

September 29th, 2023



Shay Mueller
RC Hobbs Company
1428 East Chapman Avenue
Orange, CA 92866

Re: Updated MSHCP/CEQA Comparative Compliance Assessment for the 3.84-acre Tentative Tract Map (TTM) 37857 Project Site, City of Jurupa Valley, California.

Dear Mr. Mueller:

The following report summarizes the results of an updated Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)/California Environmental Quality Act (CEQA) biological resources habitat assessment conducted within Tentative Tract Map (TTM) 37857 to determine what if any changes to existing conditions are present onsite as compared to the report prepared by Gonzales Environmental Consulting, LLC in March 2002, titled "*Habitat Assessment and MSHCP Consistency Analysis – Tentative Tract Map 37857 (APN 182-190-015, 182-190-016, and 182-190-017) In the City of Jurupa Valley, County of Riverside*" (Gonzales Environmental Consulting, LLC 2022 - approved by the City of Jurupa Valley on May 11th, 2022).

TTM 37857 Case Number MA21272, SDO21087, GPA21009, CZ21011, 35-Unit Single Family Lot Subdivision on 3.84 Acres

Summary of Findings

The onsite vegetation communities and biological resources documented within the Project Site during the site assessment conducted on September 29th, 2023 by Cadre Environmental are consistent with those characterized by Gonzales Environmental Consulting, LLC from 2020 to 2022, as shown in Attachment A, *Project Site Map*, and Attachments B and C, *Current Project Site Photographs* (Gonzales Environmental Consulting, LLC 2022). No changes to existing conditions were documented.

As a result of conducting a detailed review of the Project Site's existing conditions, western Riverside County MSHCP, City of Jurupa Valley General Plan/Municipal Code Ordinances, and environmental documentation, the following outline represents a comprehensive list of outstanding conditions of approval, discussed in detail in the following report.

- Condition of Approval - MSHCP Local Development Mitigation Fees.
- Condition of Approval - Preconstruction Nesting Bird & Raptor Survey.

Review of Available Biological Resources Records Data

Existing biological resource conditions within and adjacent to the Project Site were initially investigated through review of pertinent scientific literature. Federal register listings, protocols, and species data provided by the USFWS were reviewed in conjunction with anticipated federally listed species potentially occurring within the Project Site. The California Natural Diversity Database (CNDDDB 2023a), a California Department of Fish and Wildlife (CDFW) Natural Heritage Division species account database, was also reviewed for all pertinent information regarding the locations of known occurrences of sensitive species in the vicinity of the properties. In addition, numerous regional floral and faunal field guides were utilized in the identification of species and suitable habitats. Combined, the sources reviewed provided an excellent baseline from which to assess the biological resources potentially occurring in the area. Other sources of information included the review of unpublished biological resource letter reports, jurisdictional delineations, permit applications and assessments. Other CDFW reports and publications consulted include the following:

- Special Animals (CDFW 2023b);
- State and Federally Listed Endangered and Threatened Animals of California (CDFW 2023c);
- Endangered, Threatened, and Rare Plants of California (CDFW 2023d); and
- Special Vascular Plants and Bryophytes List (CDFW 2023e).

An updated reconnaissance survey of the Project Site was conducted by Ruben Ramirez, Cadre Environmental on September 29th, 2023 in order to characterize and identify potential wildlife habitats, and to establish the accuracy of the data identified in the literature search and previous surveys. Geologic and soil maps were examined to identify local soil types that may support sensitive taxa. Aerial photograph, topographic maps, and vegetation and rare plant maps prepared by previous studies in the region were used to determine community types and other physical features that may support sensitive plants/wildlife, uncommon taxa, or rare communities that occur within the Project Site.

As required by the western Riverside County MSHCP, and during the initial property assessment process, all Project Site APN's were searched using the Western Riverside County Regional Conservation Authority (RCA) GIS Databases to determine if the property falls within a "Criteria Area" and if additional surveys for endemic plant species or wildlife not adequately covered by the MSHCP may be required (RCA 2023).

The MSHCP has determined that all of the sensitive species potentially occurring within the Project Site have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for narrow endemic plant, criteria area, and specific wildlife species if suitable habitat is documented onsite and/or if the property is located within a predetermined "Survey Area" (MSHCP 2004). Based on the initial MSHCP review of predetermined Survey Areas, habitat assessments were conducted for the following species.

Section 6.1.2 Riparian, Riverine, Vernal Pool Species

- Riverside fairy shrimp (*Streptocephalus woottoni*) [FE];
- vernal pool fairy shrimp (*Branchinecta lynchi*) [FT];
- least Bell's vireo (*Vireo bellii pusillus*) [FE/SE;]
- southwestern willow flycatcher (*Empidonax traillii extimus*) [FE/SE]; and
- western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) [SE].

FE – Federally Endangered

FT – Federally Threatened

SE – State Endangered

MSHCP Compliance

The Project Site is located within the Jurupa Valley Plan Area and is not located within or adjacent to an MSHCP criteria area cell, group, or linkage area. An MSHCP consistency analysis for projects located within a criteria area cell or cell group is not required. No Habitat Evaluation and Acquisition Negotiation Strategy (HANS) or Joint Project Review (JPR) are required.

Results of the Field Survey & Literature Review

The onsite vegetation communities documented within the Project Site during the site assessment conducted on September 29th, 2023 by Cadre Environmental are consistent with those characterized by Gonzales Environmental Consulting, LLC from 2020 to 2022 (Gonzales Environmental Consulting, LLC 2022). No changes to existing conditions were documented. As stated by Gonzales Environmental Consulting, LLC:

“The vegetation communities within the project area are California Annual Grassland Alliance, Tamarisk and ornamental. Previous and current anthropogenic activities and invasion of nonnative plant species have contributed to the disturbed condition of many vegetation communities within the project vicinity” (Gonzales Environmental Consulting, LLC 2022)

The action will result in impacts to all habitats within the Project Site.

Condition of Approval - The project applicant shall pay MSHCP Local Development Mitigation fees as established by the RCA and implemented by the City of Jurupa Valley. Five categories of the fee are defined and include: Residential, density less than 8.0 dwelling units per acre \$14,236 per dwelling unit; Residential, density between 8.1 and 14.0 dwelling units per acre \$1,766 per dwelling unit; Residential, density greater than 14.1 dwelling units per acre \$781 per dwelling unit; Commercial \$19,066 per acre; and Industrial \$19,066 per acre.

Sensitive Plants

Criteria Area Sensitive Plant Species

The Project Site is not located within an MSHCP Criteria Area Plant Survey Area. The project is compliant with MSHCP Section 6.3.2 No additional surveys or mitigation required.

Narrow Endemic Sensitive Plant Species

The Project Site is not located within an MSHCP Narrow Endemic Plant Survey Area. The project is compliant with MSHCP Section 6.3.2 No additional surveys or mitigation required.

Sensitive Wildlife

Delhi sands flower-loving fly

Appropriate soils are located in the northern portion of the project for the Delhi sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*), a federal endangered species, appropriate soils are located in the northern portion of the project. Focused surveys were conducted by Powell Environmental Consultants (TE-006559-7) for Delhi sands flower-loving fly. Surveys were negative for Delhi sands flower-loving fly. No additional surveys or mitigation required.

Fairy Shrimp

No evidence of vernal pools, seasonal depressions, seasonally inundated road ruts or other wetland features representing suitable fairy shrimp habitat were recorded on the Project Site during the updated habitat assessment conducted on September 29th, 2023. As stated by Gonzales Environmental Consulting, LLC:

“An assessment of the potentially significant effects of the proposed project on fairy shrimp was conducted. Fairy shrimp can occasionally be found in habitats other than vernal pools, such as artificial pools created by roadside ditches, shallow depressions and road ruts. Suitable habitat for fairy shrimp would require features that would be able to hold water long enough to support fairy shrimp. We found no appropriate habitat on the project site for fairy shrimp.” (Gonzales Environmental Consulting, LLC 2022).

The project is compliant with MSHCP Section 6.1.2. No additional surveys for fairy shrimp or mitigation required.

Amphibian Survey Area

The Project Site is not located within an MSHCP Amphibian species survey area (RCA GIS Data Downloads 2023). The project is compliant with MSHCP Section 6.3.2 No additional surveys or mitigation required.

Riparian Birds

No suitable riparian scrub, forest or woodland habitat for the least Bell's vireo, southwestern willow flycatcher, or western yellow-billed cuckoo is present within or adjacent to the Project Site. No additional surveys or mitigation required. As stated by Gonzales Environmental Consulting, LLC:

"No potential MSHCP 6.1.2 areas were found on the project site. There are no Riparian/Riverine associated species on the project site (i.e., least Bell's vireo, southwestern willow flycatcher, blue grosbeak, etc.) as there is no appropriate habitat" (Gonzales Environmental Consulting, LLC 2022)

*"The lack of appropriate vegetation means that the site is not suitable for riparian bird species including least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and yellow-billed cuckoo (*Coccyzus americanus*)."* (Gonzales Environmental Consulting, LLC 2022)

Burrowing Owl

The Project Site is not located within the MSHCP burrowing owl survey area (RCA GIS Data Downloads 2023). The project is compliant with MSHCP Section 6.3.2 No additional surveys or mitigation required.

Mammal Survey Area

The Project Site is not located within an MSHCP Mammal species survey area (RCA GIS Data Downloads 2023). The project is compliant with MSHCP Section 6.3.2 No additional surveys or mitigation required.

Nesting Bird Habitat

The vegetation communities within the Project Site represent potential nesting habitat for common and MSHCP covered bird and raptor species. Potential direct/indirect impacts to regulated nesting birds will require compliance with the Federal Migratory Bird Treaty Act (MBTA) and California Department of Fish and Game (CDFG) Code, Section 3503, 3503.5, and 3513.

Regulatory requirement for potential direct/indirect impacts to nesting common and sensitive bird and raptor species will require compliance with the CDFG Code Section 3503. Construction outside the nesting season (between September 16th and January 31st) do not require pre-removal nesting bird surveys. If construction is proposed between February 1st and September 15th, a qualified biologist will conduct a nesting bird survey(s) no more than three (3) days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project Site.

The survey(s) will focus on identifying any raptors and/or bird nests that are directly or indirectly affected by construction activities. If active nests are documented, species-specific measures will be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest will be postponed until the young birds have fledged. The perimeter of the nest setback zone will be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. Active bird nests should be mapped utilizing a hand-held global positioning system (GPS) and a 300' buffer will be flagged around the nest (500' buffer for raptor nests). Construction should not be permitted within the buffer areas while the nest continues to be active (eggs, chicks, etc.). Therefore, based on the described construction activities and implementation of mitigation measures as identified, impacts to migratory birds would not be significant. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, will be submitted to the City of Jurupa Valley for review and approval prior to initiation of grading in the nest-setback zone.

The qualified biologist will serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final monitoring report of the findings, prepared by a qualified biologist, will be submitted to the City of Jurupa Valley documenting compliance with the CDFG Code. Any nest permanently vacated for the season would not warrant protection pursuant to the CDFG Code.

Condition of Approval – Preconstruction Nesting Bird and Raptor Survey - Mitigation for potential direct/indirect impacts on common and MSHCP covered nesting bird species will require compliance with the MBTA and CDFG Code Section 3503, 3503.5, and 3513.

USFWS Critical Habitat

The Project Site is not located within or adjacent to a USFWS designated plant or wildlife critical habitat boundary.

Jurisdictional & MSHCP Section 6.1.2 Riparian, Riverine and Vernal Pool Resources

No MSHCP 6.1.2 riparian or riverine resources were documented within or adjacent to the Project Site during the 2023 updated site assessment. As stated by Gonzales Environmental Consulting, LLC:

“An assessment of the potentially significant effects of the proposed project on riparian, riverine and vernal pool areas was conducted. Seasonal watercourses are not present and no evidence of recent surface water was observed on site. No potential MSHCP 6.1.2 areas were found on the project site.” (Gonzales Environmental Consulting, LLC 2022)

No resources regulated by CDFW, RWQCB, USACE or MSHCP Section 6.1.2 were documented within or adjacent to the Project Site. A formal jurisdictional delineation and

permits/certifications will be not be required. As stated by Gonzales Environmental Consulting, LLC:

“There are no state or federal streambed resources on the project site. MSHCP Section 6.12 riverine resources are not located on the project site.”
(Gonzales Environmental Consulting, LLC 2022).

As previously detailed, no vernal pool resources, seasonal depressions or sign of inundation was documented onsite. No resources regulated by MSHCP Section 6.1.2 were documented within or adjacent to the Project Site. An MSHCP Determination of Biological Equivalent or Superior Preservation (DBESP) is not required. The project is compliant with MSHCP Section 6.1.2

Urban/Wildlands Interface Guidelines

The MSHCP Urban/Wildlands Interface guidelines presented in Section 6.1.4 are intended to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to a MSHCP Conservation Area. The Project Site is not located adjacent to an existing or proposed MSHCP Conservation Area.

The project is compliant with MSHCP Section 6.1.4.

Fuels Management Guidelines

The fuels management guidelines presented in Section 6.4 of the MSHCP are intended to address brush management activities around new development within or adjacent to MSHCP Conservation Areas. The Project Site is not located adjacent to an existing or proposed MSHCP Conservation Area.

The project is compliant with MSHCP Section 6.4.

References

California Department of Fish and Wildlife (CDFW), Natural Diversity Data Base (CNDDDB). 2023a. Sensitive Element Record Search for the Riverside West Quadrangle. California Department of Fish and Wildlife. Sacramento, California. Accessed September 2023.

California Department of Fish and Wildlife (CDFW). 2023b. Special Animals. Natural Heritage Division, Natural Diversity Data Base.

California Department of Fish and Wildlife (CDFW). 2023c. State and Federally Listed Endangered and Threatened Animals of California. Natural Heritage Division, Natural Diversity Data Base.

California Department of Fish and Wildlife (CDFW). 2023d. Endangered, Threatened, and Rare Plants of California. Natural Heritage Division, Natural Diversity Data Base.

California Department of Fish and Wildlife (CDFW). 2023e. Special Vascular Plants, Bryophytes, and Lichens. Natural Heritage Division, Natural Diversity Data Base.

City of Jurupa Valley. 2017. City of Jurupa Valley General Plan.

Riverside County Integrated Project (RCIP) Multiple Species Habitat Conservation Plan (MSHCP), March 2004

ATTACHMENTS

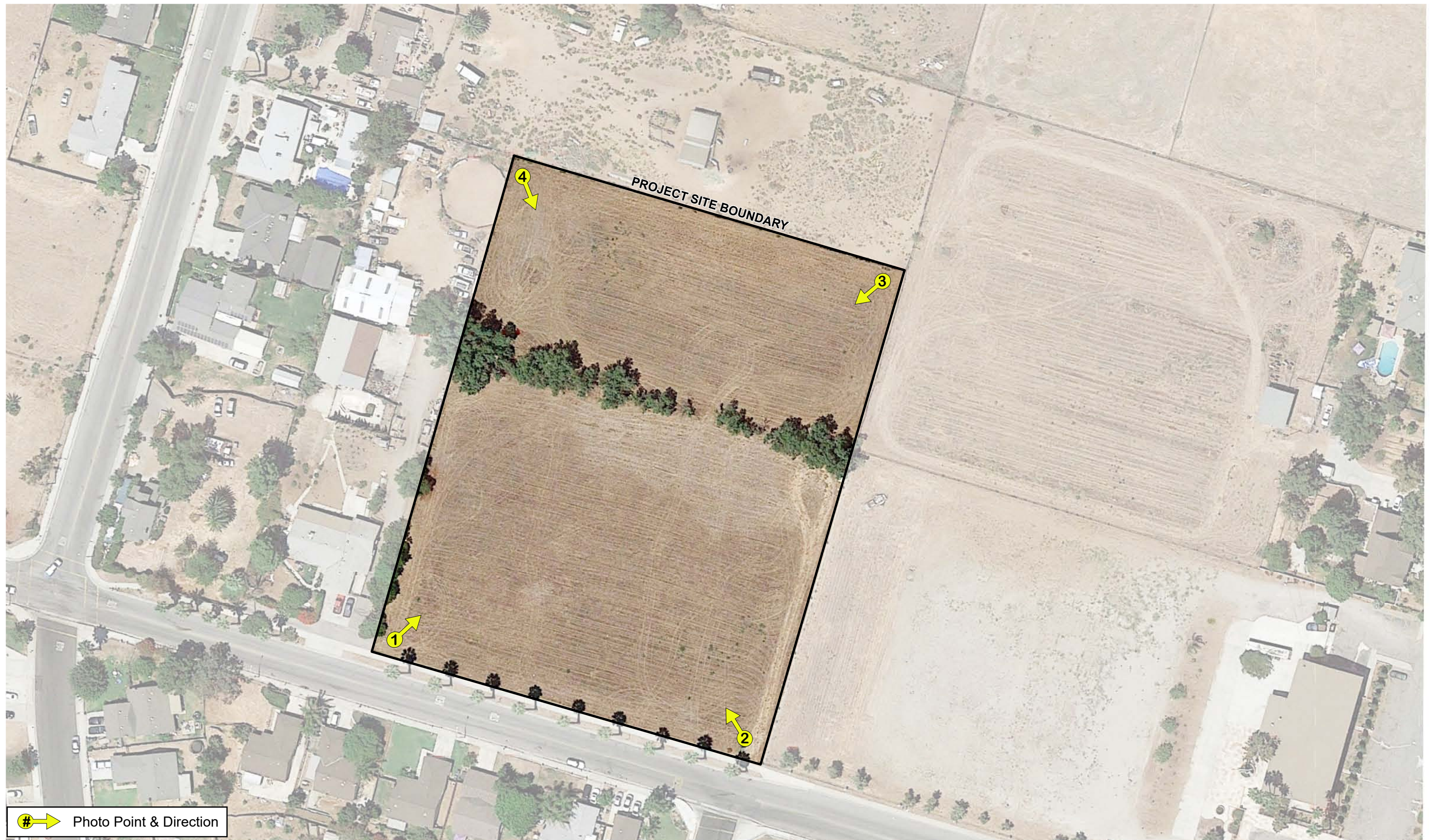
- A – Project Site Map
- B – Current Project Site Photographs
- C – Current Project Site Photographs

Certification

"I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief"

Author:  Date: September 29th, 2023

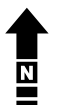
Fieldwork Performed by:  Date: September 29th, 2023



→ Photo Point & Direction

Attachment A - Project Site Map

Updated MSHCP/CEQA Comparative Compliance Assessment
Tentative Tract Map (TTM) 37857 Project Site, City of Jurupa Valley, California.



1 inch = 80 feet



PHOTOGRAPH 1



PHOTOGRAPH 2



Attachment B - Current Project Site Photographs

*Updated MSHCP/CEQA Comparative Compliance Assessment
Tentative Tract Map (TTM) 37857 Project Site, City of Jurupa Valley, California.*



PHOTOGRAPH 3



PHOTOGRAPH 4



Attachment C - Current Project Site Photographs

*Updated MSHCP/CEQA Comparative Compliance Assessment
Tentative Tract Map (TTM) 37857 Project Site, City of Jurupa Valley, California.*