

**Biological Resources Assessment
for the
Grace Church Remodel and Griffin Senior Living
Community Project**

Orange County, California

Prepared For:

City of Laguna Niguel
30111 Crown Valley Parkway
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LIST OF ACRONYMS AND ABBREVIATIONS

Term	Definition
BSA	Biological Survey Area
CDFW	California Department of Fish and Wildlife
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CNPSEI	California Native Plant Society Electronic Inventory
CRPR	California Rare Plant Rank
GPS	Global Positioning System
HCP	Habitat Conservation Plan
MBTA	Migratory Bird Treaty Act
NCCP	Natural Community Conservation Plan
SF	Square Foot/Feet
SSAR	Society for the Study of Amphibians and Reptiles
SSC	Species of Special Concern
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey

1.0 PROJECT LOCATION AND DESCRIPTION

The purpose of this letter report is to document the biological resources assessment conducted by ECORP Consulting, Inc. for the City of Laguna Niguel (City) for the Grace Church Remodel and Griffin Senior Living Community Project (Project). The 5.34-acre Project site is located at 24600 La Plata Drive in the City of Laguna Niguel, Orange County, California (Figure 1). The Project site (Assessor Parcel Number 653-012-12) is located at the rear of the existing Grace Church site and is surrounded by Crown Valley Parkway and Childtime Daycare to the northwest, landscaping and residential development to the southwest, La Plata Drive to the northeast, and Via Valverde and residential development to the southeast.

Griffin Living proposes to design, develop, build, own, and operate the Laguna Niguel Senior Living Center. Griffin Living is also assisting Grace Church of Laguna Niguel in the redesign, remodel, and renovation of their existing church facilities. The Project proposes to subdivide the existing 5.34-acre parcel into two new parcels. Parcel 1 would include Grace Church on 2 acres and Parcel 2 would include the Griffin Senior Living Community on 3.34 acres.

The Project would modify portions of existing single-story church building located on proposed Parcel 1. The Project would construct an additional first floor area to expand the kitchen, educational rooms, restrooms, and storage. The Project proposes a partial second story with youth room, offices, and restrooms.

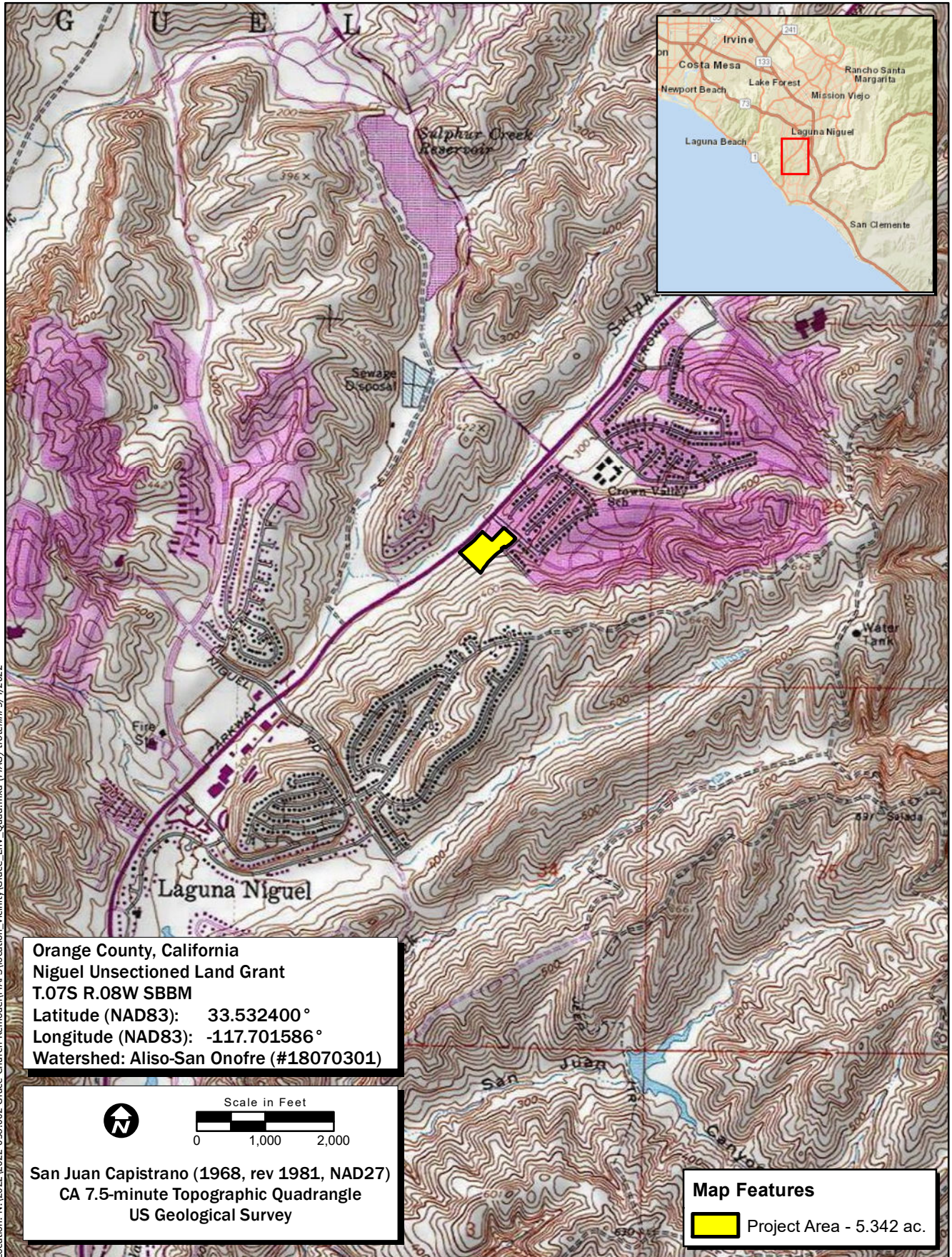
The Project would demolish and remove existing modular classroom and restroom buildings (approximately 3,360 square feet [SF]) currently located within the border of proposed Parcel 2. The Project would construct a proposed two-story, 108-unit senior living facility with an approximately 24,000-SF basement parking garage.

2.0 PROJECT HISTORY

The Project site is currently a small community church with approximately 200 parish families. From 2008 to 2018, the site also housed The Grace Classical Academy, an elementary school with approximately 110 students and 15 staff members. With the elimination of the school operations, the Church no longer needs a large site. Previous entitlements for the Church include a Site Development Permit (SP 88-163) for the development of the site and a Use Permit (UP 08-08) for the school operations. The Church proposes to subdivide its lot and utilize the proceeds to remodel the existing church facility.

3.0 METHODOLOGY

The methods used to conduct the biological resources assessment, including the literature review and field survey, are summarized below.



Location: N:\2022\2022-038.002 Grace Church Remodel\MAPS\location_vicinity\Grace_LNV_Quad.mxd (MAG)-trotellini_5/4/2022

Map Date: 5/4/2022

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community, Copyright: © 2013 National Geographic Society, i-cubed

Figure 1. Project Location and Vicinity

3.1 Literature Review

Prior to conducting the biological resources assessment survey, ECORP biologists performed a literature review using the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (CNDDDB; CDFW 2022a) and the California Native Plant Society's (CNPS) Electronic Inventory (CNPSEI; CNPS 2022) to determine the special-status plant and wildlife species that have been documented on or near the Project site. ECORP searched CNDDDB and CNPSEI records within the Project site boundaries as depicted on U.S. Geological Survey (USGS) 7.5-minute "San Juan Capistrano, California" topographic quadrangle, plus the surrounding eight topographic quadrangles. The CNDDDB and CNPSEI contain records of reported occurrences of federally or state-listed endangered, threatened, proposed endangered or threatened species, California Species of Special Concern (SSC), and/or other special-status species or habitat that may occur within or near the Project site. Additional information was gathered from the following sources and includes, but is not limited to the following:

- Natural Resources Conservation Service Web Soil Survey (2022);
- Special Animals List (CDFW 2022b);
- *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012).
- *The Manual of California Vegetation, 2nd Edition* (Sawyer et al. 2009);
- *Atlas of Breeding Birds of Orange County California* (Gallagher 1997);
- *Field Guide to Amphibians and Reptiles of California, revised edition* (Stebbins and McGinnis 2012); and
- various online websites (e.g., Bat Conservation International 2022, Birds of the World 2022 [Billerman et al.], Calflora 2022, California Herps, [Nafis 2022], NatureServe Explorer 2022).

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

- have been designated as either rare, threatened, or endangered by CDFW, CNPS, or the U.S. Fish and Wildlife Service (USFWS), and/or are protected under either the federal or California Endangered Species Acts;
- are candidate species being considered or proposed for listing under these same acts;
- are fully protected by the California Fish and Game Code, §§ 3511, 4700, 5050, or 5515;
- are identified as SSC by CDFW; and/or
- are of expressed concern to resource and regulatory agencies or local jurisdictions.

Special-status species reported for the region in the literature review or for which suitable habitat occurs on the site were assessed for their potential to occur within the Project site and/or 500-foot buffer (if accessible) based on the following guidelines:

- **Present:** The species was observed within the Project site during a site visit or focused survey.
- **High:** Habitat (including soils and elevation factors) for the species occurs within the Project site and a known occurrence has recently been recorded (within the last 20 years) within five miles of the Project site.
- **Moderate:** Either habitat (including soils and elevation factors) for the species occurs within the Project site and a known occurrence has been reported in the database, but not within five miles of the site; a historic documented observation (more than 20 years old) was recorded within 5 miles of the Project site; or a recently documented observation occurs within 5 miles of the area and marginal or limited amounts of habitat occurs in the Project site.
- **Low:** Limited or marginal habitat for the species occurs on the Project site and a recently documented observation occurs within the database search, but not within 5 miles of the Project site or a historic documented observation (more than 20 years old) was recorded within 5 miles of the site; or suitable habitat strongly associated with the species occurs on site, but no records or only historic records were found within the database search.
- **Presumed Absent:** Species was not observed during a site visit or focused surveys conducted in accordance with protocol guidelines at an appropriate time for identification; habitat (including soils and elevation factors) does not exist on site; or the known geographic range of the species does not include the Project site.

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

3.2 Biological Survey

The biological resources assessment survey was conducted by walking the entire Project area and 500-foot buffer, where accessible, (Biological Survey Area [BSA]) to determine the vegetation communities and wildlife habitats. The biologist documented the plant and wildlife species present within the BSA and the location and condition of the BSA were assessed for the potential to provide habitat for special-status plant species and wildlife species. Data were recorded using a handheld global positioning system (GPS) unit in NAD 83, Universal Transverse Mercator coordinates, Zone 11S., in field notebooks, and/or maps. Photographs were also taken during the survey to provide visual representation of the site conditions and various vegetation communities within the BSA.

Plant and wildlife species, including any special-status species that were observed during the survey, were recorded. Plant nomenclature follows that of *The Jepson Manual: Vascular Plants of California* (Baldwin et al. 2012). Wildlife nomenclature follows *Society for the Study of Amphibians and Reptiles* (SSAR 2018),

Checklist of North American Birds (Chesser et al. 2021), and the *Revised Checklist of North American Mammals North of Mexico* (Bradley et al. 2014).

3.3 Jurisdictional Waters

The Project site was assessed for jurisdictional Waters of the U.S. and Waters of the State. The field survey was conducted by walking the BSA to determine the location and extent of potential jurisdictional waters within the Project site. All drainage features were evaluated for jurisdictional indicators. If present, the jurisdictional limits were recorded in the field using a GPS unit with sub-meter accuracy (Eos Arrow 100). Existing conditions were recorded, and site photographs were taken.

3.4 Orange County Natural Community Conservation Plan and Habitat Conservation Plan, Central and Coastal Subregion

The Natural Community Conservation Act, which can be found in California Fish and Game Code Sections 2800– 2840, authorizes the preparation of Natural Community Conservation Plans (NCCP) and Habitat Conservation Plans (HCP) to protect natural communities and species while allowing for a reasonable amount of development. The Orange County NCCP/HCP, which was reviewed and approved by CDFW (at that time, California Department of Fish and Game) and USFWS in 1996, addresses the protection and management of coastal sage scrub habitat and coastal sage scrub-obligate species, as well as other covered habitats and species, and mitigates anticipated impacts on those habitats. The City of Laguna Niguel is not a participating entity of the NCCP/HCP.

3.5 City of Laguna Niguel Municipal Code

Section 9-1-92.3 of the City's Municipal Code provides local regulations for landscaping requirements and tree preservation. Subsections A through G discuss requirements for project landscaping including, but not limited to, overall landscaping design, landscaping for Project street frontage, landscaping for Project boundaries, and landscaping for Project interiors. Subsection H discusses tree preservation, which requires new projects to preserve the existing trees to the extent possible and include measures to protect existing trees before and after construction. In addition, if the decision-making authority determines that significant existing trees cannot be saved, they may require replacement with new specimen-size trees having a cumulative trunk diameter of up to two times the cumulative trunk diameter of the trees to be removed.

4.0 RESULTS

4.1 Biological Results

The biological resources assessment was conducted on May 11, 2022, by ECORP biologist Carley Lancaster. Summarized below are the results of the literature review and field surveys, including site characteristics, vegetation communities, special-status species, critical habitat, and jurisdictional waters. Weather conditions during the biological resources assessment are summarized in Table 1.

Date	Time		Temperature (°F)		Cloud Cover (%)		Wind Speed (miles per hour)	
	Start	End	Start	End	Start	End	Start	End
5/11/22	0830	1015	55	61	50	20	0-3	3-5

4.1.1 Vegetation Communities

The Project site does not support any native habitat communities and was characterized as developed, disturbed, and landscaped. Areas characterized as developed were observed to have infrastructure present and are devoid of vegetation due to lack of growing substrate. Developed areas included church buildings, driveways, and the parking lot. Areas characterized as disturbed were observed to have been heavily influenced by human actions, were mostly devoid of native vegetation, and lacked any signs of development. Vegetation in these areas was dominated by ruderal nonnative and invasive species. Areas characterized as landscaped primarily consisted of ornamental plant species commonly used in landscaping and residential areas. A riparian corridor was observed approximately 220 feet northwest of the Project site and consisted of willows (*Salix* sp.), Fremont's cottonwood (*Populus fremontii*), and mulefat (*Baccharis salicifolia*). A list of wildlife and plant species observed during the survey can be found in Appendices A and B, respectively. Representative site photographs are included as Appendix C.

4.1.2 Special Status Plant and Wildlife Species

The literature review and database searched identified 45 special-status plant species and 58 special-status wildlife species that have been documented near the Project site. A list was generated from the results of the literature review and the database search, and the Project site was evaluated for suitable habitat that could support any of the special-status plant species and the BSA was evaluated for suitable habitat that could support any of the special-status wildlife species on the list. Based on the results of the biological resources assessment, all 45 special-status plant species returned during the literature review are presumed to be absent from the Project site due to lack of suitable habitat within the Project site, the Project site being outside the known elevation range for that species, and/or the species not being observed during the biological resources assessment survey. In addition, 53 of the 58 special-status wildlife species returned during the literature review are presumed to be absent from the BSA due to lack of suitable habitat within the BSA, the BSA being outside the known range for that species, and/or the species not being observed during the biological resources assessment survey. Three special-status bird species were found to have a moderate potential to occur within the BSA, including Cooper's hawk (*Accipiter cooperii*), least Bell's vireo (*Vireo bellii pusillus*), and yellow warbler (*Setophaga petechia*); however, the moderate potential for occurrence for both the least Bell's vireo and yellow warbler are only applicable to the riparian corridor that exists approximately 220 feet northwest of the Project site. Two special-status bird species returned during the literature review, southwestern willow flycatcher (*Empidonax trailei extimus*) and western yellow-billed cuckoo (*Coccyzus americanus*), were found to have a low potential to occur in the previously mentioned riparian corridor.

4.1.3 Critical Habitat

The Project site is not located within USFWS-designated critical habitat for any federally listed species.

4.1.4 Jurisdictional Waters

Jurisdictional waters were not observed within the Project site during the biological resources assessment survey; therefore, an aquatic resources delineation was not performed. A riparian corridor was observed within the BSA approximately 220 feet northwest of the Project site; however, Project activities are not anticipated to have any impact on this aquatic resource.

4.1.5 Orange County NCCP/HCP, Central and Coastal Region

The Project site contains nonnative vegetation cover. Wildlife and plant species protected under the Orange County NCCP/HCP were not observed within the Project site during the biological resources assessment. In addition, the City of Laguna Niguel is not a participating entity of the NCCP/HCP.

4.1.6 City of Laguna Niguel Municipal Code

While native habitat communities were not observed within the Project site during the biological resources assessment, much of the Project site has landscaping vegetation and ornamental tree species present that may be protected under Section 9-1-92.3, Subsections A through H of the City of Laguna Niguel Municipal Code.

4.1.7 Nesting Bird Species

Multiple migratory bird species that have the potential to nest within the Project site and/or the 500-foot buffer were observed during the biological resources assessment. There were no nests discovered during the biological resources assessment; however, the buildings, structures, and landscape vegetation provide suitable nesting substrate for multiple species of songbirds and raptors.

5.0 SUMMARY

The Project site does not support any native habitat communities and was characterized as developed, disturbed, or landscaped. A riparian corridor that supports native habitat was observed approximately 220 feet to the northwest of the Project site adjacent to Crown Valley Parkway. All of the special-status plant species that were returned during the literature review are presumed to be absent due to lack of suitable habitat within the Project site, the Project site being outside the known elevation range for that species, and/or the species not being observed during the biological resources assessment survey. Of the 58 special-status wildlife species returned during the literature review, 53 were presumed to be absent, three were determined to have a moderate potential to occur within the BSA, and two were determined to have a low potential to occur within the BSA. For two of the special-status wildlife species that were determined to have a moderate potential to occur, least Bell's vireo and yellow warbler, this designation is only applicable to the riparian corridor located approximately 220 feet northwest of the Project site. This is also true for the two special-status wildlife species that were determined to have a low potential to occur,

southwestern willow flycatcher and western yellow-billed cuckoo. Due to the high level of disturbance in the vicinity of the Project site and because the riparian corridor is adjacent to Crown Valley Parkway, a heavily trafficked street, it is anticipated that Project activities would not have any significant impact on special-status species that could potentially occur within the riparian corridor.

The Project site has the potential to support nesting migratory birds protected under the federal Migratory Bird Treaty Act. The buildings, structures, and landscape vegetation present within the Project site provide suitable nesting substrate for multiple species of songbirds and raptors. ECORP recommends that all vegetation clearing, and ground disturbance activities be conducted outside of the nesting bird season (typically February 1 through August 31 for raptors and March 15 through August 31 for the majority of migratory bird species). If vegetation clearing activities and/or ground disturbance activities cannot be conducted outside of the nesting bird season, nesting bird surveys should be conducted by a qualified avian biologist within the Project site plus a 500-foot buffer (if feasible) prior to the start of construction (within three days prior to construction). If nesting bird surveys are required to be conducted, they should include all songbirds and raptors, including the special-status bird species that were determined to have a moderate or low potential to occur within the riparian corridor. If an active nest is identified during the survey, the biologist shall establish an appropriately sized disturbance limit buffer around the nest using flagging or staking. Construction activities shall not occur within any disturbance limit buffer zones until the nest is deemed inactive by the qualified biologist.

The City is not a participating entity of the NCCP/HCP. The Project site is not located in any USFWS designated critical habitat and no jurisdictional waters were observed to be present within the Project site.

Landscaping vegetation and ornamental trees present within the Project site have the potential to be protected under Section 9-1-92.3, Subsections A through H of the City of Laguna Niguel Municipal Code. ECORP recommends that all landscape vegetation and ornamental trees be protected to the extent possible during construction activities. If it is determined that significant existing trees cannot be protected, the City may require replacement with new specimen-size trees having a cumulative trunk diameter of up to two times the cumulative trunk diameter of the trees to be removed. If Project activities require the removal of landscape vegetation that would put the Project in violation of the City ordinance requirements, then replacement landscaping vegetation may be warranted.

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LIST OF APPENDICES

Appendix A – Wildlife Species Observed

Appendix B – Plant Species Observed

Appendix C – Representative Site Photographs

APPENDIX A

Wildlife Species Observed

Appendix A

Wildlife Species Observed

SCIENTIFIC NAME	COMMON NAME
AVES	BIRDS
COLUMBIDAE	PIGEONS AND DOVES
<i>Zenaida macroura</i>	Mourning dove
FRINGILLIDAE	FINCHES
<i>Haemorhous mexicanus</i>	House finch
<i>Spinus psaltria</i>	Lesser goldfinch
PASSERELLIDAE	TOWHEES AND SPARROWS
<i>Pipilo maculatus</i>	Spotted towhee
<i>Pipilo crissalis</i>	California towhee
TROCHILIDAE	HUMMINGBIRDS
<i>Selasphorus sasin</i>	Allen's hummingbird
<i>Calypte anna</i>	Anna's hummingbird
PARULIDAE	WOOD WARBLERS
<i>Geothlypis trichas</i>	Common yellowthroat
MIMIDAE	MOCKINGBIRDS AND THRASHERS
<i>Mimus polyglottos</i>	Northern mockingbird
AEGITHALIDAE	BUSHTITS
<i>Psaltriparus minimus</i>	Bushtit

APPENDIX B

Plant Species Observed

Appendix B

Plant Species Observed

SCIENTIFIC NAME	COMMON NAME
ANGIOSPERMS (DICOTYLEDONS)	
BRASSICACEAE	MUSTARD FAMILY
<i>Brassica nigra</i> *	Black mustard
<i>Lepidium latipes</i>	Dwarf peppergrass
POLYGONACEAE	BUCKWHEAT FAMILY
<i>Rumex crispus</i> *	Curly dock
ASTERACEAE	SUNFLOWER FAMILY
<i>Centaurea melitensis</i> *	Tocalote
<i>Sonchus asper ssp. asper</i> *	Prickly sow thistle
<i>Baccharis pilularis</i>	Coyote brush
<i>Cynara cardunculus</i> *	Cardoon
<i>Carduus pycnocephalus</i> *	Italian thistle
<i>Hazardia squarrosa</i>	Saw-toothed goldenbush
FABACEAE	LEGUME FAMILY
<i>Acacia sp.</i>	Acacia
<i>Acmispon glaber</i>	Deerweed
<i>Medicago polymorpha</i> *	Bur clover
CHENOPODIACEAE	GOOSEFOOT FAMILY
<i>Chenopodium album</i> *	Lamb's quarters
MYRTACEAE	MYRTLE FAMILY
<i>Eucalyptus camaldulensis</i> *	Red gum
<i>Eucalyptus globulus</i> *	Blue gum
ANACARDIACEAE	SUMAC OR CASHEW FAMILY
<i>Schinus terebinthifolius</i> *	Brazilian pepper tree
ARECACEAE	PALM FAMILY
<i>Washingtonia filifera</i>	California fan palm
<i>Syagrus romanzoffiana</i> *	Queen palm
LAMIACEAE	MINT FAMILY
<i>Rosmarinus officinalis</i> *	Rosemary

SCIENTIFIC NAME	COMMON NAME
AMARANTHACEAE	AMARANTH FAMILY
<i>Amaranthus albus</i>	Tumbling pigweed
OLEACEAE	OLIVE FAMILY
<i>Fraxinus uhdei*</i>	Evergreen ash
MYRSINACEAE	MYRSINE FAMILY
<i>Lysimachia arvensis*</i>	Scarlet pimpernel
SALICACEAE	WILLOW FAMILY
<i>Salix lasiolepis</i>	Arroyo willow
CYPERACEAE	SEDGE FAMILY
<i>Cyperus involucratus*</i>	Umbrella-plant
PINACEAE	PINE FAMILY
<i>Pinus halepensis*</i>	Aleppo pine
RUTACEAE	RUE FAMILY
<i>Geijera parviflora</i>	Australian willow
LAURACEAE	LAUREL FAMILY
<i>Cinnamomum camphora</i>	Camphor tree
POLYPODIACEAE	POLYPODY FAMILY
<i>Platynerium sp.</i>	Platynerium
ANGIOSPERMS (MONOCOTYLEDONS)	
AGAVACEAE	AGAVE FAMILY
<i>Agave americana</i>	Century plant
POACEAE	GRASS FAMILY
<i>Hordeum murinum</i>	Mouse barley
<i>Avena barbata*</i>	Slender wild oat
<i>Schismus barbatus*</i>	Common Mediterranean grass
<i>Stipa sp.</i>	Feather grass
STRELITZIACEAE	BIRD OF PARADISE FAMILY
<i>Strelitzia nicolai</i>	White bird of paradise

*Nonnative species

APPENDIX C

Representative Site Photographs

Appendix C

Representative Site Photographs



Photo 1: Project Site Overview, Facing Southwest



Photo 2: Project Site Overview, Facing Northeast



Photo 3: Project Site Overview, Facing West



Photo 4: Project Site Overview, Facing Southwest



Photo 5: Project Site Overview, Facing Northwest



Photo 6: Project Site Overview, Facing Northeast



Photo 7: Overview Riparian Corridor, Facing Northwest



Photo 8: Overview Riparian Corridor, Facing Southwest