyglottos</i>	northern mockingbird
<i>Otospermophilus beecheyi</i>	California ground squirrel (burrow)
<i>Sayornis nigricans</i>	black phoebe
<i>Sayornis saya</i>	Say's phoebe
<i>Sceloporus occidentalis</i>	western fence lizard
<i>Sylvilagus audubonii</i>	desert cottontail
<i>Thomomys bottae</i>	Botta's pocket gopher
<i>Zenaida macroura</i>	mourning dove
*Nonnative species	

Summary of MSHCP Consistency Findings

Summary of MSHCP Consistency Findings

ECORP Consulting, Inc. provided California Environmental Quality Act (CEQA) services for the proposed residential development (Project) located in the City of Hemet, Riverside County. The Proposed Project would construct a 51 residential lot development on an approximately 13-acre Project site. The Proposed Project site is located within the planning area for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP); however, the Project site is not located within any Cell Groups, Criteria Cells, Subunit designations, or MSHCP-designated survey areas for special-status species.

The Proposed Project site is located within an urban environment and consists of a vacant lot containing ruderal vegetation that is generally subjected to repeated and ongoing disturbance from human activities. The proposed project consists of construction of residential buildings and associated parking lots, which is a covered activity under the MSHCP for areas outside of a subunits or criteria cells. Since development of the Project site is a covered activity within the MSHCP, it is an allowable use that has been contemplated within the MSHCP. However, projects that are covered still need to comply with MSHCP requirements. Section 6.0 of the MSHCP requires assessment of the potential effects from the Project on biological resources. Such requirements include:

1. Compliance with the policies for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools as set forth in Section 6.1.2 of the MSHCP;
2. Compliance with the policies for the Protection of Narrow Endemic Plant Species as set forth in Section 6.1.3 of the MSHCP;
3. Compliance with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP;
4. Compliance with the policies for Additional Survey Needs and Procedures as set forth in Section 6.3.2 of the MSHCP;

A literature review and a biological reconnaissance survey were conducted to assess the potential for sensitive biological resources to occur on the Project site and evaluate potential impacts to sensitive biological resources resulting from construction activities. A brief summary of these resources are discussed below, however, additional details can be found within Sections 4.0 and 5.0 of this report.

The database searches and literature review identified 52 special-status plant species and 50 special-status wildlife species that could occur on and/or near the Project site. All of the 52 special-status plant species were presumed absent from the Project site due to a lack of suitable habitat. Of the 50 special-status wildlife species, two were found to have a moderate potential to occur (Cooper's hawk and western yellow bat) and 13 were found to have a low potential to occur (coast horned lizard, coastal whiptail, orange-throated whiptail, California glossy snake, red-diamond rattlesnake, burrowing owl, California horned lark, ferruginous hawk, loggerhead shrike, northern harrier, San Diego black-tailed jackrabbit, San

Diego desert woodrat, and pallid bat); the remaining 35 species are presumed absent from the Project site.

The biological reconnaissance survey was conducted to assess site characteristics, plants and plant communities, wildlife, special-status species, and special-status habitats that occur on the Project site. The Project site contained ruderal vegetation and was heavily influenced by anthropogenic disturbances. No native or non-native vegetation communities were identified, and the entire Project site was classified as disturbed. Due to the lack of suitable habitat for special-status plant species on Project site, the removal of primarily nonnative ruderal vegetation on the Project site will not contribute to the overall decline of any of the special-status plant species identified in the literature review and database searches. No significant impacts to special-status plant species are anticipated to result from the development of this Project. Although two special-status wildlife species were found to have a moderate potential to occur and 13 were found to have a low potential to occur, impacts to these species would be less than significant with the implementation of Mitigation Measures BIO-1 and BIO-2.

The biological reconnaissance survey also assessed the Project site for the four MSHCP requirements stated above.

1. In accordance with the policies in Section 6.1.2 of the MSHCP (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools), a habitat assessment was performed for riparian and riverine communities, vernal pools, and fairy shrimp. The Project site did not contain vernal pool habitat, suitable habitat for fairy shrimp, or any riparian vegetation.
2. In accordance with the policies in Section 6.1.3 of the MSHCP (Protection of Narrow Endemic Plant Species), the Project site is not located within a Narrow Endemic Plant Species Survey Area (NEPSSA) or a Criteria Area.
3. In accordance with the policies in Section 6.1.4 of the MSHCP (Urban/Wildlands Interface Guidelines), the requirements do not apply to the Project site or staging areas because the Project site is not situated adjacent to any wildlands or MSHCP-designated Conservation Areas.
4. In accordance with the policies in Section 6.3.2 of the MSHCP (Additional Survey Needs and Procedures), the RCA MSHCP Information Map revealed that the Project site is not located within any survey areas including, amphibian, burrowing owl, mammal, narrow endemic plant, criteria species, or Delhi sands flower-loving fly species survey areas. Therefore, no further habitat assessments or surveys are required.

Although the Project site does not contain suitable habitat for Stephens' kangaroo rat (*Dipodomys stephensi*), the Project site is located within the Stephens' Kangaroo Rat Habitat Conservation Plan Area. To offset impacts to the species, all applicants for development permits within the plan area must pay an impact and mitigation fee, discussed in Section 5.5.2.

The following mitigation measures would reduce impacts to sensitive biological resources to a less than significant level:

BIO-1 Preconstruction Survey for Nesting Birds: Any ground disturbance activities shall be conducted during the non-breeding season for birds (approximately September 1 through January 31). This will avoid

violations of the MBTA and California Fish and Game Code §§ 3503, 3503.5 and 3513. If activities with the potential to disrupt nesting birds, including Cooper's hawk and burrowing owl, are scheduled to occur during the bird breeding season (February 1 through August 31), a preconstruction nesting bird survey shall be conducted by a qualified biologist who is experienced in the identification of avian species and conducting nesting bird surveys. The nest survey shall include the Project site and adjacent areas where Project activities have the potential to cause nest failure. The pre-construction survey shall be conducted no more than three days prior to the start of ground-disturbing activities within the bird breeding season. If no nesting birds are observed during the survey, site preparation and construction activities may begin. If nesting birds (including nesting raptors) are found to be present, avoidance or minimization measures shall be undertaken to avoid potential project-related impacts. Measures may include establishment of an avoidance buffer until nesting has been completed and periodic nest monitoring by the project biologist. The width of the avoidance buffer will be determined by the Project biologist. Typically, this is 300 feet from the nest site in all directions (500 feet is typically recommended by CDFW for raptors), until the juveniles have fledged and there has been no evidence of a second attempt at nesting. The monitoring biologist will monitor the nest(s) during construction and document any findings.

BIO-2 Preconstruction Bat Survey: Tree removal should take place outside of the bat maternity season (April 1 through August 31) where possible. A pre-construction bat survey should be completed within the Project site no more than 14 days prior to scheduled tree removal (at any time of year) to determine if roosting bats are present within the trees. If roosting bats are determined to be present during the maternity season, tree removal shall be post-postponed until the maternity season is complete and young are volant. If individual roosting bats are determined to be present outside of the maternity season, the trees shall be removed using a two-step method where the outer limbs (or fronds) are first removed under the observation of a qualified bat biologist. After limb removal, 24 hours shall elapse before the remainder of the tree is removed.

BIO-3 Stephens' Kangaroo Rat Mitigation Fee: In accordance with City of Hemet Municipal Code 58-98(a-d) and to offset impacts to the Stephens' kangaroo rat, all applicants for development permits within the Stephens' kangaroo rat fee assessment area must pay an impact and mitigation fee of five hundred dollars (\$500.00) per gross acre located within the parcel to be developed and any offsite areas that are disturbed resulting from related Project activities. Impact and mitigation fees for single-family residential developments, wherein all lots within the development are greater than one-half gross acre in size, shall be \$250.00 per residential unit. Further coordination with the RCA regarding the mitigation fee may be required.