APPENDIX C1

HABITAT ASSESSMENT AND WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN CONSISTENCY ANALYSIS

MENIFEE EDC NORTHERN GATEWAY

CITY OF MENIFEE, RIVERSIDE COUNTY, CALIFORNIA

ROMOLAND USGS 7.5-MINUTE TOPOGRAPHIC QUADRANGLE
SECTIONS 16 AND 17, TOWNSHIP 5 SOUTH, RANGE 3 WEST
APNS: 330-180-006, -010, -012, -029, AND -046, AND 331-060-018

Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

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July 20223

MENIFEE EDC NORTHERN GATEWAY

CITY OF MENIFEE, RIVERSIDE COUNTY, CALIFORNIA

Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan Consistency Analysis

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The undersigned certify that the statements furnished in this report and exhibits present data and information required for this biological evaluation, and the facts, statements, and information presented is a complete and accurate account of the findings and conclusions to the best of our knowledge and beliefs.

Travis J. McGill
Director/Biologist

Thomas J. McGill, Ph.D.
Managing Director

July 2023

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EXHIBITS

APPENDIX

Section 1 Introduction

This report contains the findings of ELMT Consulting's (ELMT) Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) consistency analysis for the proposed Menifee EDC Northern Gateway project (project site, site) in the City of Menifee, Riverside County, California. The report was prepared to document baseline conditions and assess the potential for special-status[1] plant and wildlife species to occur within the boundaries of the proposed project that could pose a constraint to project implementation. Special attention was given to the suitability of the on-site habitat to support special-status species identified by the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDB) and other electronic databases as potentially occurring in the general vicinity of the project. Additionally, the report also addresses resources protected under the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (FGC), federal Clean Water Act (CWA) regulated by the United States Army Corps of Engineers (Corps) and Regional Water Quality Control Board (Regional Board) respectively, and Section 1602 of the FGC administered by CDFW.

The City of Menifee is a signatory to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Since the City of Menifee will be the lead agency for the proposed project, the project will need to be consistent with the rules and regulations set forth in the MSHCP. The Western Riverside County Regional Conservation Authority (RCA) MSHCP Information Map was queried to determine if the MSHCP identifies any potential survey requirements for the project. Further, the project site was reviewed against the MSHCP to determine if the site is located within any MSHCP areas including Criteria Cells (core habitat and wildlife movement corridors) or areas proposed for conservation. Based on the RCA MSHCP Information Map query and review of the MSHCP, it was determined that the project site is located within the Sun City/Menifee Valley Area Plan of the MSHCP but is not located within any Criteria Cells or MSHCP Conservation Areas. However, the project site is located within designated survey areas for burrowing owl (*Athene cunicularia*) and Narrow Endemic Plant Species Munz's onion (*Allium munzii*), San Diego ambrosia (*Ambrosia pumila*), many-stemmed dudleya (*Dudleya multicaulis*), spreading navarretia (*Navarretia fossallis*), California Orcutt grass (*Orcuttia californica*), and Wright's trichoronis (*Trichocoronis wrightii var. wrightii*).

1.1 PROJECT LOCATION

The project site is generally located west of Interstate 215, north of Interstate 15 and south and east of State Route 74 in the City of Menifee, Riverside County, California (Exhibit 1, *Regional Vicinity*). The project site is depicted on the Romoland quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map within Sections 16 and 17 of Township 5 South, Range 3 West (Exhibit 2, *Site Vicinity*).

[1] As used in this report, "special-status" refers to plant and wildlife species that are federally, State, and MSHCP listed, proposed, or candidates; plant species that have been designated with a California Native Plant Society Rare Plant Rank; wildlife species that are designated by the CDFW as fully protected, species of special concern, or watch list species; and specially protected natural vegetation communities as designated by the CDFW.

Specifically, the proposed project is composed of three disjunct sites labeled as Site 1, Site 2, and Site 3 (Exhibit 3, *Project Site*).

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 related improvements would occur on four separate accessor parcel numbers (APN: 330-180-010, -046, -029, and -006). Project Site 1 is bisected by Corsica Lane and generally bounded by a Southern California Edison (SCE) public utility corridor and McLaughlin Road to the south; single-family residential uses, Aaron Alan Drive, and Ruffian Road to the north; Goetz Road with single family residences beyond to the west; and Wheat Street to the east.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*
  Project Site 2 related improvements would occur on one parcel (APN: 330-180-012) or more specifically at 26201 Wheat Street. Project Site 2 is generally bounded by single-family residences to the south; vacant land and Ethanac Road to the north; single family residences and Ruffian Road to the west; and Wheat Street to the east.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 related improvements would occur on one parcel (APN: 331-060-018) southeast of the intersection of Ethanac Road and Evans Road. Project Site 3 is generally bounded by vacant land to the south; Ethanac Road and the City of Perris to the north; vacant land, a Riverside County flood control channel, and Barnett Road to the east; and Evans Road and a single-family residence to the west.

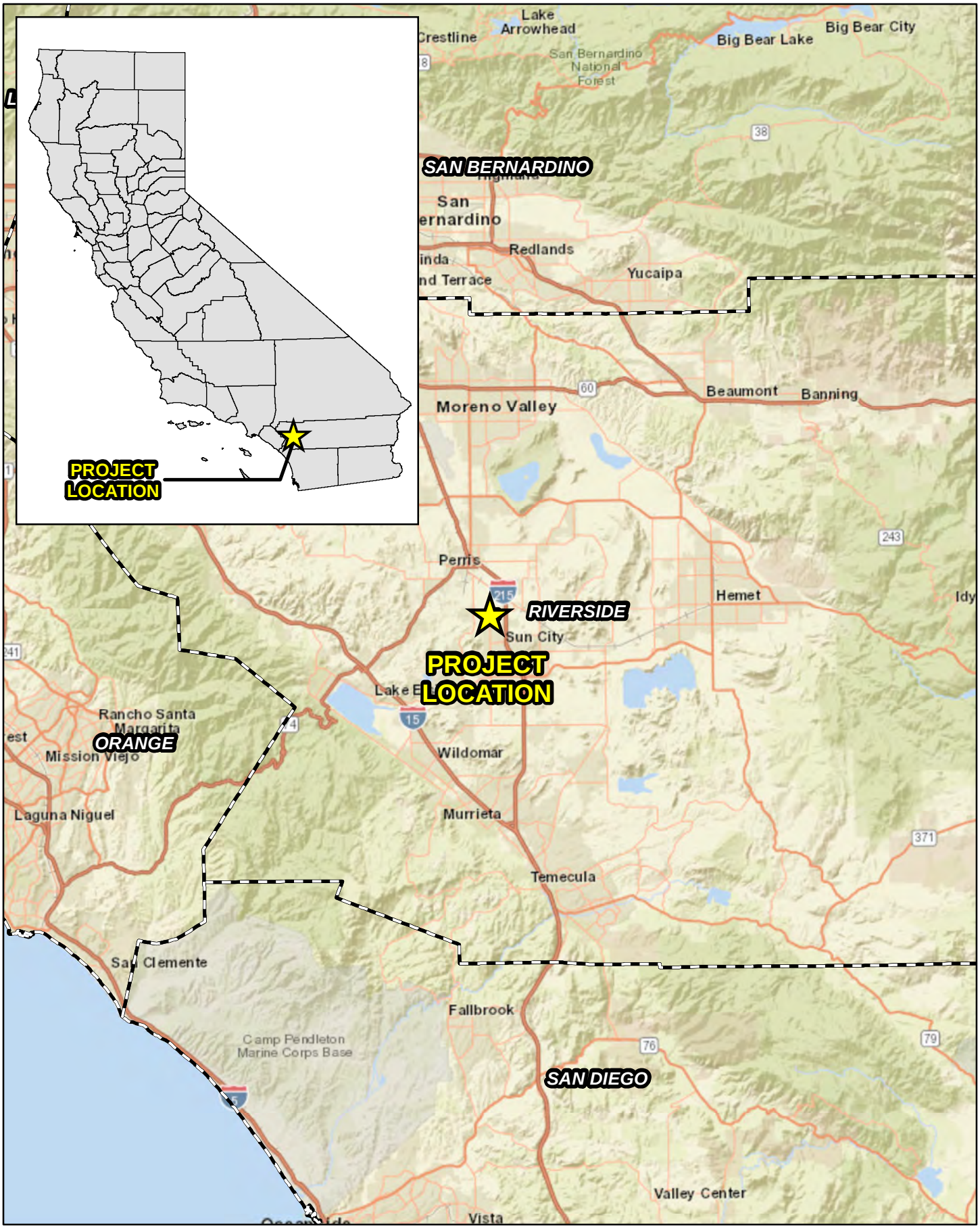
1.1 PROJECT DESCRIPTION

The Project proposes the development of approximately 489,630 square feet (SF) of industrial warehousing within five buildings on three separate sites, totaling 26.23 total gross-acres. Project Sites 1 through 3 also include associated facilities and improvements which includes loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities). Refer to the following information:

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 related improvements would occur on four separate accessor parcel numbers (APN: 330-180-010, -046, -029, and -006) totaling approximately 13.99 gross acres and includes the construction of three concrete tilt-up buildings totaling 265,058 SF. More specifically, Building 1 would total 154,831 SF, inclusive of 5,000 SF office space and proposes a structural height of 41 feet and includes 136 automobile parking spaces and 16 trailer parking spaces. Building 2 would total 80,090 SF, inclusive of 4,000 SF of office space and proposes a structural height of 41 feet and includes 80 automobile parking spaces. Lastly, Building 3 would total 30,137 SF, inclusive of 2,000 SF of office space and proposes a structural height of 39 feet and includes 31 automobile parking spaces.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*
- Project Site 2 consists of the demolition of an existing residential structure and includes the construction of one concrete tilt-up building totaling 86,676 SF , inclusive of 5,000 SF of office space and 4,500 SF of mezzanine, on approximately 4.72 gross acres. The building proposes a structural height of 40 feet and would include a total of 112 automobile parking spaces.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 would include the construction of one concrete tilt-up building totaling 137,896 SF, inclusive of 3,000 SF of office space and 3,000 of mezzanine, on approximately 7.52 gross acres. The building proposes a structural height of 43 feet and would include a total of 154 automobile parking spaces.

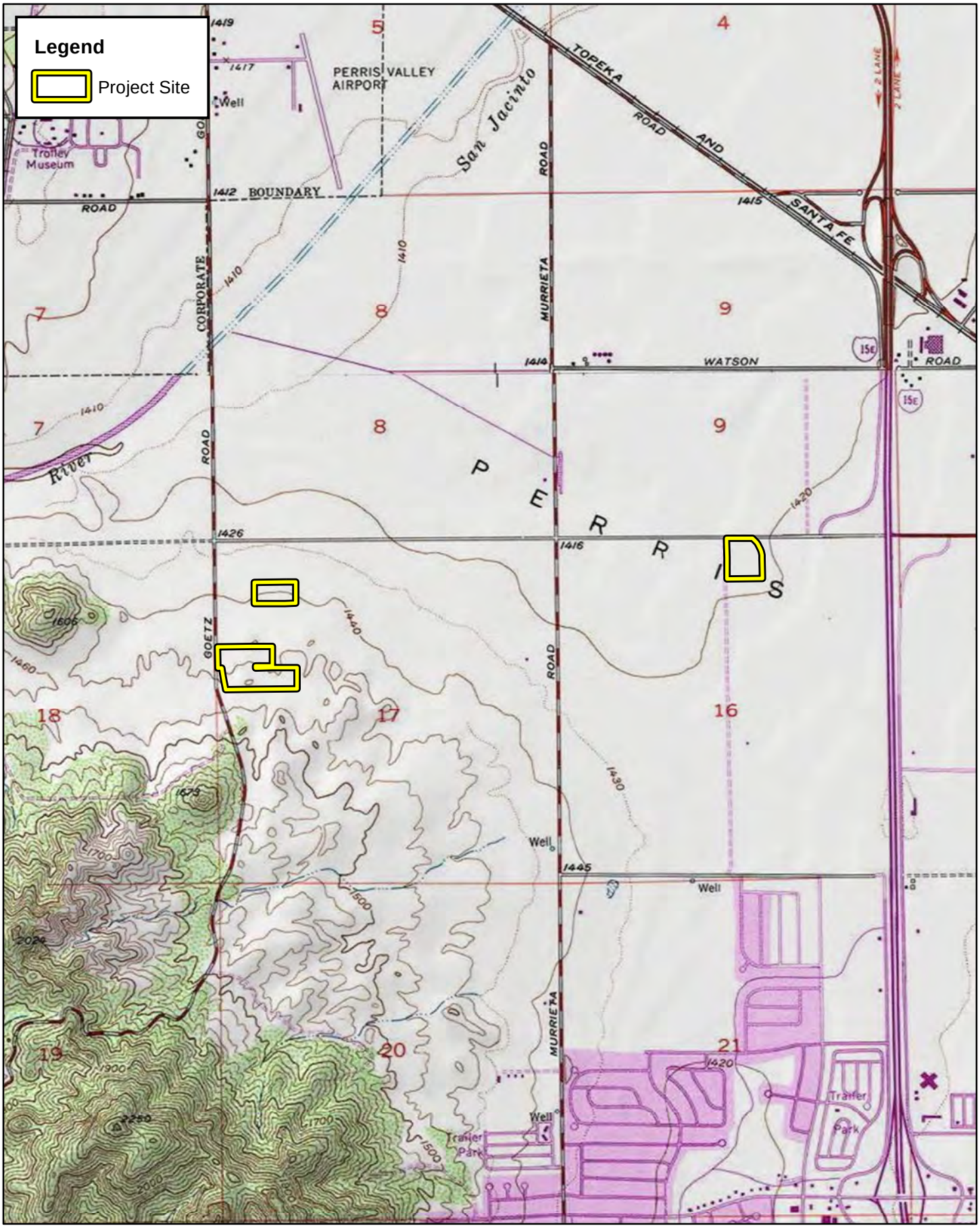


Source: World Street Map, Riverside County

MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

Regional Vicinity

Exhibit 1



MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

ELMT CONSULTING

0 1,000 2,000 4,000 Feet

Source: USA Topographic Map, Riverside County

Site Vicinity

Exhibit 2


Site 1
Site 2
Site 3
Fieldstone Dr
Goetz Rd
Murrieta Rd
Hull
Evans Rd
Ethanac Rd
Deacon St
Kuffel Rd
Geary Rd
Ruffian Rd
Crevice Way
Aaron Alan Dr
Wheat St
Byers Rd
Floyd Ave
Hull Rd
Tower Ln
Corsica Ln
Elm St
McLaughlin Rd
Juniper Ln
Camino Juarez
Starr Dr
Goodrich Dr
Mays Ct
Nova Ln
Calle Gregorio
Emiliano
Unitas Ct
Legend
Project Site

Section 2 Methodology

A literature review and records search were conducted to determine which special-status biological resources have the potential to occur on or within the general vicinity of the project site. In addition to the literature review, a general habitat assessment or field investigation was conducted. The field investigation was conducted to document existing conditions within the project site to assess the potential for special-status biological resources to occur.

2.1 LITERATURE REVIEW

Prior to conducting the field investigation, species and habitat information was gathered from the reports related to the specific project and relevant databases for the *Steele Peak*, *Perris*, *Lake Elsinore*, and *Romoland* USGS quadrangles to determine which species and/or habitats would be expected to occur on-site. These sources include:

- California Native Plant Society Electronic Inventory (CNPSEI) database;
- California Natural Diversity Database (CNDDB) *Rarefind 5*;
- CNDDB Biogeographic Information and Observation System (BIOS);
- Environmental Protection Agency (EPA) Water Program "My Waters" data layers
- Google Earth Pro historic aerial imagery (1985-2023);
- Stephen's Kangaroo Rat Habitat Conservation Plan
- United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS), Soil Survey[2];
- United States Fish and Wildlife Service (USFWS) Critical Habitat designations for Threatened and Endangered Species;
- USFWS National Wetlands Inventory (NWI);
- Western Riverside County Regional Conservation Authority (RCA) MSHCP Information Map; and
- 2006 Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area.

The literature review provided a baseline from which to inventory the biological resources potentially occurring on the project site. The CNDDB database was used, in conjunction with ArcGIS software, to locate the nearest recorded occurrences of special-status species and determine the distance from the project site.

[2] A soil series is defined as a group of soils with similar profiles developed from similar parent materials under comparable climatic and vegetation conditions. These profiles include major horizons with similar thickness, arrangement, and other important characteristics, which may promote favorable conditions for certain biological resources.

2.2 FIELD INVESTIGATION

Following the literature review, biologists Travis J. McGill and Jacob H. Lloyd Davies inventoried and evaluated the condition of the habitat within the project site on November 22, 2022. Plant communities identified on aerial photographs during the literature review were verified by walking meandering transects through the plant communities and along boundaries between plant communities.

All plant and wildlife species observed, as well as dominant plant species within each plant community, were recorded. Plant species observed during the field survey were identified by visual characteristics and morphology in the field. Unusual and less familiar plant species were photographed during the field survey and identified in the laboratory using taxonomical guides. Wildlife detections were made through observation of scat, trails, tracks, burrows, nests, and/or visual and aural observation. In addition, site characteristics such as soil condition, topography, hydrology, anthropogenic disturbances, indicator species, condition of on-site plant communities, and presence of potential jurisdictional drainage and/or wetland features were noted.

Special attention was given to special-status habitats and/or undeveloped areas, which have higher potentials to support special-status plant and wildlife species. Areas providing suitable habitat for burrowing owl were closely surveyed for signs of presence during the field survey. Methods to detect the presence of burrowing owls included direct observation, aural detection, and signs of presence including pellets, whitewash, feathers, or prey remains.

No limitations significantly affected the results and conclusions given herein. Surveys were conducted during the appropriate season to observe the target species, in good weather conditions, by a qualified biologist who followed all pertinent protocols.

2.3 SOILS SERIES ASSESSMENT

On-site and adjoining soils were researched prior to the field survey using the USDA NRCS Soil Survey for Western Riverside Area, California. In addition, a review of the local geological conditions and historical aerial photographs was conducted to assess the ecological changes that the project site has undergone.

2.4 PLANT COMMUNITIES

Plant communities were mapped using 7.5-minute USGS topographic base maps and aerial photography. The plant communities were delineated on an aerial photograph, classified in accordance with those described in the MSHCP, and then digitized into GIS Arcview. The Arcview application was used to compute the area of each plant community in acres

2.5 PLANTS

Common plant species observed during the field survey were identified by visual characteristics and morphology in the field and recorded in a field notebook. Unusual and less-familiar plants were

photographed in the field and identified in the laboratory using taxonomic guides. Taxonomic nomenclature used in this study follows the 2012 Jepson Manual (Hickman 2012). In this report, scientific names are provided immediately following common names of plant species (first reference only).

2.6 WILDLIFE

Wildlife species detected during field surveys by sight, calls, tracks, scat, or other sign were recorded during surveys in a field notebook. Field guides were used to assist with identification of wildlife species during the survey included The Sibley Field Guide to the Birds of Western North America (Sibley 2003), A Field Guide to Western Reptiles and Amphibians (Stebbins 2003), and A Field Guide to Mammals of North America (Reid 2006). Although common names of wildlife species are well-standardized, scientific names are provided immediately following common names in this report (first reference only).

2.7 JURISDICTIONAL DRAINAGES AND WETLANDS

Aerial photography was reviewed prior to conducting a field investigation in order to locate and inspect any potential natural drainage features, ponded areas, or water bodies that may fall under the jurisdiction of the United States Army Corps of Engineers (Corps), Regional Water Quality Control Board (Regional Board), or CDFW. In general, surface drainage features indicated as blue-line streams on USGS maps that are observed or expected to exhibit evidence of flow are considered potential riparian/riverine habitat and are also subject to state and federal regulatory jurisdiction. In addition, ELMT reviewed jurisdictional waters information through examining historical aerial photographs to gain an understanding of the impact of land-use on natural drainage patterns in the area. The USFWS National Wetland Inventory (NWI) and Environmental Protection Agency (EPA) Water Program “My Waters” data layers were also reviewed to determine whether any hydrologic features and wetland areas have been documented on or within the vicinity of the project site.

Section 3 Existing Conditions

3.1 LOCAL CLIMATE

The City of Menifee features a somewhat cooler version of a Mediterranean climate, or semi-arid climate, with warm, sunny, dry summers and cool, rainy, mild winters. Relative to other areas in Southern California, winters are colder chilly to cold morning temperatures with frost common. Climatological data obtained for the City of Riverside indicates the annual precipitation averages 11.11 inches per year. Almost all of the precipitation in the form of rain occurs in the months between December and April, with hardly any occurring between the months of May and September. The wettest months are January and February, with monthly average totals precipitation of 2.24 and 3.29 inches, respectively, and the driest months are June and July, both with monthly average total precipitation of 0.04 inches. The average maximum and minimum temperatures are 86- and 46-degrees Fahrenheit (°F), respectively, with July and August (monthly average high 100°F) being the hottest months and December and January (monthly average lows 34 and 35°F) being the coldest. The temperature during the site visit was in the low-60s °F with moderately cloudy skies and calm winds.

3.2 TOPOGRAPHY AND SOILS

All three sites composing the proposed project are relatively flat following decades of agricultural land uses. Site 1 is located at an approximate elevation of 1,474 to 1,456 feet above mean sea level and slopes marginally from southeast to northwest. Site 2 is located at an approximate elevation of 1,440 to 1,402 feet above mean sea level and slopes marginally from southeast to northwest. Site 3 is located at an approximate elevation of 1,425 to 1,418 feet above mean sea level and does not bear an observable slope. Based on the NRCS USDA Web Soil Survey, Site 1 is historically underlain by Auld clay (2 to 8 percent slopes) and Buchenau silt loam (2 to 8 percent slopes, eroded); Site 2 is historically underlain by Las Posas loam (2 to 8 percent slopes); and Site 3 is historically underlain by Exeter sandy loam (0 to 2 percent slopes) and Madera fine sandy loam (0 to 2 percent slopes). Refer to Exhibit 4, *Soils*. Soils underlying all three sites have been mechanically disturbed and heavily compacted from historic land uses (i.e., agricultural activities, grading activities, and weed abatement).

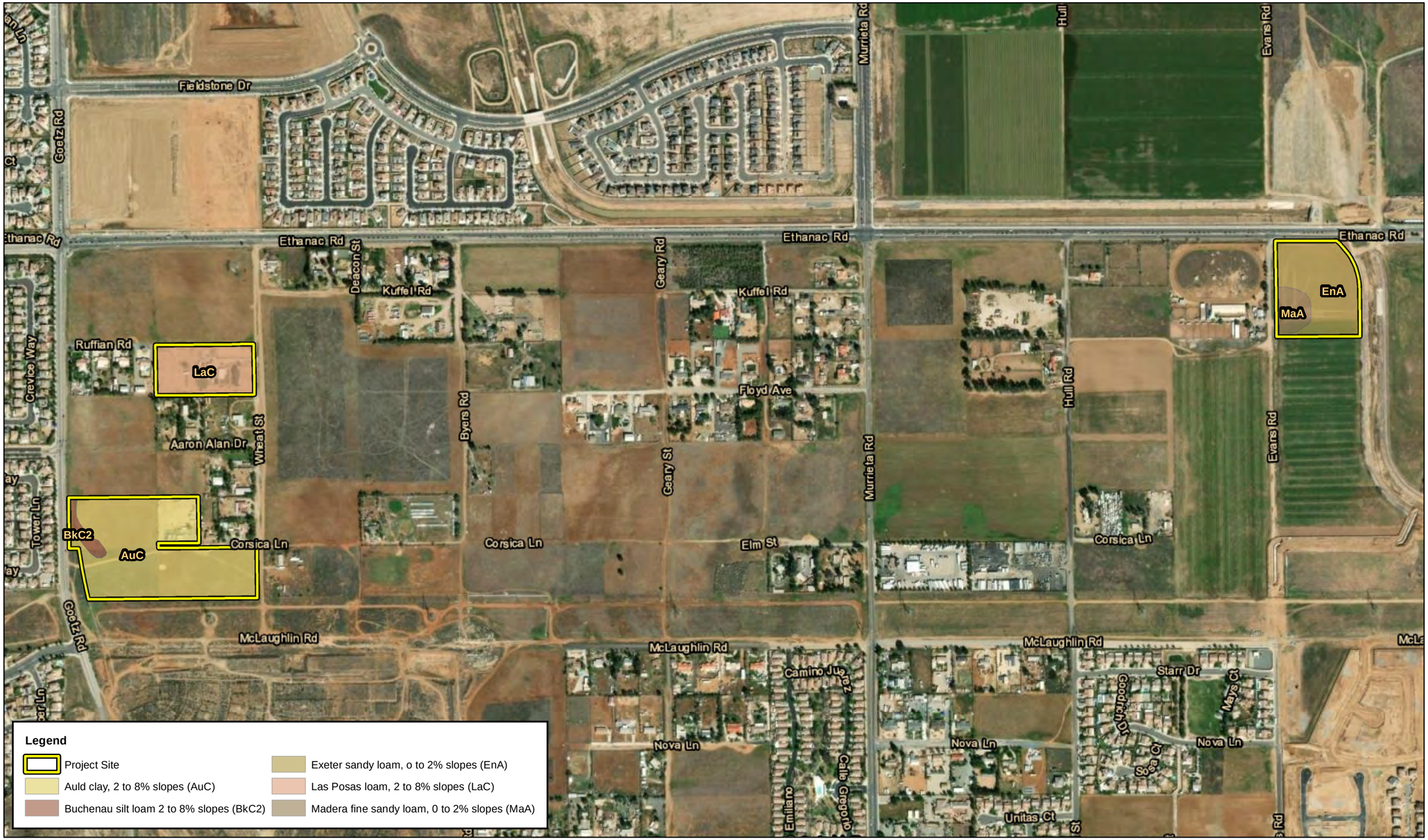
3.3 SURROUNDING LAND USES

The project site occurs in a gradually urbanizing area that supports some primarily tract home developments and undeveloped parcels. Historically, the entire area supported agricultural land uses and associated facilities and residences. While some agricultural operations remain active in the vicinity of the project, the majority of undeveloped land in the vicinity of the sites is vacant.

At present, Site 1 is bounded to the north by undeveloped, vacant land; to the northeast by residential development; to the east by Wheat Street with residential development beyond; to the south by undeveloped land supporting a high-voltage transmission line; and to the west by Goetz Road and undeveloped, vacant land with residential development beyond.

Site 2 is bounded to the north by undeveloped, vacant land; to the east by Wheat Street undeveloped, vacant land beyond; and to the south and west by residential development.

Site 3 is bounded to the north by Ethanac Road with an earthen flood control channel beyond; to the east by the same earthen flood control channel; to the west by Evans Road with residential and equestrian development beyond; and to the south and southwest by active agriculture.



ELMT CONSULTING

0 125 250 500 Feet

Source: ESRI Aerial Imagery, Soil Survey Geographic Database, Riverside County

MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

Soils

Exhibit 4

Section 4 Discussion

4.1 SITE CONDITIONS

All three sites associated with the proposed project historically supported agricultural land uses and associated structures and residential development. Undeveloped land within the boundaries of the proposed project have been subject to a variety of anthropogenic disturbances associated with historic agricultural activities, routine weed abatement, and on-site and/or surrounding development. Historic aerials indicate that these activities have been ongoing since at least 1966.

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 is 13.99 gross-acre site that consists of predominately vacant undeveloped land, one single-family residence, one accessory outbuilding, and one awning, and a portion of Corsica Lane.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*
  Project Site 2 is a 4.72 gross-acre site that consists of vacant land, after the recent removal of a single-family residence and three outbuildings and the abandonment of a water well and septic system.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 is a 7.52 gross-acre site that consists of vacant land partially used for agricultural purposes in conjunction with the adjacent property to the south. Manure, presumed to be used during farming activity, is present at the northern portion of the Project site.

The disturbances outlined above have eliminated the natural plant communities that historically occurred within each site and the surrounding area. As a result, no native plant communities occur within the boundaries of the proposed project, nor will any native plant communities be impacted from project implementation. Refer to Appendix A, *Site Photographs*, for representative site photographs of the project site.

4.2 VEGETATION

No native plant communities occur within the boundaries of the proposed project. The project sites support two (2) land cover types that would be classified as disturbed and developed. Refer to Exhibit 5, *Vegetation*. The land cover types are described in further detail below.

4.2.1 Disturbed

Undeveloped portions of the project sites support disturbed land that is subject to routine weed abatement regimes, which prevent the establishment of natural plant communities. In the absence of weed abatement regimes, some disturbed portions of the sites may eventually be expected to support a non-native grassland plant community, as non-native grasses quickly outcompete other species. Disturbed portions of the sites vary in vegetative density from barren to dense monocultures based on the frequency and intensity of routine disturbances. The disturbed portions of the sites are dominated by non-native weedy/early

successional species such as slender oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), Bermuda grass (*Cynodon dactylon*), red-stemmed filaree (*Erodium cicutarum*), cheeseweed (*Malva parviflora*), alfalfa (*Medicago sativa*), and Russian thistle (*Salsola tragus*). Other common plant species observed in the disturbed portions of the proposed project include tree of heaven (*Ailanthus altissima*), fiddleneck (*Amsinckia* sp.), tocalote (*Centaurea melitensis*), California aster (*Corethrogyne filaginifolia*), doveweed (*Croton setigerus*), coyote melon (*Cucurbita palmata*), carrot (*Daucus* sp.), flax-leaved horseweed (*Erigeron bonariensis*), rattlesnake sandmat (*Euphorba albamarginata*), smallseed sandmat (*Euphorbia polycarpa*), hairy-leaved sunflower (*Helianthus annuus*), Mediterranean mustard (*Hirschfeldia incana*), prickly lettuce (*Lactuca seriola*), Mexican palo verde (*Parkinsonia aculeata*), fountain grass (*Pennisetum setaceum*), prostrate knotweed (*Polygonum aviculare*), and vinegarweed (*Trichostema lanceolatum*).

4.2.2 Developed

The northeast corner of Site 1 supports an existing residential development and equestrian land uses. This area is maintained to be free of vegetation with the exception of non-native ornamental plant species used in landscaping such as plane tree (*Platanus X* sp.), oleander (*Nerium oleander*), Mexican palo verde, and rosemary (*Salvia rosmarinus*).

4.3 WILDLIFE

Plant communities provide foraging habitat, nesting and denning sites for wildlife species, and shelter from adverse weather or predation. This section provides a discussion of wildlife species that were observed during the field survey or that are expected to occur within the project site. The discussion is to be used as a general reference and is limited by the season, time of day, and weather condition in which the field survey was conducted. Wildlife detections were based on calls, songs, scat, tracks, burrows, and direct observation.

4.3.1 Fish

No fish or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for fish were observed on the project site. Therefore, no fish are expected to occur and are presumed absent from the project site.

4.3.2 Amphibians

No amphibians or hydrogeomorphic features (e.g., perennial creeks, ponds, lakes, reservoirs) that would provide suitable habitat for amphibian species were observed on or within the vicinity of the project site. Therefore, no amphibians are expected to occur and are presumed absent from the project site.

4.3.3 Reptiles

The project site provides limited foraging and cover habitat for local reptile species adapted to degraded conditions and routine anthropogenic disturbance. The only reptilian species observed during the field investigation was side-blotched lizard (*Uta stansburiana elegans*). Other common reptilian species expected to occur on-site include Great Basin fence lizard (*Sceloporus occidentalis longipes*) and southern

alligator lizard (*Elgaria multicarinata*). Due to the high level of anthropogenic disturbances on-site, and surrounding development, no special-status reptilian species are expected to occur on-site.

4.3.4 Birds

The project sites and surrounding area provide suitable foraging habitat for local avian species adapted to degraded conditions and routine anthropogenic disturbance. Suitable nesting opportunities are present in the surrounding area and suitable nesting conditions for ground-nesting avian species are present on-site. Avian species observed on-site during the field investigation include red-winged blackbird (*Agelaius phoeniceus*), American pipit (*Anthus rubescens*), great egret (*Ardea alba*), red-tailed hawk (*Buteo jamaicensis*), Anna's hummingbird (*Calypte anna*), rock pigeon (*Columba liva*), common raven (*Corvus corax*), Brewer's blackbird (*Euphagus cyanocephalus*), American kestrel (*Falco sparverius*), house finch (*Haemorhous mexicanus*), song sparrow (*Melospiza melodia*), Say's phoebe (*Sayornis saya*), lesser goldfinch (*Spinus psaltria*), Eurasian collared dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), western kingbird (*Tyrannus verticalis*), mourning dove (*Zenaida macroura*), and white-crowned sparrow (*Zonotrichia leucophrys*). In addition, free-roaming chickens (*Gallus domesticus*) were observed near the residential and equestrian development adjacent to Site 3.

4.3.5 Mammals

The project provides limited foraging and cover habitat for mammalian species adapted to degraded conditions and routine anthropogenic disturbance. Mammalian species observed on-site during the field investigation included coyote (*Canis latrans*), pocket gopher (*Thomomys bottae*), California ground squirrel (*Otospermophilus beecheyi*), and domestic cats (*Felis catus*) and dogs (*Canis familiaris*). Free-roaming domestic cats and dogs are present within adjacent residential developments. No bat species are expected to occur due to a lack of suitable roosting habitat (i.e., suitable trees, crevices, abandoned structures) within the project site.

4.4 NESTING BIRDS

No active nests or birds displaying nesting behavior were observed during the field survey, which was conducted outside of the breeding season. Although heavily disturbed, the project site and surrounding area have the potential to provide nesting habitat for year-round and seasonal avian residents, as well as migrating songbirds that could occur in the area that area adapted to urban environments. Additionally, the disturbed portions of the sites have the potential to support birds that nest on the open ground such as killdeer (*Charadrius vociferus*).

Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.5, 3511, and 3513 prohibit the take, possession, or destruction of birds, their nests or eggs). If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted prior to the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction.

4.5 WILDLIFE CORRIDORS AND LINKAGES

Habitat linkages provide links between larger undeveloped habitat areas that are separated by development. Wildlife corridors are similar to linkages but provide specific opportunities for animals to disperse or migrate between areas. A corridor can be defined as a linear landscape feature of sufficient width to allow animal movement between two comparatively undisturbed habitat fragments. Adequate cover is essential for a corridor to function as a wildlife movement area. It is possible for a habitat corridor to be adequate for one species yet inadequate for others. Wildlife corridors are significant features for dispersal, seasonal migration, breeding, and foraging. Additionally, open space can provide a buffer against both human disturbance and natural fluctuations in resources.

The project site has not been identified as occurring in a wildlife corridor or linkage. The nearest linkage to project, as identified by the MSHCP, occurs approximately 0.32 miles to the southwest of Site 1 and 0.53 miles to the northwest of Site 2 in association with the San Jacinto River and adjacent hills that surround Quail Valley. The proposed project will be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors and linkages as there are no riparian corridors, creeks, or useful patches of steppingstone habitat (natural areas) within or connecting the site to any recognized wildlife corridor or linkage. As such, implementation of the proposed project is not expected to impact wildlife movement opportunities and no impacts to wildlife corridors or linkages are expected to occur.

4.6 STATE AND FEDERAL JURISDICTIONAL AREAS

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates discharge of dredge and/or fill materials into “waters of the United States” pursuant to Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the Regional Board regulates discharges into surface waters pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act and the CDFW regulates alterations to streambed and associated plant communities pursuant to Section 1602 of the California Fish and Game Code.

No jurisdictional drainages and/or wetland features were observed within site boundaries during the field investigation. Further, no blueline streams have been recorded on or adjacent to the project site. While an earthen flood control channel is present near the eastern boundary of Site 3, project activities are not expected to impact the channel. Therefore, development of the project will not result in impacts to Corps, Regional Board, or CDFW jurisdiction and regulatory approvals will not be required.

4.7 SPECIAL-STATUS BIOLOGICAL RESOURCES

A records search was conducted reported locations of special-status plant and wildlife species as well as natural communities of special concern in the *Steele Peak, Perris, Lake Elsinore,* and *Romoland* USGS 7.5-minute quadrangles. These four quadrangles were used due to the proximity of the site to quadrangle boundaries and regional topography. Special-status plant and wildlife species were evaluated for their potential to occur within the project site based on habitat requirements, availability, and quality of suitable habitat, and known distributions. Thirty-two (32) specials status plant species, eighty-nine (89) special-status wildlife species, and three (3) special-status plant communities have been recorded in the *Steele Peak,*

Perris, *Lake Elsinore*, and *Romoland* USGS 7.5-minute quadrangles. Species determined to have the potential to occur within the general vicinity are provided in Appendix B, *Potentially Occurring Special-Status Biological Resources.*

4.7.1 Special-Status Plants

According to the CNDDB and CNPS, thirty-two (32) special-status plant species have been recorded in the *Steele Peak, Perris, Lake Elsinore,* and *Romoland* quadrangles (refer to Appendix B). No special-status plant species were observed on the project site during the field investigation. The project site and surrounding area have been subject to decades of anthropogenic disturbances which have removed native plant communities that historically occurred. Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the site has a low potential to support paniculate tarplant (*Deinandra paniculata*). It was further determined that the site does not have potential to support any of the other special-status plant species known to occur in the vicinity of the site and all are presumed to be absent.

Paniculate tarplant is neither federally nor state listed as threatened or endangered. It is designated as a CNPS Rare Plant Rank 4.2 species. While the historic and ongoing land uses supported by the project site have removed the natural plant communities that once occurred in the area, paniculate tarplant is known to tolerate degraded conditions and is commonly found in disturbed areas in western Riverside County. As such, paniculate tarplant was determined to have a low potential to occur within the project site. Since all three sites are isolated from undeveloped natural areas known to be occupied by paniculate tarplant, any paniculate tarplant individuals occurring on-site are not expected to contribute meaningfully to the conservation of the species, if present. No mitigation obligations specific to these species are expected.

4.7.2 Special-Status Wildlife

According to the CNDDB, eighty-nine (89) special-status wildlife species have been reported in the *Steele Peak, Perris, Lake Elsinore,* and *Romoland* quadrangles (refer to Appendix B). The only special-status wildlife species observed during the field investigation was great egret (*Ardea alba*). Based on habitat requirements for specific species and the availability and quality of on-site habitats, it was determined that the project site has a high potential to support Cooper's hawk (*Accipiter cooperii*), sharp-shinned hawk (*Accipiter striatus*), Costa's hummingbird (*Calypte costae*), and California horned lark (*Eremophila alpestris actia*); a moderate potential to support ferruginous hawk (*Buteo regalis*), Swainson's hawk (*Buteo swainsoni*), northern harrier (*Circus hudsonius*), and white-tailed kite (*Elanus leucurus*); and a low potential to support great blue heron (*Ardea herodias*), snowy egret (*Egretta thula*), western mastiff bat (*Eumops perotis californicus*), prairie falson (*Falco mexicanus*), loggerhead shrike (*Lanius ludovicianus*), and Lawrence's goldfinch (*Spinus lawrencei*). It was further determined that the project sites do not have the potential to support any of the remaining special-status wildlife species known to occur in the vicinity and all are presumed to be absent.

Of the aforementioned species, only Swainson’s hawk is state listed as Threatened. None of the other aforementioned species are federally or state listed as threatened or endangered; however, white-tailed kite is fully protected under the California Endangered Species Act. Of the aforementioned avian species, only Costa’s hummingbird and California horned lark have the potential to nest on-site as suitable nesting habitat

is present for these species. The remaining avian species are not expected to nest on-site due to the lack of suitable nesting opportunities or regional differences for their respective breeding range. Further, the majority of the aforementioned species are only expected to occur on-site while foraging due to the absence of suitable nesting/roosting opportunities and degree and type of routine on-site and surrounding disturbance.

To ensure impacts to aforementioned avian species do not occur from implementation of the proposed project, a pre-construction nesting bird clearance survey shall be conducted prior to ground disturbance. With implementation of the pre-construction nesting bird clearance survey, impacts to the aforementioned species will be less than significant and no mitigation will be required.

4.7.3 Special-Status Plant Communities

The CNDDB lists three (3) special-status habitats as being identified within the *Steele Peak, Perris, Lake Elsinore,* and *Romoland* quadrangles: Southern Coast Live Oak Riparian Forest, Southern Cottonwood Willow Riparian Forest, and Southern Sycamore Alder Riparian Woodland, which do not occur on the project site. No CDFW special-status plant communities occur within the boundaries of the project site.

4.8 CRITICAL HABITAT

Under the federal Endangered Species Act, "Critical Habitat" is designated at the time of listing of a species or within one year of listing. Critical Habitat refers to specific areas within the geographical range of a species at the time it is listed that include the physical or biological features that are essential to the survival and eventual recovery of that species. Maintenance of these physical and biological features requires special management considerations or protection, regardless of whether individuals or the species are present or not. All federal agencies are required to consult with the USFWS regarding activities they authorize, fund, or permit which may affect a federally listed species or its designated Critical Habitat. The purpose of the consultation is to ensure that projects will not jeopardize the continued existence of the listed species or adversely modify or destroy its designated Critical Habitat. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing is on federal lands, uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highways Administration or a CWA Permit from the Corps). If there is a federal nexus, then the federal agency that is responsible for providing the funding or permit would consult with the USFWS.

The project site is not located with federally designated Critical Habitat (Exhibit 6, *Critical Habitat*). The closest designated Critical Habitat is located approximately 0.32 miles to the south of Site 1 for coastal California gnatcatcher (*Polioptila californica californica*) and 0.85 miles north of Site 2 for spreading navarretia (*Navarretia fossallis*). Therefore, the loss or adverse modification of Critical Habitat will not occur as a result of the proposed project and consultation with the USFWS will not be required for impacts to Critical Habitat.

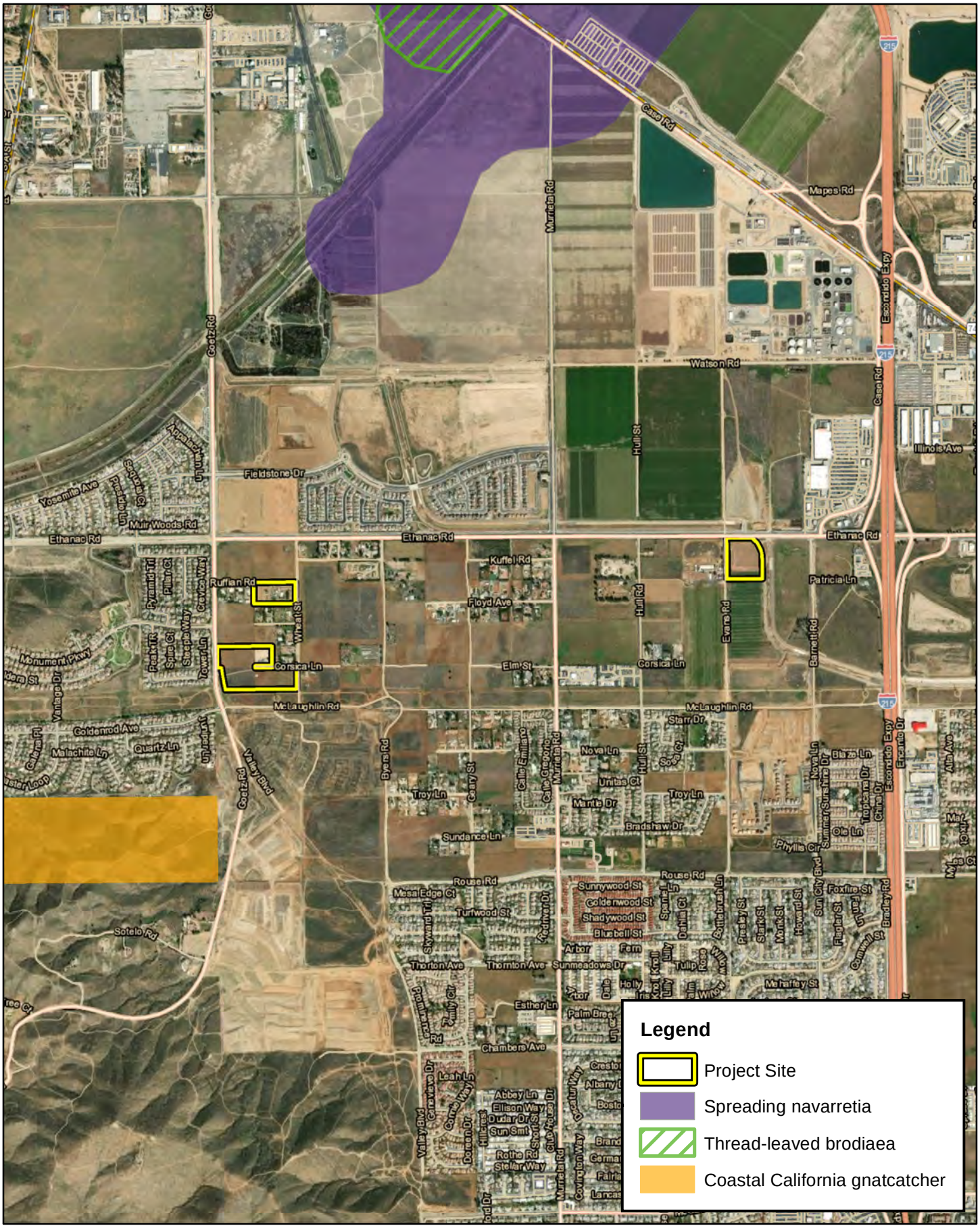
0 125 250 500 Feet

Source: ESRI Aerial Imagery, Riverside County

MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

Vegetation

Exhibit 5



MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

Critical Habitat

ELMT CONSULTING

0 1,000 2,000 4,000 Feet

Source: ESRI Aerial Imagery, USFWS Critical Habitat, Riverside County

Exhibit 6

Section 5 MSHCP Consistency Analysis

The project site is located in the Mead Valley Area Plan of the MSHCP, but is not located within any Criteria Cells or designated conservation areas (Exhibit 7, *MSHCP Conservation Areas*). Additionally, the project site is located within the following designated survey areas as identified by the MSHCP:

- Amphibian — Not in an amphibian survey area
- Owls — Burrowing Owl
- Criteria Area Species — Not in a criteria area species survey area
- Mammals — Not in a mammal survey area
- Narrow Endemic Plants — Munz's onion, San Diego ambrosia, many-stemmed dudleya, California Orcutt grass, Wright's trichoronis

Since the City of Menifee is a permittee under the MSHCP and, while the project is not specifically identified as a Covered Activity under Section 7.1, *Covered Activities Outside Criteria Area and PQP Lands*, of the MSHCP, public and private development that are outside of Criteria Areas and Public/Quasi-Public (PQP)[3] Lands are permitted under the MSHCP, subject to consistency with MSHCP policies that apply to area outside of Criteria Areas. As such, to achieve coverage, the project must be consistent with the following policies of the MSHCP:

- 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;
- The policies for the protection of Narrow Endemic Plant Species as set forth in Section 6.1.3;
- The Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4; and
- The requirements for conducting additional surveys as set forth in Section 6.3.2

5.1 RIPARIAN/RIVERINE AREAS AND VERNAL POOLS

5.1.1 Riparian/Riverine Areas

As defined under Section 6.1.2 of the MSHCP, *Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools,* riparian/riverine areas are areas dominated by trees, shrubs, persistent emergent plants, or emergent mosses and lichens which occur close to or are dependent upon nearby freshwater, or areas with freshwater flowing during all or a portion of the year. Conservation of these areas is intended to protect habitat that is essential to a number of listed or special-status water-dependent fish, amphibian, avian, and plant species. Any alteration or loss of riparian/riverine habitat from development of a Project will require the preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) analysis to ensure the replacement of any lost functions and values of habitats in regard to the

[3] PQP Lands are a subset of MSHCP Conservation Area lands totaling approximately 347,000 acres of lands known to be in public/private ownership and expected to be managed for open space value and/or in a manner that contributes to the Conservation of Covered Species (including lands contained in existing reserves). The acreage of PQP Lands has been accounted for in the MSHCP tracking process for assembling the Conservation Area.

listed species. This assessment is independent from considerations given to waters of the United States and waters of the State under the CWA, the California Porter-Cologne Water Quality Control Act, and CDFW jurisdictional streambed under the California Fish and Game Code.

No jurisdictional drainages, riparian/riverine and/or wetland features were observed within the project site during the field investigation. Development of the proposed project will not result in impacts to riparian/riverine habitats and a DBESP will not be required for the loss of riparian/riverine habitat from development of the proposed project. Therefore, the project is consistent with Section 6.1.2 of the MSHCP.

5.1.2 Vernal Pools

Vernal pools are seasonally inundated, ponded areas that only form in regions where specialized soil and climatic conditions exist. During fall and winter rains typical of Mediterranean climates, water collects in shallow depressions where downward percolation of water is prevented by the presence of a hard pan or clay pan layer (duripan) below the soil surface. Later in the spring when rains decrease and the weather warms, the water evaporates, and the pools generally disappear by May. The shallow depressions remain relatively dry until late fall and early winter with the advent of greater precipitation and cooler temperatures. Vernal pools provide unusual "flood and drought" habitat conditions to which certain plant and wildlife species have specifically adapted as well as invertebrate species such as fairy shrimp.

One of the factors for determining the suitability of the habitat for fairy shrimp would be demonstrable evidence of seasonal ponding in an area of topographic depression that is not subject to flowing waters. These astatic pools are typically characterized as vernal pools. More specifically, vernal pools are seasonal wetlands that occur in depression areas without a continual source of water. They have wetland indicators of all 3 parameters (soils, vegetation, and hydrology) during the wetter portion of the growing season but normally lack wetland indicators of hydrology and/or vegetation during the drier portion of the growing season. Obligate hydrophytes and facultative wetlands plant species are normally dominant during the wetter portion of the growing season. The determination that an area exhibits vernal pool characteristics and the definition of the watershed supporting vernal pool hydrology is made on a case-by-case basis. Such determinations should consider the length of time the area exhibits upland and wetland characteristics and the manner in which the area fits into the overall ecological system as a wetland. The seasonal hydrology of vernal pools provides for a unique environment, which supports plants and invertebrates specifically adapted to a regime of winter inundation, followed by an extended period when the pool soils are dry.

The MSHCP lists two general classes of soils known to be associated with special-status plant species; clay soils and Traver-Domino Willow association soils. The specific clay soils known to be associated with special-status species within the MSHCP plan area include Bosanko, Auld, Altamont, and Porterville series soils, whereas Traver-Domino Willows association includes saline-alkali soils largely located along floodplain areas of the San Jacinto River and Salt Creek. Without the appropriate soils to create the impermeable restrictive layer, none of the special-status species associated with vernal pools can occur on the project site. Auld clay (2 to 8 percent slopes) and Buchenau silt loam (2 to 8 percent slopes, eroded) are mapped as historically underlying Site 1. However, agricultural land uses spanning much of the past century have mixed and compacted on-site soils such that conditions suitable for the formation of vernal pools are no longer present.

A review of recent and historic aerial photographs (1966-2018) of the project site did not provide visual evidence of an astatic or vernal pool conditions within the project site. No ponding was observed during the field investigation, further supporting the fact that the drainage patterns currently occurring on the project site do not follow hydrologic regime needed for vernal pools. From this review of historic aerial photographs and observations during the field investigations, it can be concluded that there is no indication of vernal pools or suitable fairy shrimp habitat occurring within the proposed project site.

Below is a summary of the fairy shrimp known to occur in Western Riverside County and their potential to occur on-site.

Riverside fairy shrimp (*Streptocephalus woottoni*)

Riverside fairy shrimp are restricted to deep seasonal vernal pools, vernal pool like ephemeral ponds, and stock ponds and other human modified depressions The prefer warm-water pools that have low to moderate dissolved solids, are less predictable, and remained filled for extended periods of time. Basins that support Riverside fairy shrimp are typically dry a portion of the year, but usually are filled by late fall, winter or spring rains, and may persist through May. Know habitat occur within annual grasslands, which may be interspersed through chaparral or coastal sage scrub vegetation. In Riverside County, Riverside fairy shrimp have been found in pools formed over the following soils: Murrieta stony clay loams, Las Posas series, Wyman clay loam, and Willows soils.

Site 2 is underlain by Las Posas loam (2 to 8 percent slopes). However, agricultural land uses spanning much of the past century have mixed and compacted on-site soils such that conditions suitable for the formation of vernal pools are no longer present, and no indicators of water ponding or astatic water conditions were observed during the field investigation. Therefore, the site was determined not to provide suitable habitat for Riverside fairy shrimp.

Santa Rosa Plateau fairy shrimp (*Linderiella santarosae*)

Santa Rosa Plateau fairy shrimp are restricted to seasonal southern basalt flow vernal pools with cool clear to milky waters that are moderately predictable and remain filled for extended periods of time and are known only from vernal pool on the Santa Rosa Plateau. Since the project site is not located within the known area where Santa Rosa Plateau fairy shrimp have been documented, and no indicators of water ponding or astatic water conditions were observed on site. Therefore, the site was determined not to provide suitable habitat for Santa Rosa Plateau fairy shrimp.

Vernal pool fairy shrimp (*Branchinecta lynchi*)

Vernal pool fairy shrimp are restricted to seasonal vernal pools (vernal pools and alkali vernal pools) and prefer cool-water pools that have low to moderate dissolved solids, are unpredictable, and often short lived. The vernal pool fairy shrimp is known from four locations in Western Riverside County MSHCP Plan Area: Skunk Hollow, the Santa Rosa Plateau, Salt Creek, and the vicinity of the Pechanga Indian Reservation. Since the project site is not located within or adjacent to the four know populations, and no indicators of water ponding or astatic water conditions were observed on site. Therefore, the site was determined not to provide suitable habitat for vernal pool fairy shrimp.

5.2 NARROW ENDEMIC PLANT SPECIES

Section 6.1.3 of the MSHCP, *Protection of Narrow Endemic Plant Species*, states that the MSHCP database does not provide sufficient detail to determine the extent of the presence/distribution of Narrow Endemic Plant Species within the MSHCP Plan Area. Additional surveys may be needed to gather information to determine the presence/absence of these species to ensure that appropriate conservation of these species occurs. Based on the RCA MSHCP Information Map query and review of the MSHCP, it was determined that the project site is located within the designated survey area for Narrow Endemic Plant Species Munz's onion, San Diego ambrosia, many-stemmed dudleya, spreading navarretia, California Orcutt grass, and Wright's trichoronis as depicted in Figure 6-1 within Section 6.1.3 of the MSHCP. Based on the results of the literature review, the project site has not supported natural plant communities since at least 1966. Based on the results of the field investigation, the project site does not provide suitable habitat for these MSHCP listed Narrow Endemic Plant Species.

Munz's onion (*Allium munzii*)

Munz's onion (CNPS Rare Plant Rank 1B.1, federally and State threatened) is a slender plant that grows from a reddish bulb and produces a single stem. This species is found in heavy, often rocky, clay soils within grasslands and openings of coastal sage scrub on Elsinore Peak and in native grasslands and openings of chaparral in the Temescal Valley near Lake Elsinore. It grows in elevations ranging from 1,200 to 2,700 feet in elevation. It is endemic to western Riverside County and as of 2014, nineteen occurrences are presumed to still exist in the county. The project site is not located within any of the known occurrences of Munz's onion. Portions of the project site are historically underlain by soils that have the potential to provide suitable habitat for Munz's onion. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for Munz's onion. As a result, the project site was determined to have a low potential to provide suitable habitat for Munz's onion. No further surveys are recommended.

San Diego Ambrosia (*Ambrosia pumila*)

San Diego ambrosia, a federally endangered species, occurs in open habitats in coarse substrates near drainages, and in upland areas on clay slopes or on the dry margins of vernal pools. This species occurs in a variety of associations that are dominated by sparse grasslands or marginal wetland habitats such as river terraces, pools, and alkali playas. In Riverside County, San Diego ambrosia is associated with open, gently sloped grasslands and is generally associated with alkaline soils. Three populations of San Diego ambrosia have been mapped in Riverside County. The project site is not located within any of the known occurrences of San Diego ambrosia. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for San Diego ambrosia. As a result, the project site was determined to have a low potential to provide suitable habitat for San Diego ambrosia, and no further surveys are recommended.

Many-stemmed dudleya (*Dudleya multicaulis*)

Many-stemmed dudleya (CNPS Rare Plant Rank 1B.2) is a succulent plant also known by the common name many-stemmed live-forever. It is a small plant with a basal rosette of 6 to 15 grass-like fleshy leaves that grow 4 to 15 cm long and 2 to 6 mm wide. The flowers are a lemon yellow color and flower between the months of April to June. It grows in elevations ranging from 48 to 2,528 feet. Many-stemmed dudleya grows in heavy clay and rocky soils in barren areas within coastal sage scrub and chaparral habitats. It is endemic to southern California with most of the known occurrences being in Orange County. The project site is not located within any of the known occurrences of many-stemmed dudleya. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for many-stemmed dudleya. As a result, the project site was determined to have a low potential to provide suitable habitat for many-stemmed dudleya, and no further surveys are recommended.

Spreading Navarretia (*Navarretia fossallis*)

Spreading navarretia is a federally threatened species that is associated with vernal pools and depressions and basins in areas that once supported vernal pools. In western Riverside County, spreading navarretia has been found within vernal floodplains dominated by annual alkali grassland or alkali playa. The vernal pool habitat found in the Hemet area is based primarily on silty clay soils in the Willows and Travers series. Spreading navarretia is an annual herb that blooms from April to June. The project site is not located within any of the known occurrences of spreading navarretia. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for spreading navarretia. As a result, the project site was determined to have a low potential to provide suitable habitat for spreading navarretia, and no further surveys are recommended.

California Orcutt Grass (*Orcuttia californica*)

California Orcutt grass is a federally and State endangered species that is associated with vernal pools. In Riverside County, this species is found in southern basaltic claypan vernal pools and alkaline vernal pools. It is an annual herb that blooms from April to August. In Riverside County it is known to occur in Upper Salt Creek, Skunk Hollow, and the Santa Rosa Plateau. The project site is not located within any of the known occurrences of California Orcutt grass. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for California Orcutt grass. As a result, the project site was determined to have a low potential to provide suitable habitat for California Orcutt grass, and no further surveys are recommended.

Wright's trichocoronis (*Trichocoronis wrightii var. wrightii*)

Wright's trichocoronis is a CNPS 2.1 species. It is an annual herb that blooms from May to September and occurs in marshes, riparian forest, meadows, seeps, and vernal pools. In western Riverside County, Wright's trichocoronis is found in the alkali vernal plains and associated with alkali playa, alkali annual grassland, and alkali vernal pool habitats. This species occupies the more mesic portions of these habitats. Wright's trichocoronis is known from four locations along the San Jacinto River in the vicinity of the Ramona and

Expressway and San Jacinto Wildlife Area. The project site is not located within any of the known occurrences of Wright's trichocoronis. However, historical agricultural activities and routine anthropogenic disturbances spanning much of the past century have contaminated and heavily mixed and compacted the soils within the project site, such that they no longer have the potential to provide suitable habitat for Wright's trichocoronis. As a result, the project site was determined to have a low potential to provide suitable habitat for Wright's trichocoronis, and no further surveys are recommended.

5.3 URBAN/WILDLANDS INTERFACE GUIDELINES

Section 6.1.4 of the MSHCP, *Guidelines Pertaining to Urban/Wildlands Interface*, is intended to address indirect effects associated with development in proximity to MSHCP Conservation Areas. The Urban/Wildlife Interface Guidelines are intended to ensure that indirect project-related impacts to the MSHCP Conservation Area, including drainage, toxics, lighting, noise, invasive plant species, barriers, and grading/land development, are avoided or minimized. The project site is not located within or in close proximity of any Criteria Cells or designated conservation areas. Therefore, the proposed project will not need to comply with the Urban/Wildlands Interface Guidelines.

5.4 ADDITIONAL MSHCP CONSIDERATIONS

In accordance with Section 6.3.2 of the MSHCP, *Additional Survey Needs and Procedures*, additional surveys may be needed for certain species in order to achieve coverage for these species. The query of the RCA MSHCP Information Map and review of the MSHCP determined that the project site is located within the designated survey area for burrowing owl as depicted in Figure 6-4 within Section 6.3.2 of the MSHCP. No other special-status wildlife species surveys were identified.

Burrowing Owl

Burrowing owl is currently designated as a California Species of Special Concern. The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with level to gently-sloping areas characterized by open vegetation and bare ground. The western burrowing owl (*A.c. hypugaea*), which occurs throughout the western United States including California, rarely digs its own burrows and is instead dependent upon the presence of burrowing mammals (i.e., California ground squirrels, coyotes, and badgers) whose burrows are often used for roosting and nesting. The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. They also require low growth or open vegetation allowing line-of-sight observation of the surrounding habitat to forage and watch for predators. In California, the burrowing owl breeding season extends from the beginning of February through the end of August.

Under the MSHCP burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The project site is not located within a MSHCP designated burrowing owl survey area. However, a habitat suitability assessment was conducted. In accordance with the MSHCP Burrowing Owl Survey Instructions (2006), survey

protocol consists of two steps, Step I – Habitat Assessment and Step II – Locating Burrows and Burrowing Owls. The following section describes the methodology followed during the burrowing owl habitat assessment conducted for this project.

- Step I – Habitat Assessment: Step 1 of the MSHCP habitat assessment for burrowing owl consists of a walking survey to determine if suitable habitat is present on-site. The habitat assessment was conducted on November 22, 2022. Upon arrival at the project site, and prior to initiating the assessment survey, binoculars were used to scan all suitable habitats on and adjacent to the property, including perch locations, to establish owl presence.

  All suitable areas of the project site were surveyed on foot by walking slowly and methodically while recording/mapping areas that may represent suitable owl habitat on-site. Primary indicators of suitable burrowing owl habitat in western Riverside County include, but are not limited to, native and non-native grassland, interstitial grassland within shrub lands, shrub lands with low density shrub cover, golf courses, drainage ditches, earthen berms, unpaved airfields, pastureland, dairies, fallow fields, and agricultural use areas. Burrowing owls typically use burrows made by fossorial mammals, but they often utilize man-made structures, such as earthen berms, cement culverts, cement, asphalt, rock, wood debris piles, openings beneath cement or asphalt pavement. Burrowing owls are often found within, under, or in close proximity to man-made structures.

  According to the MSHCP guidelines, if suitable habitat is present, the biologist should also walk the perimeter of the property, which consists of a 150-meter (approximately 500 feet) buffer zone around the project site boundary. If permission to access the buffer area cannot be obtained, the biologist shall not trespass, but visually inspect adjacent habitats with binoculars. In addition to surveying the entire Project Site all bordering natural habitats located immediately adjacent to the Project Site were assessed. Results from the habitat assessment indicate that suitable resources (i.e., low growing vegetation that provides line of site opportunities) for burrowing owl are present throughout the project site. Accordingly, if suitable habitat is documented on-site or within adjacent habitats, both Step II, focused burrow surveys and the 30-day preconstruction surveys are required in order to comply with the MSHCP guidelines.

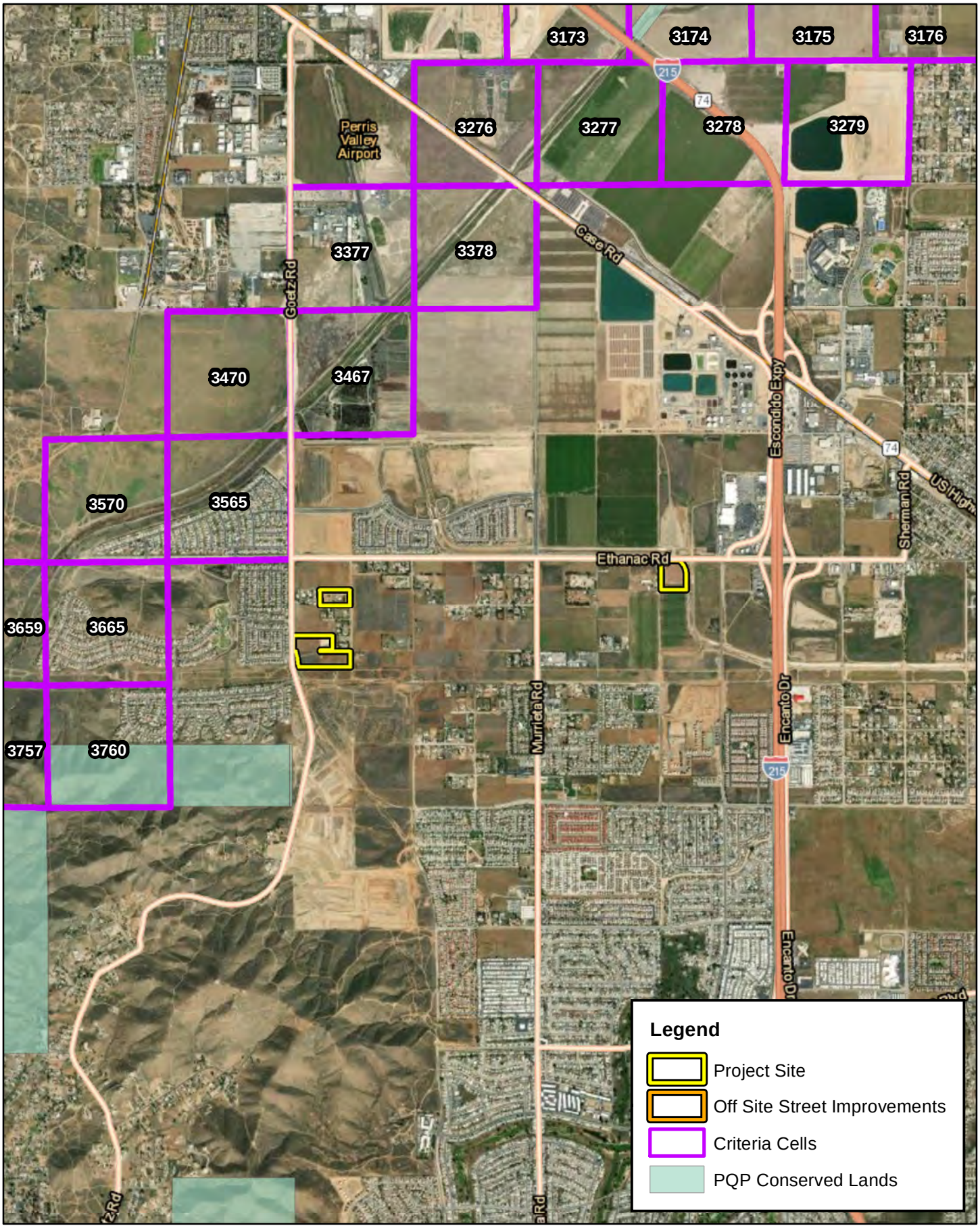
- Step II – Locating Burrows and Burrowing Owls: Concurrent with the initial habitat assessment, a detailed focused burrow survey was conducted and included documentation of appropriately sized natural burrows or suitable man-made structures that may be utilized by burrowing owl - as part of the MSHCP protocol, which is described below under Part A, Focused Burrow Survey. The MSHCP protocol indicates that no more than 100 acres should be surveyed per day/per biologist.

  - Part A – Focused Burrow Survey: A systematic survey for burrows, including burrowing owl sign, was conducted by walking across all suitable habitats mapped within the project site on November 22, 2022. Pedestrian survey transects were spaced to allow 100% visual coverage of the ground surface. The distances between transect centerlines were no more than 30 meters (approximately 100 feet) apart, and owing to the terrain, often much smaller. Transect routes were also adjusted to account for topography and in general ground surface visibility. Areas providing potential habitat for burrowing owls were surveyed for suitable burrows, consisting of natural and non-natural substrates in areas with low, open

vegetation. All burrows encountered were examined for shape, scat, pellets, white-wash, feathers, tracks, and prey remains. Suitable burrows/sites, including rock piles and non-natural substrates, were thoroughly examined for signs of presence.

Despite a systematic search of the project site, no burrowing owls or sign (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation. Portions of all three Sites are minimally vegetated or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. Site 2 has an existing residential development and is subject to routine disturbances. Some suitable burrows that have the potential to provide suitable burrowing owl nesting habitat (>4 inches in diameter) were observed at the northeast corner of Site 3 and within the earthen flood control channel to the east of Site 3. However, the burrows within the channel occur in close proximity to boundary fencing and utility poles that provide perching opportunities for large raptors (i.e., red-tailed hawk) that can prey on burrowing owls. In addition, multiple domestic dogs and cats were observed roaming freely near the development to the west Site 3, which likely precludes burrowing owls from occupying suitable burrows in these areas as these domestic species will likely harass burrowing owls.

Despite regular disturbance, the ample presence of perching opportunities for predators of burrowing owls, and the presence of free-roaming domestic cats and dogs, portions of Site 1 and Site 3 supports suitable foraging habitat for burrowing owls and minimal burrows for burrowing owl are present in proximity to site boundaries. In order to comply with the conservation goals of Section 6.3.2 of the MSHCP, Part B-Focused burrowing owl survey will need to be conducted on Site 1 and 3 during the breeding season prior to development. If burrowing owls are found to occupy the project site at the time of the focused survey, a relocation plan will need to be written, approved, and implemented prior to site development. If no burrowing owls or sign are found during the focused survey, a final pre-construction burrowing owl clearance survey would be required to ensure burrowing owl remains absent from the project site.



MENIFEE EDC NORTHERN GATEWAY
HABITAT ASSESSMENT AND MSHCP CONSISTENCY ANSLYSIS

MSHCP Criteria Area

ELMT CONSULTING

0 1,250 2,500 5,000 Feet

Source: ESRI Aerial Imagery, Riverside County

Exhibit 7

Section 6 Stephen's Kangaroo Rat Habitat Conservation Plan

Separate from the consistency review against the policies of the MSHCP, Riverside County established a boundary in 1996 for protecting the Stephens' kangaroo rat (*Dipodomys stephensi*), a federally endangered and state threatened species. The Stephens' kangaroo rat is protected under the Stephens' Kangaroo Rat Habitat Conservation Plan (County Ordinance No. 663.10; SKR HCP). As described in the MSHCP Implementation Agreement, a Section 10(a) Permit, and California Fish and Game Code Section 2081 Management Authorization were issued to the Riverside County Habitat Conservation Agency (RCHCA) for the Long-Term SKR HCP and was approved by the USFWS and CDFW in August 1990 (RCHCA 1996). Relevant terms of the SKR HCP have been incorporated into the MSHCP and its Implementation Agreement. The SKR HCP will continue to be implemented as a separate HCP; however, to provide the greatest conservation for the largest number of Covered Species, the Core Reserves established by the SKR HCP are managed as part of the MSHCP Conservation Area consistent with the SKR HCP. Actions shall not be taken as part of the implementation of the SKR HCP that will significantly affect other Covered Species. Take of Stephens' kangaroo rat outside of the boundaries but within the MSHCP area is authorized under the MSHCP and the associated permits.

The project site is located within the Mitigation Fee Area of the SKR HCP, but is not located within or adjacent to any of the Core Reserve Areas. Since the project site is not located within or adjacent to any of the Core Reserve Areas, no focused SKR surveys or on-site mitigation would be required. On-site mitigation is only recommended in Ordinance 663.10 when a site is located within or adjacent to a Core Reserve Area. As a result, the applicant will only be required to pay the SKR HCP Mitigation Fee prior to development of the project site.

Section 7 Conclusion and Recommendtions

The discussion below provides a summary of survey results; avoidance and minimization efforts; direct, indirect, and cumulative project impacts; and compensatory mitigation measures for each biological resource area required to be analyzed according to CEQA, based on Appendix G (Environmental Checklist Form) of the CEQA Guidelines:

***CEQA Threshold**: Would the proposed Project 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 the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

Special-Status Plant Species

No special-status plant species were observed during the field investigation. Based on habitat requirements for the identified special-status species, known species distributions, and the quality and availability of habitats present, it was determined that the project site has a low potential to support paniculate tarplant. While the historic and ongoing land uses supported by the project site have removed the natural plant communities that once occurred in the area, paniculate tarplant is known to tolerate degraded conditions and is commonly found in disturbed areas in western Riverside County. However, since all three sites are isolated from undeveloped natural areas known to be occupied by paniculate tarplant, any paniculate tarplant individuals occurring on-site are not expected to contribute meaningfully to the conservation of the species, if present. As a result, no impacts to special-status plant species are expected to occur. No additional surveys are recommended.

Special-Status Wildlife Species

Recommendations for avoidance and minimization:

1. Nesting birds are protected pursuant to the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code (Sections 3503, 3503.3, 3511, and 3513 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs). In order to protect migratory bird species, a nesting bird clearance survey should be conducted prior to any ground disturbance or vegetation removal activities that may disrupt the birds during the nesting season. Consequently, if avian nesting behaviors are disrupted, such as nest abandonment and/or loss of reproductive effort, it is considered "take" and is potentially punishable by fines and/or imprisonment.

   If construction occurs between February 1st and August 31st, a pre-construction clearance survey for nesting birds should be conducted within three (3) days of the start of any vegetation removal or ground disturbing activities to ensure that no nesting birds will be disturbed during construction. The biologist conducting the clearance survey should document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If an active avian nest is discovered during the pre-construction clearance survey, construction activities should stay outside of a no-disturbance buffer. The

size of the no-disturbance buffer will be determined by the wildlife biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, type and duration of construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.

CEQA Threshold: *Would the proposed Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?*

Riparian Habitat and Special-Status Natural Communities

No jurisdictional drainage features, riparian/riverine areas, or vernal pools were observed within the project site during the field survey. Therefore, regulatory approvals from the Corps, Regional Board, and/or CDFW will not be required for implementation of the project. Further, site development will not result in impacts to riparian/riverine habitats and a DBESP will not be required under the MSHCP for the loss of riparian/riverine habitat.

Further, no sensitive habitats were identified within the Project site. Thus, no sensitive natural communities will be impacted from Project implementation.

CEQA Threshold: *Would the proposed Project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Federally Protected Wetlands

No inundated areas, wetland features, or wetland plant species that would be considered wetlands as defined by Section 404 of the Clean Water Act occur within the proposed Project footprint. As a result, implementation of the proposed Project would not result in any impacts or have substantial adverse effect on federally protected wetlands.

CEQA Threshold: *Would the proposed Project 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?*

Wildlife Corridors

The project site has not been identified as occurring in a wildlife corridor or linkage. As identified by the MSHCP, the nearest linkage to the project occurs approximately 0.32 miles to the southwest of Site 1 in

association with the hills surrounding Quail Valley and 0.53 miles to the northwest of Site 2 in association with the San Jacinto River. The proposed project will be confined to existing areas that have been heavily disturbed and are isolated from regional wildlife corridors. Therefore, the project site does not function as a major wildlife movement corridor or linkage. As such, implementation of the proposed project is not expected to have a significant impact on wildlife movement opportunities or prevent local wildlife movement through the area. Due to the lack of any identified impacts to wildlife movement, migratory corridors or linkages or native wildlife nurseries, no mitigation is required. Therefore, impacts to wildlife corridors or linkages are not expected to occur.

CEQA Threshold: *Would the proposed Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Local Policies or Ordinances

There are no local policies or ordinances that pertain to the proposed project. Therefore, impacts to local polices or ordinances are not expected to occur from development of the proposed project, and mitigation is not required.

CEQA Threshold: *Would the proposed Project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state Habitat Conservation Plan?*

Local, Regional, and State Plans

The project site is located in the within the Sun City/Menifee Valley Area Plan of the MSHCP but is not located within any designated Criteria Cells or conservation areas. Based on the analysis provided in this report and with completion of recommendations provided below and payment of the MSHCP Local Development Mitigation Fee, development of the project site will be fully consistent with the MSHCP. Additionally, the project site is also located within the fee area for the SKR HCP. With payment of the Stephen's kangaroo rat mitigation fee, development of the project will be consistent with the SKR HCP.

Recommendations for avoidance and minimization:

2. In order to comply with the conservation goals of the MSCHP, Part B-Focused Burrowing Owl surveys will need to be conducted during the breeding season prior to development. The focused burrowing owl survey will need to be conducted in accordance with the March 29, 2006 *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* (Environmental Programs Department, 2006). The survey will consist of four (4) surveys, on four separate days between March 1 and August 31, 2022.

   If burrowing owls are found to occupy the project site at the time of the focused survey, a relocation plan will need to be written, approved by CDFW and the RCA, and implemented prior to site development. However, if no burrowing owls or sign are found during the focused survey, a final pre-construction burrowing owl clearance survey would be required to ensure burrowing owl remain absent from the project site.

Section 8 References

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Appendix A Site Photographs

Photograph 1: From the northwest corner of Site 1 looking south along the western boundary.

Photograph 2: From the northwest corner of Site 1 looking east along the northern boundary.

Photograph 3: The northeast corner of Site 1 supports residential development and equestrian land uses.

Photograph 4: From the middle of the eastern boundary of Site 1 looking west.

Photograph 5: From the southwest corner of Site 1 looking east along the southern boundary.

Photograph 6: From the southwest corner of Site 1 looking north along the western boundary.

Photograph 7: From the northwest corner of Site 2 looking south along the western boundary.

Photograph 8: From the northwest corner of Site 2 looking east along the northern boundary.

Photograph 9: From the southeast corner of Site 2 looking north along the eastern boundary.

Photograph 10: From the southeast corner of Site 2 looking west along the southern boundary.

Photograph 11: From the northwest corner of Site 3 looking south along the western boundary.

Photograph 12: From the northwest corner of Site 3 looking east along the northern boundary.

Photograph 13: From the southeast corner of Site 3 looking north along the eastern boundary.

Photograph 14: From the southeast corner of Site 3 looking west along the southern boundary.

Photograph 15: Suitable burrows for roosting by burrowing owl are present in the northeast corner of Site 3.

Photograph 16: Suitable burrows for roosting by burrowing owl are present in the earthen flood control adjacent to the eastern boundary of Site 3.

Appendix B Potentially Occurring Special-Status Biological Resources

Table B-1: Potentially Occurring Special-Status Biological Resources

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
WILDLIFE SPECIES					
Accipiter cooperii Cooper's hawk	Fed: None CA: WL	Generally found in forested areas up to 3,000 feet in elevation, especially near edges and rivers. Prefers hardwood stands and mature forests but can be found in urban and suburban areas where there are tall trees for nesting. Common in open areas during nesting season.	Yes	No	**High** Suitable foraging habitat is present within and surrounding the project site. Suitable nesting opportunities may be present nearby. This species is adapted to urban environments and occurs commonly.
Accipiter striatus sharp-shinned hawk	Fed: None CA: WL	Found in pine, fir and aspen forests. They can be found hunting in forest interior and edges from sea level to near alpine areas. Can also be found in rural, suburban and agricultural areas, where they often hunt at bird feeders. Typically found in southern California in the winter months.	Yes	No	**High** Suitable foraging habitat is present within and surrounding the project site. This species does not nest in the region. This species is adapted to urban environments and occurs commonly.
Agelaius tricolor tricolored blackbird	Fed: None CA: **THR**; SSC	Range is limited to the coastal areas of the Pacific coast of North America, from Northern California to upper Baja California. Can be found in a wide variety of habitat including annual grasslands, wet and dry vernal pools and other seasonal wetlands, agricultural fields, cattle feedlots, and dairies. Occasionally forage in riparian scrub habitats along marsh borders. Basic habitat requirements for breeding include open accessible water, protected nesting substrate (freshwater marsh dominated by cattails, willows, and bulrushes [*Schoenoplectus* sp.]), and either flooded or thorny or spiny vegetation and suitable foraging space providing adequate insect prey.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Aimophila ruficeps canescens southern California rufous-crowned sparrow	Fed: None CA: WL	Typically found between 3,000 and 6,000 feet in elevation. Breed in sparsely vegetated scrubland on hillsides and canyons. Prefers coastal sage scrub dominated by California sagebrush (*Artemisia californica*), but they can also be found breeding in coastal bluff scrub, low-growing serpentine chaparral, and along the edges of tall chaparral habitats.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Ammodramus savannarum grasshopper sparrow	Fed: None CA: SSC	Occurs in grassland, upland meadow, pasture, hayfield, and old field habitats. Optimal habitat contains short- to medium-height bunch grasses interspersed with patches of bare ground, a shallow litter layer, scattered forbs, and few shrubs. May inhabit thickets, weedy lawns, vegetated landfills, fence rows, open fields, or grasslands.	Yes (e)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Anaxyrus californicus arroyo toad	Fed: **END** CA: SSC	Occurs in washes and intermittent streams with a mixture of gravel and sandy substrate. Requires a moderate cover of willows, cottonwoods, mulefat, and sycamore to provide shade over the water, and oaks in the upland area to forage for ants.	Yes (a)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Anniella stebbinsi southern California legless lizard	Fed: None CA: SSC	Occurs in sparsely vegetated habitat types including coastal sand dunes, chaparral, pine-oak woodland, desert scrub, open grassland, and riparian areas. Requires sandy or loose loamy substrates conducive to burrowing.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Aquila chrysaetos golden eagle	Fed: None CA: FP; WL	Occupies nearly all terrestrial habitats of the western states except densely forested areas. Favors secluded cliffs with overhanging ledges and large trees for nesting and cover. Hilly or mountainous country where takeoff and soaring are supported by updrafts is generally preferred to flat habitats. Deeply cut canyons rising to open mountain slopes and crags are ideal habitat.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Ardea alba great egret	Fed: None CA: None	Yearlong resident throughout California, except for the high mountains and deserts. Feeds and rests in fresh, and saline emergent wetlands, along the margins of estuaries, lakes, and slow-moving streams, on mudflats and salt ponds, and in irrigated croplands and pastures.	No	Yes	**Present** This species was observed foraging in adjacent crop land. The project site provides suitable foraging habitat for this species. No suitable nesting opportunities are present.
Ardea herodias great blue heron	Fed: None CA: None	Forages along streams, marshes, lakes, and meadows. Nests colonially in tall trees (typically Eucalyptus sp.), on cliffsides, or in isolated spots in marshes.	Yes	No	**Low** The project site provides suitable foraging opportunities. No suitable nesting opportunities are present.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Arizona elegans occidentalis California glossy snake	Fed: None CA: SSC	Inhabits arid scrub, rocky washes, grasslands, and chaparral habitats.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Artemisiospiza belli belli Bell's sparrow	Fed: None CA: WL	Generally prefers semi-open habitats with evenly spaced shrubs 1 – 2 meters in height. Dry chaparral and coastal sage scrub. Less common in tall dense, old chaparral.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Asio otus long-eared owl	Fed: None CA: SSC	Hunts mostly at night over grasslands and other open habitats. Nesting occurs in dense trees such as oaks and willows where it occupies stick nests of other species, particularly raptors or corvids.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Aspidoscelis hyperythra orangethroat whiptail	Fed: None CA: WL	Semi-arid brushy areas typically with loose soil and rocks, including washes, streamsides, rocky hillsides, and coastal chaparral.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Aspidoscelis tigris stejnegeri coastal whiptail	Fed: None CA: SSC	Found in a variety of ecosystems, primarily hot and dry open areas with sparse foliage - chaparral, woodland, and riparian areas.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Athene cunicularia burrowing owl	Fed: None CA: SSC	Occurs in open, annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Dependent upon fossorial mammals for burrows, most notable ground squirrels.	Yes (c)	No	**Presumed Absent** Although heavily disturbed, the site provides line-of-sight opportunities favored by burrowing owls. Suitable burrows are present at the northeast corner of Site 3 and within the adjacent flood control channel; however, all such burrows occur in proximity to perching opportunities for predators of burrowing owl and free-roaming cats and dogs were observed near Site 3.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Aythya americana redhead	Fed: None CA: SSC	Typically found in shallow freshwater lakes, ponds, and marshes.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Aythya valisineria canvasback	Fed: None CA: None	Breeds in small lakes, deep-water marshes, bays, and ponds. Occurs more commonly in waters with a border of dense vegetation, which they use to construct their nests.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Bombus crotchii Crotch bumblebee	Fed: None CA: CE	Exclusive to coastal California east towards the Sierra-Cascade Crest; less common in western Nevada.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Botaurus lentiginosus American bittern	Fed: None CA: None	Often breed in shallow wetlands dominated by tall emergent vegetation, including cattail marshes, wet meadows, bogs, and shrubby marshes and occasionally hayfields.	Yes (a)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Branchinecta lynchi vernal pool fairy shrimp	Fed: **THR** CA: None	Habitat is limited to vernal pools in Oregon and California. Can also be found in artificial pools such as those created by roadside ditches.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Branchinecta sandiegonensis San Diego fairy shrimp	Fed: **END** CA: None	Habitat is restricted to vernal pools along coastal southern California and northwestern Baja California, Mexico. Usually observed from January to March during seasonal rainfall events.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Buteo regalis ferruginous hawk	Fed: None CA: WL	Occurs primarily in open grasslands and fields, but may be found in sagebrush flats, desert scrub, low foothills, or along the edges of pinyon-juniper woodland. Feeds primarily on small mammals and typically found in agricultural or open fields.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Buteo swainsoni Swainson's hawk	Fed: None CA: **THR**	Typical habitat is 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 grassland or suitable grain or alfalfa fields or livestock pastures.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Calypte costae Costa's hummingbird	Fed: None CA: None	Desert and semi-desert, arid brushy foothills and chaparral. A desert hummingbird that breeds in the Sonoran and Mojave Deserts. Departs desert heat moving into chaparral, scrub, and woodland habitats.	No	Yes	**High** The project site and surrounding area provide suitable foraging and nesting habitat. This species is adapted to urban areas and occurs commonly.
Campylorhynchus brunneicapillus sandiegensis coastal cactus wren	Fed: None CA: SSC	Found in arid and semi-arid habitats with a high occurrence of cactus and spiny trees. Nests almost exclusively in prickly pear and cholla cactus.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chaetodipus californicus femoralis Dulzura pocket mouse	Fed: None CA: SSC	Occurs in desert and coastal habitats in southern California, Mexico, and northern Baja California, from sea level to at least 1,400 meters. Found in a variety of temperate habitats ranging from chaparral and grasslands to scrub forests and deserts. Requires low growing vegetation or rocky outcroppings, as well as sandy soils for burrowing.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chaetodipus fallax fallax northwestern San Diego pocket mouse	Fed: None CA: SSC	Occurs in desert and coastal habitats in southern California, Mexico, and northern Baja California, from sea level to at least 1,400 meters. Found in a variety of temperate habitats ranging from chaparral and grasslands to scrub forests and deserts. Requires low growing vegetation or rocky outcroppings, as well as sandy soils for burrowing.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chaetura vauxi Vaux's swift	Fed: None CA: SSC	Prefers redwood and Douglas-fir habitats with nest-sites in large hollow trees and snags, especially tall, burned-out snags. Fairly common migrant throughout most of the state in April and May, and August and September.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Charadrius montanus mountain plover	Fed: None CA: SSC	Found in short grasslands, freshly-plowed fields, newly-sprouting grain fields, and sometimes in sod farms. Prefers short vegetation or bare ground with flat topography, particularly grazed areas or areas with fossorial rodents.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Charadrius nivosus nivosus western snowy plover	Fed: **THR** CA: SSC	Occurs on sandy beaches, salt pond levees and along the shores of large alkali lakes. Requires sandy or gravelly substrate for nesting.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chlidonias niger black tern	Fed: None CA: SSC	Found at freshwater marshes and lakes and found along coastal waters in migration. For nesting favors fresh waters with extensive marsh vegetation and open water, also sometimes in smaller marshes and wet meadows. In migration found on larger lakes and along coast. Winters in tropical coastal regions, mostly just offshore or around salt lagoons and estuaries.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Cicindela senilis frosti senile tiger beetle	Fed: None CA: None	Found in coastal salt marshes and interior alkali mud flats. Adults overwinter in shallow underground galleries beneath flat rocks.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Circus hudsonius northern harrier	Fed: None CA: SSC	Frequents meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands; seldom found in wooded areas. Mostly found in flat, or hummocky, open areas of tall, dense grasses moist or dry shrubs, and edges for nesting, cover, and feeding.	Yes	No	**Moderate** Suitable foraging habitat is present within and surrounding the project sites. No suitable nesting opportunities are present.
Cistothorus palustris clarkae Clark's marsh wren	Fed: None CA: SSC	Restricted to freshwater and brackish marshes dominated by bulrushes or cattails. Has a narrow distribution along the coast of southern California from Los Angeles basin south to the Mexican border.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Coleonyx variegatus abbotti San Diego banded gecko	Fed: None CA: SSC	Occurs in coastal and cismontane southern California from interior Ventura County south, although it is absent from the extreme outer coast. It is uncommon in coastal scrub and chaparral, most often occurring in granite or rocky outcrops in these habitats.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Crotalus ruber red-diamond rattlesnake	Fed: None CA: SSC	It can be found from the desert, through dense chaparral in the foothills (it avoids the mountains above around 4,000 feet), to warm inland mesas and valleys, all the way to the cool ocean shore. It is most commonly associated with heavy brush with large rocks or boulders. Dense chaparral in the foothills, cactus or boulder associated coastal sage scrub, oak and pine woodlands, and desert slope scrub associations are known to carry populations of the northern red-diamond rattlesnake; however, chamise and red shank associations may offer better structural habitat for refuges and food resources for this species than other habitats.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Cypseloides niger black swift	Fed: None CA: SSC	Aerial feeder, forages over forests and open areas. Nests behind or adjacent to waterfalls and wet cliffs, on sea cliffs and caves, and occasionally limestone caves.	Yes	No	**Presumed Absent** Suitable foraging habitat is present within the project site. No nesting opportunities are present within or nearby the project site.
Diadophis punctatus modestus San Bernardino ringneck snake	Fed: None CA: None	Common in open, relatively rocky areas within valley-foothill, mixed chaparral, and annual grass habitats.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Diadophis punctatus similis San Diego ringneck snake	Fed: None CA: None	Prefers moist habitats, including wet meadows, rocky hillsides, gardens, farmland, grassland, chaparral, mixed coniferous forests, and woodlands.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Dipodomys merriami parvus San Bernardino kangaroo rat	Fed: **END** CA: CE; SSC	Primarily found in Riversidian alluvial fan sage scrub and sandy loam soils, alluvial fans and flood plains, and along washes with nearby sage scrub. May occur at lower densities in Riversidian upland sage scrub, chaparral and grassland in uplands and tributaries in proximity to Riversidian alluvial fan sage scrub habitats. Tend to avoid rocky substrates and prefer sandy loam substrates for digging of shallow burrows.	Yes (c)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Dipodomys simulans Dulzura kangaroo rat	Fed: None CA: None	Typical habitat is 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 grassland or suitable grain or alfalfa fields or livestock pastures.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Dipodomys stephensi Stephens' kangaroo rat	Fed: **THR** CA: **THR**	Occur in arid and semi-arid habitats with some grass or brush. Prefer open habitats with less than 50% protective cover. Require soft, well-drained substrate for building burrows and are typically found in areas with sandy soil.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Egretta thula snowy egret	Fed: None CA: None	Widespread in California along shores of coastal estuaries, fresh and saline emergent wetlands, ponds, slow-moving rivers, irrigation ditches, and wet fields. In southern California, common yearlong in the Imperial Valley and along the Colorado River.	No	No	**Low** The project site provides suitable foraging opportunities. No suitable nesting opportunities are present.
Elanus leucurus white-tailed kite	Fed: None CA: FP	Occurs in low elevation, open grasslands, savannah-like habitats, agricultural areas, wetlands, and oak woodlands. Uses trees with dense canopies for cover.	Yes	No	**Moderate** The project site provides suitable foraging opportunities. No suitable nesting opportunities are present.
Empidonax traillii willow flycatcher	Fed: None CA: **END**	A rare to locally uncommon, summer resident in wet meadow and montane riparian habitats (2,000 to 8,000 ft) in the Sierra Nevada and Cascade Range. Most often occurs in broad, open river valleys or large mountain meadows with lush growth of shrubby willows.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Empidonax traillii extimus southwestern willow flycatcher	Fed: **END** CA: **END**	Occurs in riparian woodlands in southern California. Typically requires large areas of willow thickets in broad valleys, canyon bottoms, or around ponds and lakes. These areas typically have standing or running water, or are at least moist.	Yes (a)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Emys marmorata western pond turtle	Fed: None CA: SSC	Found in ponds, lakes, rivers, streams, creeks, marshes, and irrigation ditches, with abundant vegetation, either rocky or muddy bottoms, in woodland, forest, and grassland. In streams, prefers pools to shallower areas. Logs, rocks, cattail mats, and exposed banks are required for basking. May enter brackish water and even seawater. Found at elevations from sea level to over 5,900 feet (1,800 m).	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Eremophila alpestris actia California horned lark	Fed: None CA: WL	Generally found in shortgrass prairies, grasslands, disturbed fields, or similar habitat types along the coast or in deserts. Trees are shrubs are usually scarce or absent. Generally rare in montane, coniferous, or chaparral habitats. Forms large flocks outside of the breeding season.	Yes	No	**High** Suitable foraging and nesting habitat are present within the project site. Nesting potential is limited due to the presence of free-roaming cats and dogs.
Eumops perotis californicus western mastiff bat	Fed: None CA: SSC	Primarily a cliff-dwelling species, roost generally under exfoliating rock slabs. Roosts are generally high above the ground, usually allowing a clear vertical drop of at least 3 meters below the entrance for flight. In California, it is most frequently encountered in broad open areas. Its foraging habitat includes dry desert washes, flood plains, chaparral, oak woodland, open ponderosa pine forest, grassland, and agricultural areas.	No	No	**Low** Suitable foraging habitat is present within and surrounding the project site. No suitable roosting opportunities are present.
Euphydryas editha quino Quino checkerspot butterfly	Fed: **END** CA: None	Range is now limited to a few populations in Riverside and San Diego counties. Common in meadows and upland sage scrub/chapparal habitat.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Falco columbarius merlin	Fed: None CA: WL	Nest in forested openings, edges, and along rivers across northern North America. Found in open forests, grasslands, and especially coastal areas with flocks of small songbirds or shorebirds.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Falco mexicanus prairie falcon	Fed: None CA: WL	Commonly occur in arid and semiarid shrubland and grassland community types. Also occasionally found in open parklands within coniferous forests. During the breeding season, they are found commonly in foothills and mountains which provide cliffs and escarpments suitable for nest sites.	Yes	No	**Low** The project site provides suitable foraging opportunities. No suitable nesting opportunities are present.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Falco peregrinus anatum American peregrine falcon	Fed: DL CA: DL; FP	Uncommon winter resident of the inland region of southern California. Active nesting sites are known along the coast north of Santa Barbara, in the Sierra Nevada, and in other mountains of northern California. Breeds mostly in woodland, forest, and coastal habitats. Riparian areas and coastal and inland wetlands are important habitats yearlong, especially in nonbreeding seasons.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Haliaeetus leucocephalus bald eagle	Fed: DL CA: **END**; FP	Occur primarily at or near seacoasts, rivers, swamps, and large lakes. Need ample foraging opportunities, typically near a large water source.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Hydroprogne caspia Caspian tern	Fed: None CA: None	Occurs near large lakes, coastal waters, beaches, and bays. Found on both fresh and salt water, favoring protected waters such as bays and lagoons, rivers, not usually foraging over open sea. Nests on open ground on islands, coasts.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Icteria virens yellow-breasted chat	Fed: None CA: SSC	Primarily found in tall, dense, relatively wide riparian woodlands and thickets of willows, vine tangles, and dense brush with well-developed understories. Nesting areas are associated with streams, swampy ground, and the borders of small ponds. Breeding habitat must be dense to provide shade and concealment. It winters south the Central America.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Lanius ludovicianus loggerhead shrike	Fed: None CA: SSC	Often found in broken woodlands, shrublands, and other habitats. Prefers open country with scattered perches for hunting and fairly dense brush for nesting.	Yes	No	**Low** Suitable foraging habitat is present within the project site. No suitable nesting habitat is present.
Larus californicus California gull	Fed: None CA: WL	Require isolated islands in rivers, reservoirs and natural lakes for nesting, where predations pressures from terrestrial mammals are diminished. Uses both fresh and saline aquatic habitats at variable elevations and degrees of aridity for nesting and for opportunistic foraging.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Lasiurus xanthinus western yellow bat	Fed: None CA: SSC	Roosts in palm trees in foothill riparian, desert wash, and palm oasis habitats with access to water for foraging.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Lepus californicus bennettii San Diego black-tailed jackrabbit	Fed: None CA: None	Occurs in diverse habitats, but primarily is found in arid regions supporting shortgrass habitats. Openness of open scrub habitat is preferred over dense chaparral.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Lynx rufus pallescens pallid bobcat	Fed: None CA: None	Found on the western edge of the great basin habitat in extreme northeast California. Live in a variety of habitats including forests, deserts, mountains, swamps and farmland.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Myotis yumanensis Yuma myotis	Fed: None CA: None	Found in forests and woodlands near water. Roosts in caves, buildings, mines, and crevices.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Nannopterum auritum double-crested cormorant	Fed: None CA: WL	Common yearlong resident in southern California. Occurs widely in freshwater and marine habitats along coastlines. Require open water where they can forage for schooling fish.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Neolarra alba white cuckoo bee	Fed: None CA: None	Found in dry, sandy areas (particularly deserts) in the American southwest near the host plants for *Perdita* bee species, of which it is a nest parasite.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Neotoma lepida intermedia San Diego desert woodrat	Fed: None CA: SSC	Occurs in coastal scrub communities between San Luis Obispo and San Diego Counties. Prefers moderate to dense canopies, and especially rocky outcrops.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Numenius americanus long-billed curlew	Fed: None CA: WL	Preferred winter habitats include large coastal estuaries, upland herbaceous areas, and croplands. On estuaries, feeding occurs mostly on intertidal mudflats.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Nycticorax nycticorax black-crowned night heron	Fed: None CA: None	Fairly common, yearlong resident in lowlands and foothills throughout most of California, including the Salton Sea and Colorado River areas, and very common locally in large nesting colonies. Feeds along the margins of lacustrine, large riverine, and fresh and saline emergent habitats and rarely, on kelp beds in marine sub tidal habitats. Nests and roosts in dense-foliaged trees and dense emergent wetlands.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Nyctinomops femorosaccus pocketed free-tailed bat	Fed: None CA: SSC	Often found in pinyon-juniper woodlands, desert scrub, desert succulent shrub, desert riparian, desert wash, alkali desert scrub, Joshua tree, and palm oasis.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Onychomys torridus ramona southern grasshopper mouse	Fed: None CA: SSC	Inhabits alkali desert scrub and other desert scrub habitats, and to a lesser extent succulent shrubs, desert washes, desert riparian, coastal scrub, mixed chaparral, and sagebrush habitats. Generally rare in valley foothill and montane riparian habitats. Prefers low to moderate shrub cover and requires friable soils.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Pandion haliaetus osprey	Fed: None CA: WL	Remain close to still or slow-moving bodies of water including oceans, rivers, lakes, mangroves, coastal wetlands, lagoons, reefs, estuaries and marshes. Generally nest in high places, such as trees, power poles, or cliffs.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Pelecanus erythrorhynchos American white pelican	Fed: None CA: SSC	Locally common winter resident of southern California. Typically forage in shallow inland waters, such as open areas in marshes and along lake or river edges. Also occur in shallow coastal marine habitats.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Pelecanus occidentalis californicus California brown pelican	Fed: DL CA: DL; FP	Coastal areas, with nesting occurring on islands. Species found occasionally along Arizona's lakes and rivers. This species inhabits shallow inshore waters, estuaries and bays, avoiding the open sea. Its diet is comprised mostly of fish, causing great congregations in areas with abundant prey. Prey species include sardines and anchovies, but has been seen to take shrimps and carrion, and even nestling egrets. It regularly feeds by plunge-diving and is often the victim of kleptoparasites.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Perognathus longimembris brevinasus Los Angeles pocket mouse	Fed: None CA: SSC	Occurs in lower elevation grasslands and coastal sage scrub communities in and around the Los Angeles Basin. Prefers open ground with fine sandy soils. May not dig extensive burrows, but instead will seek refuge under weeds and dead leaves instead.	Yes (c)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Phrynosoma blainvillii coast horned lizard	Fed: None CA: SSC	Occurs in a wide variety of vegetation types including coastal sage scrub, annual grassland, chaparral, oak woodland, riparian woodland and coniferous forest. In inland areas, this species is restricted to areas with pockets of open microhabitat, created by disturbance (i.e. fire, floods, roads, grazing, fire breaks). The key elements of such habitats are loose, fine soils with a high sand fraction; an abundance of native ants or other insects; and open areas with limited overstory for basking and low, but relatively dense shrubs for refuge.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Plegadis chihi white-faced ibis	Fed: None CA: WL	Prefers to feed in fresh emergent wetland, shallow lacustrine waters, muddy ground of wet meadows, and irrigated or flooded partures and croplands. Nests in dense, fresh emergent wetland.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Polioptila californica californica coastal California gnatcatcher	Fed: **THR** CA: SSC	Obligate resident of sage scrub habitats that are dominated by California sagebrush (*Artemisia californica*). This species generally occurs below 750 feet elevation in coastal regions and below 1,500 feet inland. Ranges from the Ventura County, south to San Diego County and northern Baja California and it is less common in sage scrub with a high percentage of tall shrubs. Prefers habitat with more low-growing vegetation.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Polioptila melanura black-tailed gnatcatcher	Fed: None CA: WL	In Mojave, Great Basin, Colorado and Sonoran Desert communities, prefers nesting and foraging in densely lined arroyos and washes dominated by creosote bush and salt bush with scattered bursage, burrowed, ocotillo, saguaro, barrel cactus, nipple cactus, and prickly pear and cholla.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Progne subis purple martin	Fed: None CA: SSC	Summer resident in a variety of wooded, low-elevation habitats throughout the state. Uses valley foothill and montane hardwood, valley foothill and montane hardwood-conifer, and riparian habitats. Also occurs in coniferous habitats, including closed-cone pine-cypress, ponderosa pine, Douglas-fir, and redwood.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Pyrocephalus rubinus vermilion flycatcher	Fed: None CA: SSC	Occupies desert riparian habitat, particularly cottonwoods, willows, mesquite, and other large desert riparian trees, in habitat adjacent to irrigated fields, irrigation ditches, pastures, and other open, mesic areas where it can forage.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Salvadora hexalepis virgultea coast patch-nosed snake	Fed: None CA: SSC	Found in brushy or shrubby vegetation along the coast and requires small mammal burrows for refuge and overwintering.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Setophaga petechia yellow warbler	Fed: None CA: SSC	Nests over all of California except the Central Valley, the Mojave Desert region, and high altitudes and the eastern side of the Sierra Nevada. Winters along the Colorado River and in parts of Imperial and Riverside Counties. Nests in riparian areas dominated by willows, cottonwoods, sycamores, or alders or in mature chaparral. May also use oaks, conifers, and urban areas near stream courses.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Spea hammondii western spadefoot	Fed: None CA: SSC	Prefers open areas with sandy or gravelly soils, in a variety of habitats including mixed woodlands, grasslands, coastal sage scrub, chaparral, sandy washed, lowlands, river floodplains, alluvial fans, playas, alkali flats, foothills, and mountains. Rainpools which do not contain bullfrogs, fish, or crayfish are necessary for breeding.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Spinus lawrencei Lawrence's goldfinch	Fed: None CA: None	Open woodlands, chaparral, and weedy fields. Closely associated with oaks. Nests in open oak or other arid woodland and chaparral near water.	No	No	**Low** Suitable foraging habitat is present within the project site. No suitable nesting habitat is present.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Streptocephalus woottoni Riverside fairy shrimp	Fed: **END** CA: None	Freshwater crustacean that is found in vernal pools in the coastal California area.	Yes (a)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Taxidea taxus American badger	Fed: None CA: SSC	Primarily occupy grasslands, parklands, farms, tallgrass and shortgrass prairies, meadows, shrub-steppe communities and other treeless areas with sandy loam soils where it can dig more easily for its prey. Occasionally found in open chaparral (with less than 50% plant cover) and riparian zones.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Thamnophis hammondii two-striped garter snake	Fed: None CA: SSC	Occurs in or near permanent fresh water, often along streams with rocky beds and riparian growth up to 7,000 feet in elevation.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Vireo bellii pusillus least Bell's vireo	Fed: **END** CA: **END**	Primarily occupy Riverine riparian habitat that typically feature dense cover within 1 -2 meters of the ground and a dense, stratified canopy. Typically it is associated with southern willow scrub, cottonwood-willow forest, mule fat scrub, sycamore alluvial woodlands, coast live oak riparian forest, arroyo willow riparian forest, or mesquite in desert localities. It uses habitat which is limited to the immediate vicinity of water courses, 2,000 feet elevation in the interior.	Yes (a)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Xanthocephalus xanthocephalus yellow-headed blackbird	Fed: None CA: SSC	Uncommon yearlong resident of southern California throughout freshwater emergent wetlands, and moist, open areas along agricultural areas, and mudflats of lacustrine habitats. Prefers to nest in dense wetland vegetation characterized by cattails, tules, or other similar plant species along the border of lakes and ponds.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
PLANT SPECIES					
Abronia villosa* var. *aurita chaparral sand-verbena	Fed: None CA: None CNPS: 1B.1	Grows in sandy soils in coastal sage scrub and in chaparral habitats. Grows in elevation from 262 to 5,249 feet. Blooming period ranges from January to September.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Allium munzii Munz's onion	Fed: **END** CA: **THR** CNPS: 1B.1	Found in chaparral, cismontane woodland, coastal scrub, pinyon and juniper woodland, valley and foothill grassland. Found at elevations ranging from 974 to 3,510 feet. Blooming period is from March to May.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Ambrosia pumila San Diego ambrosia	Fed: **END** CA: None CNPS: 1B.1	Occurs in open habitats in coarse substrates near drainages, and in upland areas on clay slopes or on the dry margins of vernal pools. This species occurs in a variety of associations that are dominated by sparse grasslands or marginal wetland habitats such as river terraces, pools, and alkali playas. Found at elevations ranging from 66 to 1,362 feet. Blooming period is from April to October.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site. The project site occurs outside of the known elevation range for this species.
Arctostaphylos rainbowensis rainbow manzanita	Fed: None CA: None CNPS: 1B.1	Grows within chaparral habitats. Found at elevations ranging from 675 to 2,200 feet. Blooming period is from December to March.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Atriplex coronata* var. *notatior San Jacinto Valley crownscale	Fed: **END** CA: None CNPS: 1B.1	Grows in alkaline conditions within playas, mesic valley and foothill grasslands, and vernal pools. Found at elevations ranging from 456 to 1,640 feet. Blooming period is from April to August.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Atriplex parishii Parish's brittlescale	Fed: None CA: None CNPS: 1B.1	Habitat types include chenopod scrub, playas, and vernal pools. Found at elevations ranging from 82 to 6,234 feet. Blooming period is from June to October.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Atriplex serenana* var. *davidsonii Davidson's saltscale	Fed: None CA: None CNPS: 1B.2	Grows in alkaline soils within coastal bluff scrub and coastal scrub. Found at elevations ranging from 33 to 656 feet. Blooming period is from April to October.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site. The project site occurs outside of the known elevation range for this species.
Brodiaea filifolia thread-leaved brodiaea	Fed: **THR** CA: **END** CNPS: 1B.1	Grows in chaparral openings, cismontane woodland, coastal scrub, playas, valley and foothill grassland, and vernal pools, often in clay soils. Found at elevations ranging from 82 to 3,675 feet. Blooming period is from March to June.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Carex buxbaumii Buxbaum's sedge	Fed: None CA: None CNPS: 4.2	Grows within bogs and fens, meadows and seeps (mesic) and marshes and swamps. Found at elevations ranging from 10 to 10,825 feet. Blooming period is from March to August.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Caulanthus simulans Payson's jewelflower	Fed: None CA: None CNPS: 4.2	Occurs on granitic sandy soils in chaparral and coastal scrub habitats. Found at elevations ranging from 295 to 7,218 feet. Blooming period is from February to June.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Centromadia pungens ssp. laevis smooth tarplant	Fed: None CA: None CNPS: 1B.1	Found in alkaline soils within chenopod scrub, meadows and seeps, playas, riparian woodland, valley and foothill grassland habitats. Found at elevations ranging from 0 to 2,100 feet. Blooming period is from April to September.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chorizanthe leptotheca Peninsular spineflower	Fed: None CA: None CNPS: 4.2	Found in granitic soils within chaparral, coast scrub, and lower montane coniferous forest habitats. Found at elevations ranging from 984 to 6,234 feet. Blooming period is from May to August.	Yes (e)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chorizanthe parryi* var. *parryi Parry's spineflower	Fed: None CA: None CNPS: 1B.1	Occurs on sandy and/or rocky soils in chaparral, coastal sage scrub, and sandy openings within alluvial washes and margins. Found at elevations ranging from 951 to 3,773 feet. Blooming period is from April to June.	Yes (e)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Chorizanthe polygonoides var. longispina long-spined spineflower	Fed: None CA: None CNPS: 1B.2	Typically found on clay lenses which are largely devoid of shrubs. Can be found on the periphery of vernal pool habitat and even on the periphery of montane meadows near vernal seeps. Found at elevations ranging from 98 to 5,020 feet. Blooming period is from April to July.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Convolvulus simulans small-flowered morning-glory	Fed: None CA: None CNPS: 4.2	Grows in clay soils within serpentinite seeps, chaparral, coastal scrub, valley and foothill grassland habitats. Found at elevations ranging from 98 to 2,297 feet. Blooming period is from March to July.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Deinandra paniculata paniculate tarplant	Fed: None CA: None CNPS: 4.2	Typically found in vernally mesic, sometimes sandy soils in coastal scrub, valley and foothill grasslands, and vernal pools. Found at elevations ranging from 82 to 3,084 feet. Blooming period is from April to November.	No	No	**Low** Minimally suitable habitat is present within the project site. This species is adapted to growing in degraded conditions.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Dodecahema leptoceras slender-horned spineflower	Fed: **END** CA: **END** CNPS: 1B.1	Chaparral, coastal scrub (alluvial fan sage scrub). Flood deposited terraces and washes. Found at elevations ranging from 1,181 to 2,690 feet. Blooming period is from April to June.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Dudleya multicaulis many-stemmed dudleya	Fed: None CA: None CNPS: 1B.2	Often occurs on clay soils and around granitic outcrops in chaparral, coastal sage scrub, and grasslands. Found at elevations ranging from 0 to 2,592 feet. Blooming period is from April to July.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Harpagonella palmeri Palmer's grapplinghook	Fed: None CA: None CNPS: 4.2	Occurs on clay soils in chaparral, coastal scrub, and valley and foothill grasslands. Found at elevations ranging from 66 to 3,133 feet. Blooming period is from March to May.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Hordeum intercedens vernal barley	Fed: None CA: None CNPS: 3.2	Found in coastal dunes, coastal scrub, vernal pools, and valley and foothill grassland habitats. Found at elevations ranging from 16 to 3,281 feet. Blooming period is from March to June.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Juglans californica southern California black walnut	Fed: None CA: None CNPS: 4.2	Occurs in alluvial soils in chaparral, cismontane woodland, coastal scrub, and riparian woodlands. From 15 to 5,875 feet in elevation. Blooming period is from May to June.	Yes	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Lasthenia glabrata* ssp. *coulteri Coulter's goldfields	Fed: None CA: None CNPS: 1B.1	Prefers playas, vernal pools, and coastal salt marshes and swamps. Found at elevations ranging from 3 to 4,003 feet. Blooming period is from February to June.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Lepidium virginicum var. robinsonii Robinson's pepper-grass	Fed: None CA: None CNPS: 4.3	Dry soils on chaparral and coastal sage scrub. Found at elevations ranging from 3 to 2,904 feet. Blooming period is from January to July.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Microseris douglasii* ssp. *platycarpha small-flowered microseris	Fed: None CA: None CNPS: 4.2	Occurs in clay soils in cismontane woodland, coastal scrub, valley and foothill grasslands, and around vernal pools. Found at elevations ranging from 49 to 3,510 feet. Blooming period is from March to May.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

Scientific Name Common Name	**Status**	**Habitat**	**Covered by MSHCP**	**Observed On-site**	**Potential to Occur**
Myosurus minimus ssp. apus little mousetail	Fed: None CA: None CNPS: 3.1	Occurs in alkaline soils in valley and foothill grassland and vernal pools. Found at elevations ranging from 66 to 2,100 feet. Blooming period is from March to June.	Yes (d)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Navarretia fossalis spreading navarretia	Fed: **THR** CA: None CNPS: 1B.1	Grows in chenopod scrub, assorted shallow freshwater marshes and swamps, playas, and vernal pools. Found at elevations ranging from 98 to 2,149 feet. Blooming period is from April to June.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Orcuttia californica California Orcutt grass	Fed: **END** CA: **END** CNPS: 1B.1	Primarily restricted to the southern basaltic claypan vernal pools at the Santa Rosa Plateau, and alkali vernal pools at Skunk Hollow, and at Salt Creek. Grows in elevations ranging from 45 to 2,165 feet above msl. Blooming period is from April to August.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Romneya coulteri Coulter's matilija poppy	Fed: None CA: None CNPS: 4.2	Found in recently burned areas within chaparral and coastal scrub habitats. Found at elevations ranging from 66 to 3,937 feet. Blooming period is from March to July.	Yes (e)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Texosporium sancti-jacobi woven-spored lichen	Fed: None CA: None CNPS: 3	Found on soil, small mammal pellets, dead twigs, and on *Selaginella* sp. within openings in chaparral habitat. Found at elevations ranging from 951 to 2,165 feet.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Tortula californica California screw moss	Fed: None CA: None CNPS: 1B.2	Found in chenopod scrub and valley and foothill grassland. Grows on sandy soil. Found at elevations ranging from 33 to 4,790 feet.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Trichocoronis wrightii* var. *wrightii Wright's trichocoronis	Fed: None CA: None CNPS: 2B.1	Grows in alkaline soils in meadows and seeps, marshes and swamps, riparian forest, and vernal pools. Found at elevations ranging from 16 to 1,427 feet. Blooming period is from May to September.	Yes (b)	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.
Viguiera laciniata San Diego County viguiera	Fed: None CA: None CNPS: 4.3	Grows within chaparral and coastal scrub habitats. Found at elevations ranging from 200 to 2,460 feet. Blooming period is typically from February to June and can extend through August.	No	No	**Presumed Absent** There is no suitable habitat present within or adjacent to the project site.

CDFW SENSITIVE HABITATS					
Southern Coast Live Oak Riparian Forest	CDFW Sensitive Habitat	Open to locally dense evergreen riparian woodlands dominated by *Quercus agrifolia*. This type appears to be richer in herbs and poorer in understory shrubs than other riparian communities. Bottomlands and outer floodplains along larger streams, on fine-grained, rich alluvium. Canyons and valleys of coastal southern California.	NA	No	**Absent**
Southern Cottonwood Willow Riparian Forest	CDFW Sensitive Habitat	Dominated by cottonwood (*Populus* sp.) and willow (*Salix* sp.) trees and shrubs. Considered to be an early successional stage as both species are known to germinate almost exclusively on recently deposited or exposed alluvial soils.	NA	No	**Absent**
Southern Sycamore Alder Riparian Woodland	CDFW Sensitive Habitat	Occurs below 2,000 meters in elevation, sycamore and alder often occur along seasonally-flooded banks; cottonwoods and willows are also often present. Poison oak, mugwort, elderberry and wild raspberry may be present in understory.	NA	No	**Absent**

U.S. Fish and Wildlife Service (Fed) - Federal
END- Federal Endangered
THR- Federal Threatened

California Department of Fish and Wildlife (CA) - California
END- California Endangered
THR- California Threatened
Candidate- Candidate for listing under the California Endangered Species Act
FP- California Fully Protected
SSC- Species of Special Concern
WL- Watch List

California Native Plant Society (CNPS)
California Rare Plant Rank
1B Plants Rare, Threatened, or Endangered in California and Elsewhere
2B Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere
3 Plants About Which More Information is Needed – A Review List
4 Plants of Limited Distribution – A Watch List

CNPS Threat Ranks
0.1- Seriously threatened in California
0.2- Moderately threatened in California
0.3- Not very threatened in California

Western Riverside County MSHCP
Yes- Fully covered
No- Not covered
Yes (a)- May require surveys under MSHCP Section 6.1.2
Yes (b)- May require surveys under MSHCP Section 6.1.3
Yes (c)- May require surveys under MSHCP Section 6.3.2
Yes (d)- May require surveys under MSHCP Section 6.3.2
Yes (e)- Conditionally covered pending the achievement of species-specific conservation measures

Appendix C Regulations

Special status species are native species that have been afforded special legal or management protection because of concern for their continued existence. There are several categories of protection at both federal and state levels, depending on the magnitude of threat to continued existence and existing knowledge of population levels.

Federal Regulations

Endangered Species Act of 1973

Federally listed threatened and endangered species and their habitats are protected under provisions of the Federal Endangered Species Act (ESA). Section 9 of the ESA prohibits "take" of threatened or endangered species. "Take" under the ESA is defined as to "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct." The presence of any federally threatened or endangered species that are in a project area generally imposes severe constraints on development, particularly if development would result in "take" of the species or its habitat. Under the regulations of the ESA, the United States Fish and Wildlife Service (USFWS) may authorize "take" when it is incidental to, but not the purpose of, an otherwise lawful act.

Critical Habitat is designated for the survival and recovery of species listed as threatened or endangered under the ESA. Critical Habitat includes those areas occupied by the species, in which are found physical and biological features that are essential to the conservation of an ESA listed species and which may require special management considerations or protection. Critical Habitat may also include unoccupied habitat if it is determined that the unoccupied habitat is essential for the conservation of the species.

Whenever federal agencies authorize, fund, or carry out actions that may adversely modify or destroy Critical Habitat, they must consult with USFWS under Section 7 of the ESA. The designation of Critical Habitat does not affect private landowners, unless a project they are proposing uses federal funds, or requires federal authorization or permits (e.g., funding from the Federal Highway Administration or a permit from the U.S. Army Corps of Engineers (Corps)).

If USFWS determines that Critical Habitat will be adversely modified or destroyed from a proposed action, the USFWS will develop reasonable and prudent alternatives in cooperation with the federal institution to ensure the purpose of the proposed action can be achieved without loss of Critical Habitat. If the action is not likely to adversely modify or destroy Critical Habitat, USFWS will include a statement in its biological opinion concerning any incidental take that may be authorized and specify terms and conditions to ensure the agency is in compliance with the opinion.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) (16 U.S. Government Code [USC] 703) makes it unlawful to pursue, capture, kill, possess, or attempt to do the same to any migratory bird or part, nest, or egg of any such bird listed in wildlife protection treaties between the United States, Great Britain, Mexico, Japan, and the countries of the former Soviet Union, and authorizes the U.S. Secretary of the Interior to protect and regulate the taking of migratory birds. It establishes seasons and bag limits for hunted species and protects migratory birds, their occupied nests, and their eggs (16 USC 703; 50 CFR 10, 21).

The MBTA covers the taking of any nests or eggs of migratory birds, except as allowed by permit pursuant to 50 CFR, Part 21. Disturbances causing nest abandonment and/or loss of reproductive effort (i.e., killing or abandonment of eggs or young) may also be considered "take." This regulation seeks to protect migratory birds and active nests.

In 1972, the MBTA was amended to include protection for migratory birds of prey (e.g., raptors). Six families of raptors occurring in North America were included in the amendment: Accipitridae (kites, hawks, and eagles); Cathartidae (New World vultures); Falconidae (falcons and caracaras); Pandionidae (ospreys); Strigidae (typical owls); and Tytonidae (barn owls). The provisions of the 1972 amendment to the MBTA protects all species and subspecies of the families listed above. The MBTA protects over 800 species including geese, ducks, shorebirds, raptors, songbirds and many relatively common species.

State Regulations

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (CEQA) provides for the protection of the environment within the State of California by establishing State policy to prevent significant, avoidable damage to the environment through the use of alternatives or mitigation measures for projects. It applies to actions directly undertaken, financed, or permitted by State lead agencies. If a project is determined to be subject to CEQA, the lead agency will be required to conduct an Initial Study (IS); if the IS determines that the project may have significant impacts on the environment, the lead agency will subsequently be required to write an Environmental Impact Report (EIR). A finding of non-significant effects will require either a Negative Declaration or a Mitigated Negative Declaration instead of an EIR. Section 15380 of the CEQA Guidelines independently defines "endangered" and "rare" species separately from the definitions of the California Endangered Species Act (CESA). Under CEQA, "endangered" species of plants or animals are defined as those whose survival and reproduction in the wild are in immediate jeopardy, while "rare" species are defined as those who are in such low numbers that they could become endangered if their environment worsens.

California Endangered Species Act (CESA)

In addition to federal laws, the state of California implements the CESA which is enforced by CDFW. The CESA program maintains a separate listing of species beyond the FESA, although the provisions of each act are similar.

State-listed threatened and endangered species are protected under provisions of the CESA. Activities that may result in "take" of individuals (defined in CESA as; "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill") are regulated by CDFW. Habitat degradation or modification is not included in the definition of "take" under CESA. Nonetheless, CDFW has interpreted "take" to include the destruction of nesting, denning, or foraging habitat necessary to maintain a viable breeding population of protected species.

The State of California considers an endangered species as one whose prospects of survival and reproduction are in immediate jeopardy. A threatened species is considered as one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the

absence of special protection or management. A rare species is one that is considered present in such small numbers throughout its range that it may become endangered if its present environment worsens. State threatened and endangered species are fully protected against take, as defined above.

The CDFW has also produced a species of special concern list to serve as a species watch list. Species on this list are either of limited distribution or their habitats have been reduced substantially, such that a threat to their populations may be imminent. Species of special concern may receive special attention during environmental review, but they do not have formal statutory protection. At the federal level, USFWS also uses the label species of concern, as an informal term that refers to species which might be in need of concentrated conservation actions. As the Species of Concern designated by USFWS do not receive formal legal protection, the use of the term does not necessarily ensure that the species will be proposed for listing as a threatened or endangered species.

Fish and Game Code

Fish and Game Code Sections 3503, 3503.5, 3511, and 3513 are applicable to natural resource management. For example, Section 3503 of the Code makes it unlawful to destroy any birds' nest or any birds' eggs that are protected under the MBTA. Further, any birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks, eagles, and owls) are protected under Section 3503.5 of the Fish and Game Code which makes it unlawful to take, possess, or destroy their nest or eggs. A consultation with CDFW may be required prior to the removal of any bird of prey nest that may occur on a project site. Section 3511 of the Fish and Game Code lists fully protected bird species, where the CDFW is unable to authorize the issuance of permits or licenses to take these species. Pertinent species that are State fully protected by the State include golden eagle (*Aquila chrysaetos*) and white-tailed kite (*Elanus leucurus*). Section 3513 of the Fish and Game Code makes it unlawful to take or possess any migratory nongame bird as designated in the MBTA or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA.

Native Plant Protection Act

Sections 1900–1913 of the Fish and Game Code were developed to preserve, protect, and enhance Rare and Endangered plants in the state of California. The act requires all state agencies to use their authority to carry out programs to conserve Endangered and Rare native plants. Provisions of the Native Plant Protection Act prohibit the taking of listed plants from the wild and require notification of the CDFW at least ten days in advance of any change in land use which would adversely impact listed plants. This allows the CDFW to salvage listed plant species that would otherwise be destroyed.

California Native Plant Society Rare and Endangered Plant Species

Vascular plants listed as rare or endangered by the CNPS, but which have no designated status under FESA or CESA are defined as follows:

California Rare Plant Rank

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 More Common Elsewhere

2B- Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere

3- Plants about Which More Information is Needed - A Review List

4- Plants of Limited Distribution - A Watch List

Threat Ranks

.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)

.3- Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known).

Local Policies

Western Riverside County MSHCP

The MSHCP is a comprehensive, multi-jurisdictional HCP focusing on conservation of species and their associated habitats in western Riverside County. The goal of the MSHCP is to maintain biological and ecological diversity within a rapidly urbanizing region.

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 federal-listed species as well as other identified sensitive species and/or their habitats. Each city or 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 the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), CESA, and FESA will be granted. The Development Mitigation Fee varies according to project size and project description. The fee for industrial development is $7,382 per acre (County Ordinance 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, CESA, and FESA for impacts to the species and habitats covered by the MSHCP pursuant to agreements with the USFWS, the CDFW, and/or any other appropriate participating regulatory agencies and as set forth in the IA for the MSHCP.

There are three key agencies that regulate activities within inland streams, wetlands, and riparian areas in California. The Corps Regulatory Branch regulates activities pursuant to Section 404 of the Federal Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Of the State agencies, the CDFG regulates activities under the Fish and Game Code Section 1600-1616, and the Regional Board regulates activities pursuant to Section 401 of the CWA and the California Porter-Cologne Water Quality Control Act.

Federal Regulations

Section 404 of the Clean Water Act

In accordance with the Revised Definition of "Waters of the United States" (March 20, 2023), "waters of the United Sates" are defined as follows:

> The ''waters of the United States'' are defined in paragraph (a) of this rule:
>
> (1) traditional navigable waters, the territorial seas, and interstate waters;
>
> (2) impoundments of ''waters of the United States'';
>
> (3) tributaries to traditional navigable waters, the territorial seas, interstate waters, or impoundments when the tributaries meet either the relatively permanent standard or the significant nexus standard (''jurisdictional tributaries'');
>
> (4) wetlands adjacent to traditional navigable waters; wetlands adjacent to and with a continuous surface connection to relatively permanent paragraph impoundments or to jurisdictional tributaries when the jurisdictional tributaries meet the relatively permanent standard; and wetlands adjacent to impoundments or jurisdictional tributaries when the wetlands meet the significant nexus standard (''jurisdictional adjacent wetlands''); and
>
> (5) intrastate lakes and ponds, streams, or wetlands not identified in (1) through (4) above that meet either the relatively permanent standard or the significant nexus standard.

The ''relatively permanent standard'' means relatively permanent, standing or continuously flowing waters connected to traditional navigable waters, and waters with a continuous surface connection to such relatively permanent waters or to traditional navigable waters. The ''significant nexus standard'' means waters that, either alone or in combination with similarly situated waters in the region, significantly affect the chemical, physical, or biological integrity of traditional navigable waters, the territorial seas, or interstate waters.

Section 401 of the Clean Water Act

Pursuant to Section 401 of the CWA, any applicant for a federal license or permit to conduct any activity which may result in any discharge to waters of the United States must provide certification from the State or Indian tribe in which the discharge originates. This certification provides for the protection of the physical, chemical, and biological integrity of waters, addresses impacts to water quality that may result from issuance of federal permits, and helps insure that federal actions will not violate water quality standards of the State or Indian tribe. In California, there are nine Regional Water Quality Control Boards (Regional Board) that issue or deny certification for discharges to waters of the United States and waters of the State, including wetlands, within their geographical jurisdiction. The State Water Resources Control

Board assumed this responsibility when a project has the potential to result in the discharge to waters within multiple Regional Boards.

State Regulations

Fish and Game Code

Fish and Game Code Sections 1600 et. seq. establishes a fee-based process to ensure that projects conducted in and around lakes, rivers, or streams do not adversely impact fish and wildlife resources, or, when adverse impacts cannot be avoided, ensures that adequate mitigation and/or compensation is provided.

Fish and Game Code Section 1602 requires any person, state, or local governmental agency or public utility to notify the CDFW before beginning any activity that will do one or more of the following:

(1) substantially obstruct or divert the natural flow of a river, stream, or lake;
(2) substantially change or use any material from the bed, channel, or bank of a river, stream, or lake; or
(3) deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into a river, stream, or lake.

Fish and Game Code Section 1602 applies to all perennial, intermittent, and ephemeral rivers, streams, and lakes in the State. CDFW's regulatory authority extends to include riparian habitat (including wetlands) supported by a river, stream, or lake regardless of the presence or absence of hydric soils and saturated soil conditions. Generally, the CDFW takes jurisdiction to the top of bank of the stream or to the outer limit of the adjacent riparian vegetation (outer drip line), whichever is greater. Notification is generally required for any project that will take place in or in the vicinity of a river, stream, lake, or their tributaries. This includes rivers or streams that flow at least periodically or permanently through a bed or channel with banks that support fish or other aquatic life and watercourses having a surface or subsurface flow that support or have supported riparian vegetation. A Section 1602 Streambed Alteration Agreement would be required if impacts to identified CDFW jurisdictional areas occur.

Porter Cologne Act

The California *Porter-Cologne Water Quality Control Act* gives the State very broad authority to regulate waters of the State, which are defined as any surface water or groundwater, including saline waters. The Porter-Cologne Act has become an important tool in the post SWANCC and Rapanos regulatory environment, with respect to the state's authority over isolated and insignificant waters. Generally, any person proposing to discharge waste into a water body that could affect its water quality must file a Report of Waste Discharge in the event that there is no Section 404/401 nexus. Although "waste" is partially defined as any waste substance associated with human habitation, the Regional Board also interprets this to include fill discharged into water bodies.

APPENDIX C2

BURROWING OWL FOCUSED SURVEY REPORT

MENIFEE EDC NORTHERN GATEWAY

CITY OF MENIFEE, RIVERSIDE COUNTY, CALIFORNIA

ROMOLAND USGS 7.5-MINUTE TOPOGRAPHIC QUADRANGLE
SECTIONS 16 AND 17, TOWNSHIP 5 SOUTH, RANGE 3 WEST
APNs: 330-180-006, -010, -012, -029, and -046, and 331-060-018

Burrowing Owl Focused Survey Report

Prepared For:

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Prepared By:

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October 2023

MENIFEE EDC NORTHERN GATEWAY

CITY OF MENIFEE, RIVERSIDE COUNTY, CALIFORNIA

Burrowing Owl Focused Survey Report

The undersigned certify that the statements furnished in this report and exhibits present data and information required for this biological evaluation, and the facts, statements, and information presented is a complete and accurate account of the findings and conclusions to the best of our knowledge and beliefs.

Travis J. McGill
Director

Thomas J. McGill, Ph.D.
Managing Director

October 2023

Table of Contents

EXHIBITS

APPENDIX

Section 1 Introduction

ELMT Consulting (ELMT) conducted a focused burrowing owl (*Athene cunicularia*) survey for the proposed Menifee EDC Northern Gateway project (project site, site) located in the City of Menifee, Riverside County, California (project or project site). Biologists Travis J. McGill, Jacob H. Lloyd Davies, Rachael A. Lyons and Megan E. Peukert surveyed the project site in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* (Environmental Programs Department, 2006). The focused burrowing owl surveys were conducted on July 30, August 10, August 18, and August 30, 2023 within suitable habitat. All surveys were completed between 0600 and 1100 hours. The surveys were conducted to document the presence/absence of burrowing owl on the project site.

1.1 PROJECT LOCATION

The project site is generally located west of Interstate 215, north of Interstate 15 and south and east of State Route 74 in the City of Menifee, Riverside County, California (Exhibit 1, *Regional Vicinity*). The project site is depicted on the Romoland quadrangle of the United States Geological Survey's (USGS) 7.5-minute topographic map within Sections 16 and 17 of Township 5 South, Range 3 West (Exhibit 2, *Site Vicinity*). Specifically, the proposed project is composed of three disjunct sites labeled as Site 1, Site 2, and Site 3 (Exhibit 3, *Project Site*).

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 related improvements would occur on four separate accessor parcel numbers (APN: 330-180-010, -046, -029, and -006). Project Site 1 is bisected by Corsica Lane and generally bounded by a Southern California Edison (SCE) public utility corridor and McLaughlin Road to the south; single-family residential uses, Aaron Alan Drive, and Ruffian Road to the north; Goetz Road with single family residences beyond to the west; and Wheat Street to the east.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*
  Project Site 2 related improvements would occur on one parcel (APN: 330-180-012) or more specifically at 26201 Wheat Street. Project Site 2 is generally bounded by single-family residences to the south; vacant land and Ethanac Road to the north; single family residences and Ruffian Road to the west; and Wheat Street to the east.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 related improvements would occur on one parcel (APN: 331-060-018) southeast of the intersection of Ethanac Road and Evans Road. Project Site 3 is generally bounded by vacant land to the south; Ethanac Road and the City of Perris to the north; vacant land, a Riverside County flood control channel, and Barnett Road to the east; and Evans Road and a single-family residence to the west.

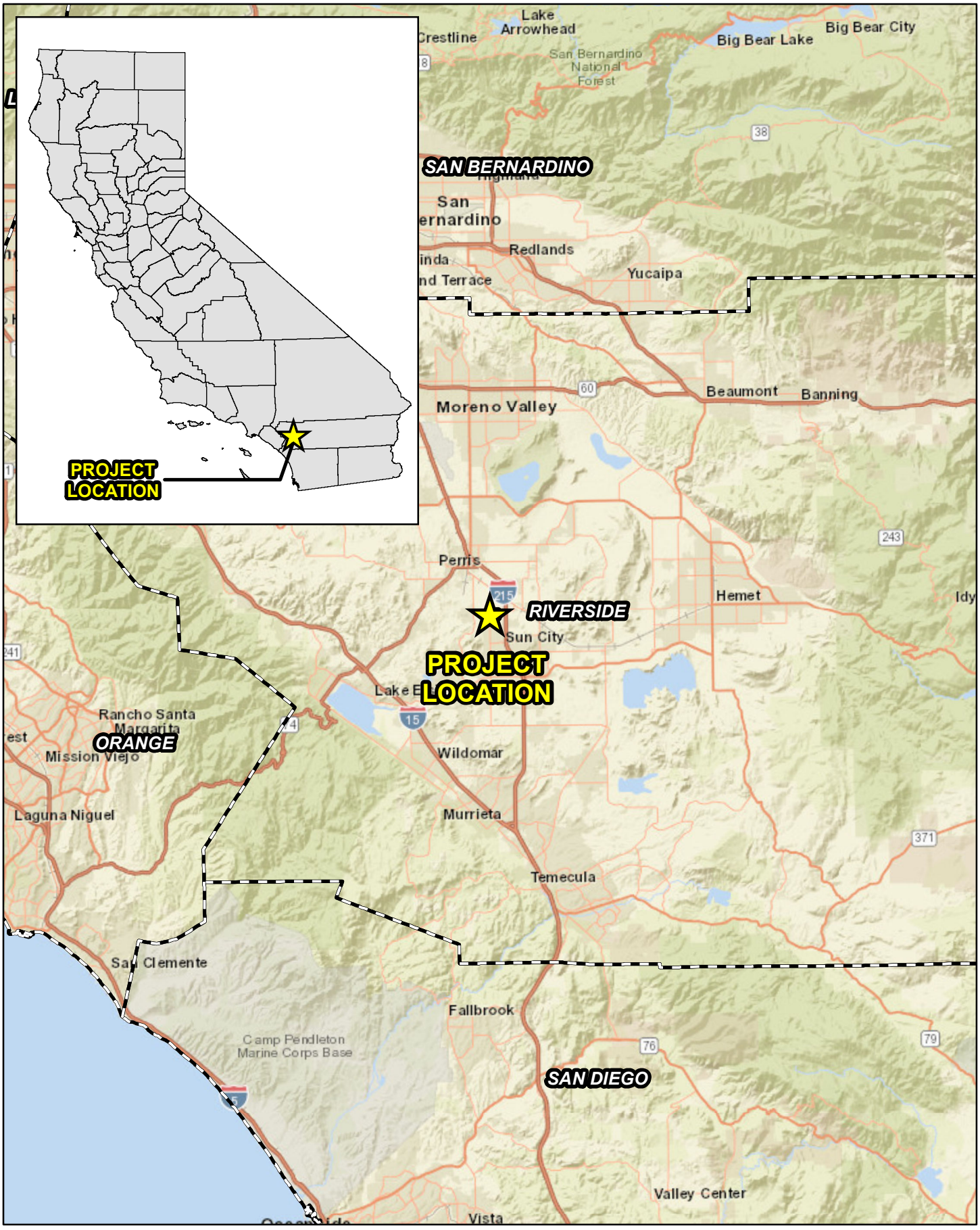
1.2 PROJECT DESCRIPTION

The Project proposes the development of approximately 489,630 square feet (SF) of industrial warehousing within five buildings on three separate sites, totaling 26.23 total gross-acres. Project Sites 1 through 3 also include associated facilities and improvements which includes loading dock doors, on-site landscaping, and related on-site and off-site improvements (roadway improvements, sewer, storm drain, utilities). Refer to the following information:

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 related improvements would occur on four separate accessor parcel numbers (APN: 330-180-010, -046, -029, and -006) totaling approximately 13.99 gross acres and includes the construction of three concrete tilt-up buildings totaling 265,058 SF. More specifically, Building 1 would total 154,831 SF, inclusive of 5,000 SF office space and proposes a structural height of 41 feet and includes 136 automobile parking spaces and 16 trailer parking spaces. Building 2 would total 80,090 SF, inclusive of 4,000 SF of office space and proposes a structural height of 41 feet and includes 80 automobile parking spaces. Lastly, Building 3 would total 30,137 SF, inclusive of 2,000 SF of office space and proposes a structural height of 39 feet and includes 31 automobile parking spaces.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*
  Project Site 2 consists of the demolition of an existing residential structure and includes the construction of one concrete tilt-up building totaling 86,676 SF , inclusive of 5,000 SF of office space and 4,500 SF of mezzanine, on approximately 4.72 gross acres. The building proposes a structural height of 40 feet and would include a total of 112 automobile parking spaces.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 would include the construction of one concrete tilt-up building totaling 137,896 SF, inclusive of 3,000 SF of office space and 3,000 of mezzanine, on approximately 7.52 gross acres. The building proposes a structural height of 43 feet and would include a total of 154 automobile parking spaces.



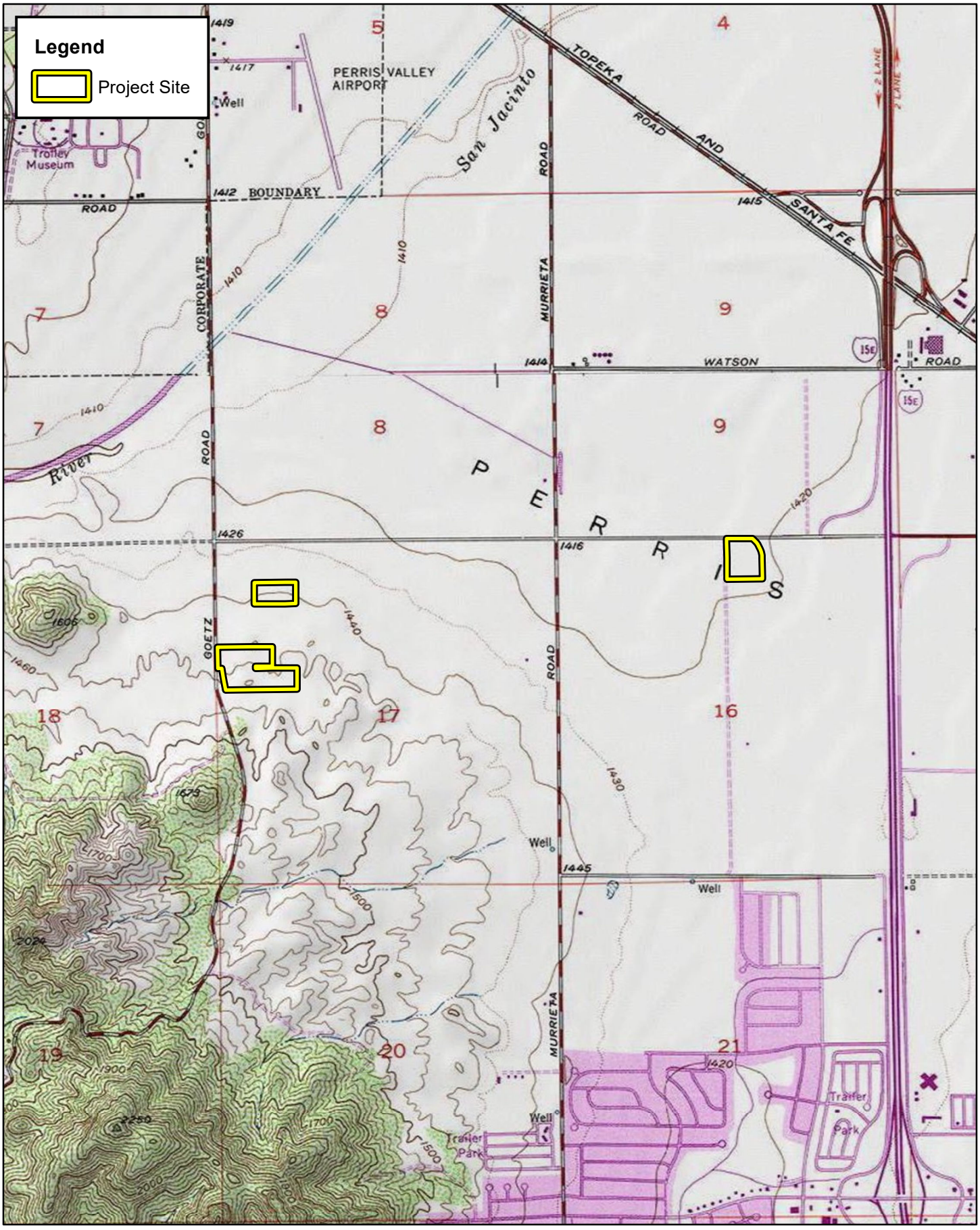
MENIFEE EDC NORTHERN GATEWAY

ELMT CONSULTING

Source: World Street Map, Riverside County

Regional Vicinity

Exhibit 1



MENIFEE EDC NORTHERN GATEWAY

ELMT CONSULTING

0 1,000 2,000 4,000 Feet

Source: USA Topographic Map, Riverside County

Site Vicinity

Exhibit 2

MENIFEE EDC NORTHERN GATEWAY

H

Project Site

ELMT CONSULTING

0 125 250 500 Feet

Source: ESRI Aerial Imagery, Riverside County

Exhibit 3

Section 2 Species Background

2.1 SPECIES BACKGROUND

The burrowing owl is a grassland specialist distributed throughout western North America where it occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls use a wide variety of arid and semi-arid environments with well-drained, level to gently-sloping areas characterized by sparse vegetation and bare ground (Haug and Didiuk 1993; Dechant et al. 1999). Burrowing owls are dependent upon the presence of fossorial mammals, such as ground squirrels (*Otospermophilus beecheyi*), whose burrows are used for roosting and nesting (Haug and Didiuk 1993). The presence or absence of colonial mammal burrows is often a major factor that limits the presence or absence of burrowing owls. Where mammal burrows are scarce, burrowing owls have been found occupying man-made cavities, such as buried and non-functioning drain pipes, stand-pipes, and dry culverts. Burrowing mammals may burrow beneath rocks and debris or large, heavy objects such as abandoned cars, concrete blocks, or concrete pads. Large, hard objects at burrow entrances stabilize the entrance from collapse and may inhibit excavation by predators.

Burrowing owls have crepuscular (dawn and dusk) hunting habits but are often observed perched in or near the burrow entrance during the day. They prey upon invertebrates and small vertebrates (Thomsen 1971) through low vegetation which allows for foraging visibility. The nesting season occurs between February 1 and August 31. Burrowing owl in California may migrate southerly, but often remain in the breeding area during the non-breeding period.

The burrowing owl was once abundant and widely distributed within coastal southern California, but it has declined precipitously in counties such as Los Angeles, Orange, San Diego, Riverside, and San Bernardino. A petition was filed to list the California population of the western burrowing owl as an Endangered or Threatened species (Center for Biological Diversity 2003); however, the California Department of Fish and Wildlife (CDFW) declined to list the burrowing owl as either endangered or threatened. The CDFW currently lists the burrowing owl as a California Species of Special Concern.

2.2 REGULATORY FRAMEWORK

The burrowing owl is a resident and migratory bird species protected by international treaty under the Migratory Bird Treaty Act (MBTA) of 1918. The MBTA reflects agreements made between the U.S., England, Mexico, the former Soviet Union, and Japan to protect all of North America's migratory bird populations. The MBTA protects migratory bird nests from possession, sale, purchase, barter, transport, import and export, and collection. The other prohibitions of the MBTA - capture, pursue, hunt, and kill - are inapplicable to nests. The regulatory definition of take, as defined in Title 50 C.F.R. part 10.12, means to pursue, hunt, shoot, wound, kill, trap, capture, or collect, or attempt to hunt, shoot, wound, kill, trap, capture, or collect. Only the verb "collect" applies to nests. It is illegal to collect, possess, and by any means transfer possession of any migratory bird nest. The MBTA prohibits the destruction of a nest when it contains birds or eggs, and no possession shall occur during the destruction (United States Fish and Wildlife Service, Migratory Bird Permit Memorandum, April 15, 2003). Certain exceptions to this prohibition are included in 50 C.F.R. section 21. Pursuant to CDFW Code section 3513, the

Department enforces the MBTA consistent with rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

Additionally, burrowing owl is protected under Sections 3503, 3503.3, 3511, and 3513 of the CDFW Code which prohibit the take, possession, or destruction of birds, their nests or eggs. Implementation of the take provisions requires that project-related disturbance at active nesting territories be reduced or eliminated during critical phases of the nesting cycle (March 1 - August 15, annually). CDFW Code Section 3503.5 protects birds in the orders Falconiformes or Strigiformes (Birds of Prey, such as hawks and owls, including burrowing owls) which makes it unlawful to take, possess, or destroy their nest or eggs.

CDFW's 2012 Staff Report on Burrowing Owl Mitigation offers long-term assurances for conservation of this species in exchange for biologically appropriate levels of incidental take and/or habitat loss as defined in the approved plan. California's NCCP Act (FGC §2800 et seq.) governs such plans at the state level, and was designed to conserve species, natural communities, ecosystems, and ecological processes across a jurisdiction or a collection of jurisdictions. Complementary federal HCPs are governed by the Endangered Species Act (7 U.S.C. § 136, 16 U.S.C.§ 1531 et seq.) (ESA). Regional conservation plans (and certain other landscape-level conservation and management plans), may provide conservation for unlisted as well as listed species. Because the geographic scope of NCCPs and HCPs may span many hundreds of thousands of acres, these planning tools have the potential to play a significant role in conservation of burrowing owls, and grasslands and other habitats.

Guidelines for the Implementation of the California Environmental Quality Act (CEQA) provide that a species be considered as endangered or "rare" regardless of appearance on a formal list for the purposes of the CEQA (Guidelines, Section 15380, subsections b and d). CEQA requires a mandatory finding of significance if impacts to threatened or endangered species are likely to occur (Sections 21001(c), 21083. Guidelines 15380, 15064, 15065). Avoidance or mitigation must be presented to reduce impacts to less than significant levels.

2.2.1 MSHCP Section 6.3.2 Additional Survey Needs and Procedures – Burrowing Owl

Under Section 6.3.2 the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) the burrowing owl is considered an adequately conserved covered species that may still require focused surveys in certain areas as designated in Figure 6-4 of the MSHCP. The purpose of Section 6.3.2 of the MSHCP is to provide coverage under the MSHCP for those species for which existing available information was not sufficient, and therefore, survey requirements are incorporated in the MSHCP to provide the level of information necessary for these species to receive coverage (Dudek & Associates, Inc., 2003).

Section 3 Methodology

General weather conditions during each of the surveys were suitable for detections of burrowing owls. The weather during the surveys consisted of cloudy to clear skies with minimal wind, and temperatures ranging from 49 to 75 degrees Fahrenheit (ºF). Surveys are not accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90ºF. The protocol survey for burrowing owl requires a systematic survey of all areas that provide suitable habitat plus a 150-meter (approximately 500 feet) zone of influence (survey area) on all sides of suitable habitat, where applicable (Exhibit 4, *Survey Area and Suitable Habitat*).

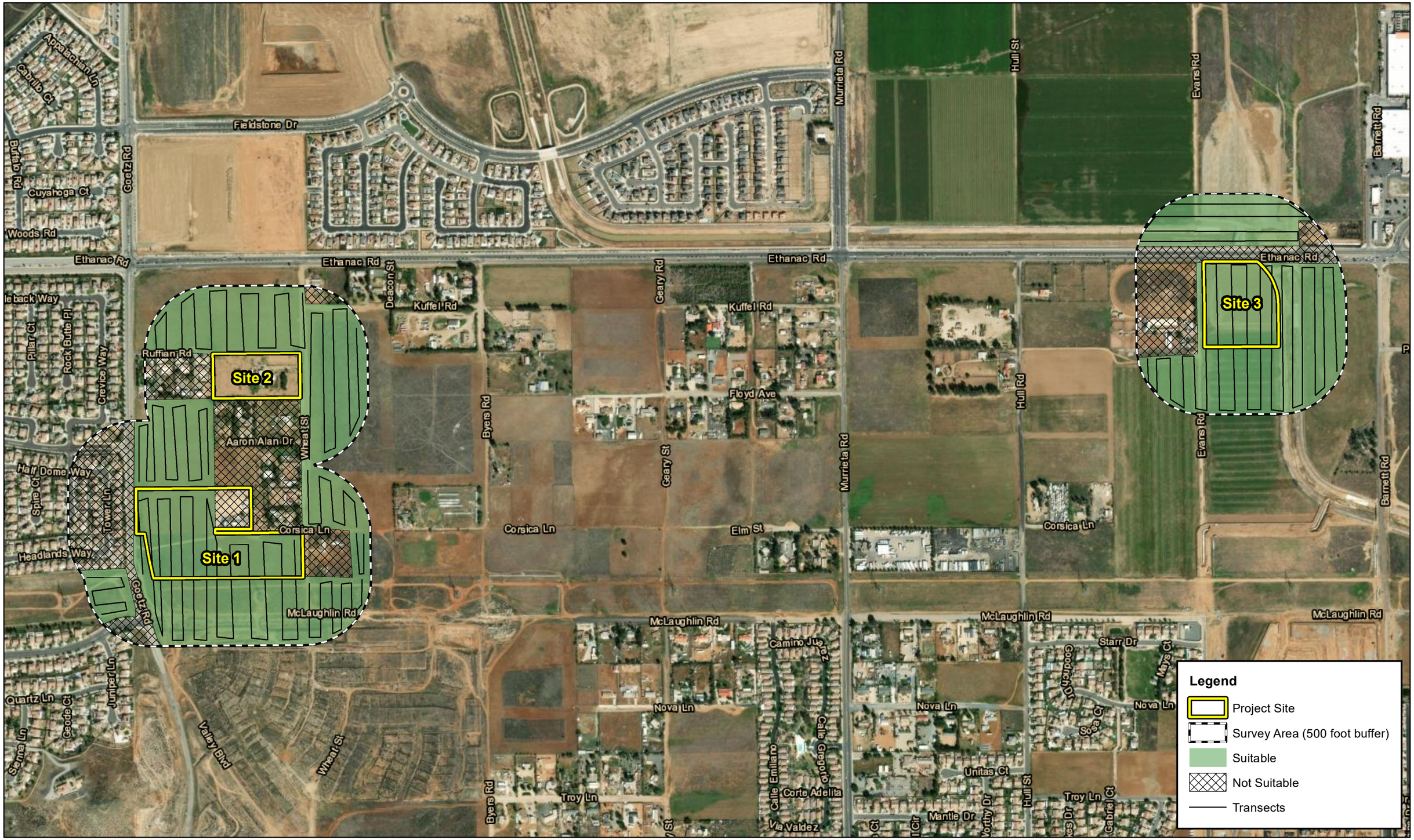
Survey transects on the project site were oriented north to south and were conducted at a maximum of 30-meter (approximately 100 feet) intervals to ensure 100% visual coverage of all areas in suitable habitat on the project site and within the survey area. The focused burrowing owl surveys were conducted during the recognized timeframe (the breeding season is typically March through August) in the morning one hour before sunrise to two hours after sunrise.

Suitable burrows/sites, including rock piles and non-natural substrates, were thoroughly examined for signs of presence. All burrows encountered were examined for shape, scat, pellets, white-wash, feathers, tracks, and prey remains. The location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed were recorded and mapped, with a hand-held GPS unit, if observed. Methods to detect presence of burrowing owls included direct observation, aural detection, and signs of presence. Binoculars were used to observe distant birds and their activity around potential nesting habitat. During the focused surveys, the survey area was assessed on foot by qualified biologists Jacob H. Lloyd Davies, Rachael A. Lyons, and Megan E. Peukert who are knowledgeable in the habitats and behavior of burrowing owls.

Four focused burrowing owl surveys were conducted July 30, August 10, August 18, and August 30, 2023All surveys were completed between 0600 and 1100. The surveys were conducted to document the presence/absence of burrowing owl on the project site. Refer to Table 1, *Survey Data*, for a summary of the survey dates and times, personnel, weather conditions, and general findings.

Table 1: Survey Data

Survey No.	Survey Date	Surveyor	Time	Temperature (˚F)	Cloud Cover	Wind Speed (mph)	Burrowing Owl Detected On-Site
1	7/30/23	Jacob H. Lloyd Davies	0600-1100	68-84	0%	1-3	No
2	8/10/23	Travis J. McGill	0830-1030	65-77	0%	1-5	No
3	8/18/23	Travis J. McGill & Rachael A. Lyons	0600-1100	63-80	0%	1-5	No
4	8/30/23	Jacob H. Lloyd Davies	0830-1030	69-85	0%	1-5	No



ELMT CONSULTING

Source: ESRI Aerial Imagery, Riverside County

MENIFEE EDC NORTHERN GATEWAY

Survey Area and Suitable Habitat

Exhibit 4

Section 4 Results

4.1 EXISTING CONDITIONS

All three sites composing the proposed project are relatively flat following decades of agricultural land uses. Site 1 is located at an approximate elevation of 1,474 to 1,456 feet above mean sea level and slopes marginally from southeast to northwest. Site 2 is located at an approximate elevation of 1,440 to 1,402 feet above mean sea level and slopes marginally from southeast to northwest. Site 3 is located at an approximate elevation of 1,425 to 1,418 feet above mean sea level and does not bear an observable slope. Based on the NRCS USDA Web Soil Survey, Site 1 is historically underlain by Auld clay (2 to 8 percent slopes) and Buchenau silt loam (2 to 8 percent slopes, eroded); Site 2 is historically underlain by Las Posas loam (2 to 8 percent slopes); and Site 3 is historically underlain by Exeter sandy loam (0 to 2 percent slopes) and Madera fine sandy loam (0 to 2 percent slopes). Soils underlying all three sites have been mechanically disturbed and heavily compacted from historic land uses (i.e., agricultural activities, grading activities, and weed abatement).

The project site occurs in a gradually urbanizing area that supports some primarily tract home developments and undeveloped parcels. Historically, the entire area supported agricultural land uses and associated facilities and residences. While some agricultural operations remain active in the vicinity of the project, the majority of undeveloped land in the vicinity of the sites is vacant.

At present, Site 1 is bounded to the north by undeveloped, vacant land; to the northeast by residential development; to the east by Wheat Street with residential development beyond; to the south by undeveloped land supporting a high-voltage transmission line; and to the west by Goetz Road and undeveloped, vacant land with residential development beyond.

Site 2 is bounded to the north by undeveloped, vacant land; to the east by Wheat Street undeveloped, vacant land beyond; and to the south and west by residential development.

Site 3 is bounded to the north by Ethanac Road with an earthen flood control channel beyond; to the east by the same earthen flood control channel; to the west by Evans Road with residential and equestrian development beyond; and to the south and southwest by active agriculture.

All three sites associated with the proposed project historically supported agricultural land uses and associated structures and residential development. Undeveloped land within the boundaries of the proposed project have been subject to a variety of anthropogenic disturbances associated with historic agricultural activities, routine weed abatement, and on-site and/or surrounding development. Historic aerials indicate that these activities have been ongoing since at least 1966.

- ***Project Site 1 (Corsica Lane)*** *DEV2022-010*
  Project Site 1 is 13.99 gross-acre site that consists of predominately vacant undeveloped land, one single-family residence, one accessory outbuilding, and one awning, and a portion of Corsica Lane.

- ***Project Site 2 (Wheat Street)*** *DEV2022-012*

Project Site 2 is a 4.72 gross-acre site that consists of vacant land, after the recent removal of a single-family residence and three outbuildings and the abandonment of a water well and septic system.

- ***Project Site 3 (Evans Road)*** *DEV2022-018*
  Project Site 3 is a 7.52 gross-acre site that consists of vacant land partially used for agricultural purposes in conjunction with the adjacent property to the south. Manure, presumed to be used during farming activity, is present at the northern portion of the Project site.

The disturbances outlined above have eliminated the natural plant communities that historically occurred within each site and the surrounding area. As a result, no native plant communities occur within the boundaries of the proposed project, nor will any native plant communities be impacted from project implementation. Refer to Appendix A, *Site Photographs*, for representative site photographs of the project site.

No native plant communities occur within the boundaries of the proposed project. The project sites support two (2) land cover types that would be classified as disturbed and developed.

Based on a review of CDFW's California Natural Diversity Database (CNDDB) 18 burrowing owl observations have been recorded within 5 miles of the project site. Refer to Exhibit 5, *CNDDB Burrowing Owl Observations.*

4.2 BURROWING OWL FOCUSED SURVEY

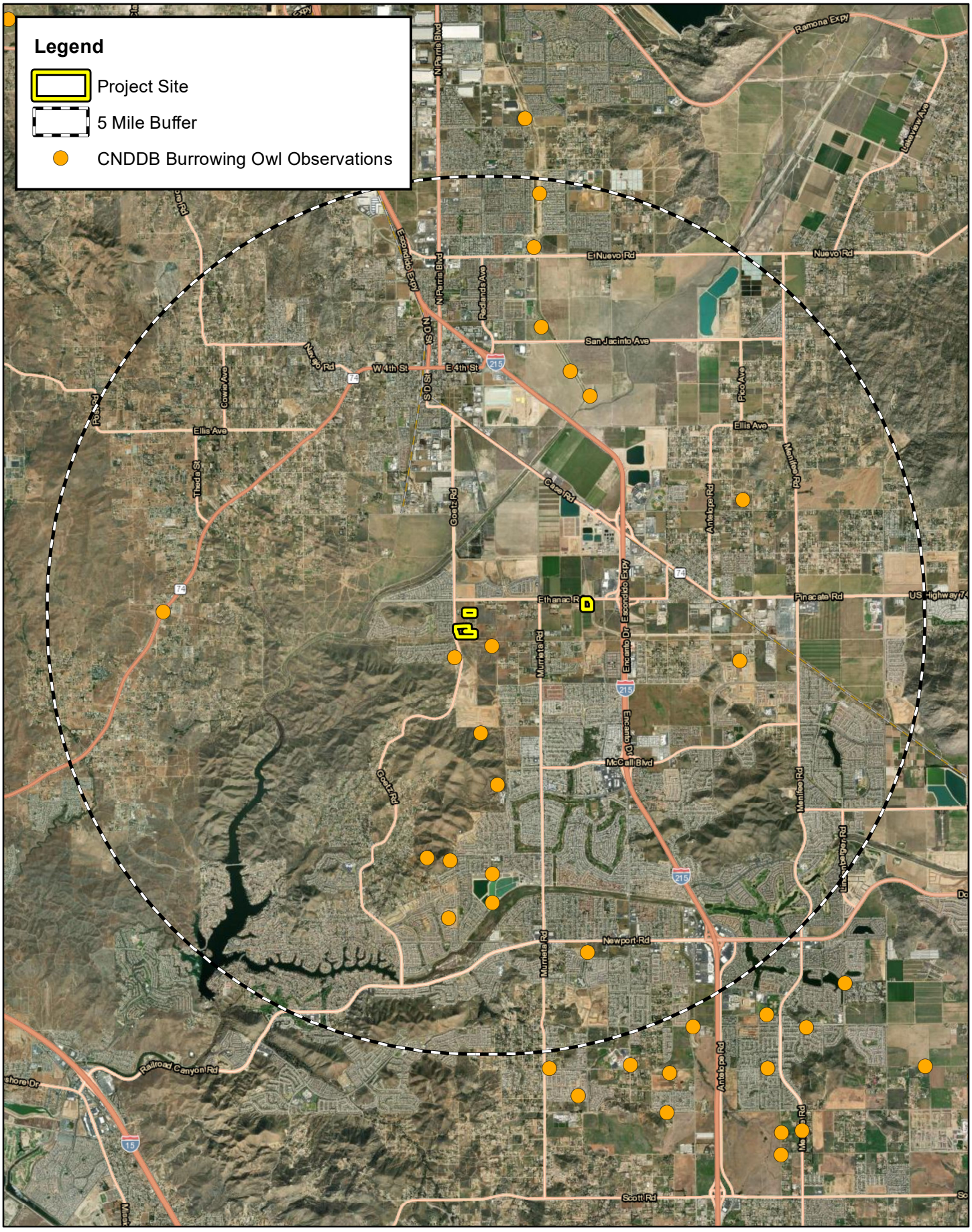
Portions of all three Sites are minimally vegetated or vegetated with a variety of low-growing plant species that allow for line-of-sight observation favored by burrowing owls. Site 2 has an existing residential development and is subject to routine disturbances. Some suitable burrows that have the potential to provide suitable burrowing owl nesting habitat (>4 inches in diameter) were observed at the northeast corner of Site 3 and within the earthen flood control channel to the east of Site 3. However, the burrows within the channel occur near boundary fencing and utility poles that provide perching opportunities for large raptors (i.e., red-tailed hawk) that can prey on burrowing owls. In addition, multiple domestic dogs and cats were observed roaming freely near the development to the west Site 3, which likely precludes burrowing owls from occupying suitable burrows in these areas as these domestic species will likely harass burrowing owls.

Despite regular disturbance, the ample presence of perching opportunities for predators of burrowing owls, and the presence of free-roaming domestic cats and dogs, portions of Site 1 and Site 3 supports suitable foraging habitat for burrowing owls and minimal burrows for burrowing owl are present in proximity to site boundaries.

Common avian species identified during the surveys include red-winged blackbird (*Agelaius phoeniceus*), American pipit (*Anthus rubescens*), great egret (*Ardea alba*), red-tailed hawk (*Buteo jamaicensis*), Anna's hummingbird (*Calypte anna*), rock pigeon (*Columba liva*), common raven (*Corvus corax*), Brewer's blackbird (*Euphagus cyanocephalus*), American kestrel (*Falco sparverius*), house finch (*Haemorhous mexicanus*), song sparrow (*Melospiza melodia*), Say's phoebe (*Sayornis*

saya), lesser goldfinch (*Spinus psaltria*), Eurasian collared dove (*Streptopelia decaocto*), European starling (*Sturnus vulgaris*), western kingbird (*Tyrannus verticalis*), mourning dove (*Zenaida macroura*), and white-crowned sparrow (*Zonotrichia leucophrys*). In addition, free-roaming chickens (*Gallus domesticus*) were observed near the residential and equestrian development adjacent to Site 3.

Despite a systematic search of the project site, no burrowing owls or sign (pellets, feathers, castings, or whitewash) were observed on or within 500 feet, where accessible, of the project site during the focused surveys.



ELMT CONSULTING

0 0.75 1.5 3 Miles

Source: ESRI Aerial Imagery, CDFW CNDDB, Riverside County

MENIFEE EDC NORTHERN GATEWAY

CNDDB BUOW Observations

Exhibit 6

Section 5 Conclusion and Recommendations

Based on the results of the 2023 burrowing owl focused surveys, no burrowing owls or evidence of recent or historic use by burrowing owls were observed on the project site. As a result, burrowing owls are presumed to be absent from the project site.

To ensure burrowing owl remain absent from the project site, it is recommended that a 30-day burrowing owl pre-construction clearance survey be conducted in accordance with the *Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area* prior to any ground disturbing activities. If burrowing owls and/or birds displaying nesting behaviors are observed within the project site during future construction, the project proponents will immediately inform the RCA and the Wildlife Agencies to ensure compliance with the MSHCP, MBTA and Fish and Game Code prior to initiating ground disturbance. If the site is left undisturbed for more than 30 days following the pre-construction survey, another pre-construction survey will be required to ensure burrowing owl has not colonized the site since it was last disturbed.

If the burrowing owls are found to occupy the project site during the pre-construction clearance survey, a burrowing owl relocation plan will need to be prepared and approval by CDFW prior to the commencement of any ground disturbing activities. The burrowing owl relocation plan shall outline recommended methods proposed to relocate the burrowing owls from the project site and provide measures that will be implemented for the maintenance, monitoring, and reporting of the relocated burrowing owls to increase chances of survivorship and better ensure compliance with CDFW guidelines. This plan should be implemented during the non-breeding season, and prior to seasonal rains to promote the best outcome for conservation of the burrowing owl.

However, if the burrowing owls, are determined to remain absent from the project site during the pre-construction clearance survey, no further review will be needed.

Section 6 References

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Appendix A Site Photographs

Photograph 1: From the southeast corner of Site 1 looking northwest across the site.

Photograph 2: From the eastern boundary of Site 2 looking west across the site.

Photograph 3: From the northeast corner of Site 3 looking south along the western boundary.

Photograph 4: From the northeast corner of Site 3 looking southwest across the project site.

Photograph 5: From the northeast corner of Site 3 looking west across the northern border.

Photograph 6: Potential burrowing owl habitat on the slopes of the channel adjacent to the eastern border of Site 3.