Appendix B
Biological Technical Report

ROCKS
BIOLOGICAL CONSULTING



2720 WILLOW AVENUE PROJECT
BIOLOGICAL TECHNICAL REPORT

City of Rialto, California

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1 INTRODUCTION

1.1 PROJECT LOCATION

The 2720 Willow Avenue Project (proposed project or project) consists of approximately 5.9 acres in the City of Rialto (City), San Bernardino County, California (Figure 1). The project site is located south of Santa Ana Avenue, west of South Willow Avenue, north of Jurupa Avenue, and east of Lilac Avenue. The following Assessor Parcel Numbers (APNs): 0258-171-57 and -31 are contained within the proposed project site. The site is located within USGS 7.5' quadrangles San Bernardino South and Fontana (USGS 2022b).

1.2 PROJECT DESCRIPTION

As proposed, the project includes the construction of a 118,000 square foot (sf) warehouse distribution building. Specifically, the warehouse distribution building would include 111,000 sf of warehouse space, 7,000 sf of ancillary office space on two levels, and 16 dock doors. Parking and landscaping would be provided along the property boundaries and building frontages. Trucks and passenger vehicles would access the project site from two driveways, both of which are located on South Willow Avenue. Demolition of the two existing on-site warehouse buildings, totaling approximately 42,444 sf, would occur prior to construction of the proposed warehouse distribution building.

The project site is zoned Medium Industrial per the Agua Mansa Industrial Corridor Specific Plan and located within the General Industrial land use designation in the City's General Plan.

1.3 SCOPE OF WORK

This Biological Technical Report (BTR) describes the existing biological resources within and adjacent to the proposed project footprint; details the methods used to assess existing conditions and potential impacts on sensitive habitats and species; and presents potential avoidance, minimization, and standard conditions to avoid and minimize potential project impacts. This report also includes an impact assessment on biological resources associated with the project in the context of County of San Bernardino Land Use regulations, the California Environmental Quality Act (CEQA), and state and federal regulations, such as the Endangered Species Act (ESA), Clean Water Act (CWA), and California Fish and Game Code (CFGC).

1.4 EXISTING CONDITIONS

The project site is primarily comprised of developed land in the form of warehouse buildings and associated parking and loading docks. The eastern portion of the project site contains a disturbed lot, and the western edge of the site is composed on non-native grassland. The topography of the project site is generally flat with minimal change in elevation. The project site is predominantly surrounded by developed land of various industrial uses. The land immediately west of the project site is undeveloped, non-native grassland that appears to have been a former orchard.

1.5 REGULATORY FRAMEWORK

Federal, state, and local agencies have established several regulations to protect and conserve biological and aquatic resources. The descriptions below provide a brief overview of agency regulations that may be applicable to the project. The regulating agencies make the final determination as to what types of permits are required.

FEDERAL REGULATIONS

Federal Endangered Species Act

The federal ESA of 1973 (16 U.S.C. § 1531 et seq.), as amended, provides for listing of endangered and threatened species of plants and animals and designation of critical habitat for listed species. The ESA regulates the "take" of any endangered fish or wildlife species, per Section 9. As development is proposed, the responsible agency or individual landowner is required to consult with the USFWS to assess potential impacts on listed species (including plants) or their critical habitat, pursuant to Sections 7 and 10 of the ESA. USFWS is required to make a determination as to the extent of impact a project would have on a particular species. If it is determined that potential impacts on a species would likely occur, measures to avoid or reduce such impacts must be identified. USFWS may issue an incidental take statement, following consultation and the issuance of a Biological Opinion. This allows for take of the species that is incidental to another authorized activity, provided that the action will not adversely affect the existence of the species. Section 10 of the ESA provides for issuance of incidental take permits to non-federal parties with the development of a habitat conservation plan (HCP); Section 7 provides for permitting of federal projects.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA; 16 U.S.C. § 703 et seq.) is a federal statute that implements treaties with several countries on the conservation and protection of migratory birds. The number of bird species covered by the MBTA is extensive and listed at 50 Code of Federal Regulations (CFR) 10.13. The USFWS enforces the MBTA, which prohibits "by any means or in any manner, to pursue, hunt, take, capture, [or] kill" any migratory bird, or attempt such actions, except as permitted by regulation.

Rivers and Harbors Act of 1899

The Rivers and Harbors Act of 1899 (33 U.S.C. § 401 et seq.) prohibits discharge of any material into navigable waters, or tributaries thereof, of the United States without a permit. The act also makes it a misdemeanor to excavate, fill, or alter the course, condition, or capacity of any port, harbor, or channel; or to dam navigable streams without a permit.

Many activities originally covered by the Rivers and Harbors Act are now regulated under the CWA of 1972 (33 U.S.C. § 1251 et seq.), discussed below. However, the 1899 act retains relevance and created the structure under which the U.S. Army Corps of Engineers (Corps) oversees CWA Section 404 permitting.

Clean Water Act

Pursuant to Section 404 of the CWA (33 U.S. Code § 1344), the Corps is authorized to regulate any activity that would result in the discharge of dredged or fill material into waters of the U.S. (including wetlands), which include those waters listed in 33 CFR 328.3 (51 Federal Register [FR] 41217, November 13, 1983; 53 FR 20764, June 6, 1988) and further defined by the 2001 *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers* (SWANCC; 531 U.S. 159) decision and the 2006 *Rapanos v. United States* (547 U.S. 715) decision.. The Corps, with oversight from the U.S. Environmental Protection Agency (USEPA), has the principal authority to issue CWA Section 404 permits. Substantial impacts on waters of the U.S. may require an Individual Permit. Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits.

A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for all Section 404 permitted actions. The RWQCB, a division of the State Water Resources Control Board, provides oversight of the Section 401 certification process in California. The RWQCB must certify "that there is a reasonable assurance that the activity will be conducted in a manner which will not violate water quality standards" (40 CFR 121.2(a)(3)). Water Quality Certification's must be based on the finding that a proposed discharge will comply with applicable water quality standards.

The National Pollutant Discharge Elimination System (NPDES) is the permitting program for discharge of pollutants into surface waters of the U.S. under Section 402 of the CWA (33 U.S. Code § 1342).

STATE REGULATIONS

California Environmental Quality Act

The CEQA (California Public Resources Code § 21000 et seq.) was established in 1970 as California's counterpart to NEPA. CEQA requires state and local agencies to identify significant environmental impacts of their actions and to avoid or mitigate those impacts, where feasible.

CEQA applies to certain activities of state and local public agencies. A public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project." A project is an activity undertaken by a public agency or a private activity, which must receive some discretionary approval (meaning that the agency has the authority to deny the requested permit or approval) from a government agency that may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment.

California Endangered Species Act and Natural Community Conservation Planning Act

The California Endangered Species Act of 1984 (CESA; CFGC § 2050 et seq.), in combination with the California Native Plant Protection Act of 1977 (CFGC § 1900 et seq.), regulates the listing and take of plant and animal species designated as endangered, threatened, or rare within the state. California also lists species of special concern based on limited distribution; declining populations; diminishing habitat; or unusual scientific, recreational, or educational value. The California Department of Fish and Wildlife (CDFW) is responsible for assessing development projects for their

potential to impact listed species and their habitats. State-listed special-status species are addressed through the issuance of a 2081 permit (Memorandum of Understanding).

In 1991, the California Natural Community Conservation Planning (NCCP) Act (CFGC § 2800 et seq.) was approved and the NCCP Coastal Sage Scrub program was initiated in Southern California. The NCCP program was established "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP Act encourages preparation of plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time.

California Fish and Game Code Sections 1600-1602

Pursuant to Division 2, Chapter 6, Section 1602 of the CFGC, CDFW regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream or lake that supports fish or wildlife. A Lake or Streambed Alteration Agreement Application must be submitted to CDFW for "any activity that may substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake" (CFGC § 1602). CDFW has jurisdiction over riparian habitats associated with watercourses. Jurisdictional waters are delineated by the outer edge of riparian vegetation or at the top of the bank of streams or lakes, whichever is wider. CDFW jurisdiction does not include tidal areas or isolated resources. CDFW reviews the proposed actions and, if necessary, submits (to the applicant) a proposal that includes measures to protect affected fish and wildlife resources. The final proposal that is mutually agreed upon by CDFW and the applicant is the Lake or Streambed Alteration Agreement.

California Fish and Game Code Sections 3503, 3511, 3513, 3801, 4700, 5050, and 5515

CDFW protects and manages fish, wildlife, and native plant resources within California. The California Fish and Game Commission and/or CDFW are responsible for issuing permits for the take or possession of protected species. The following sections of the CFGC address protected species: Section 3511 (birds), Section 4700 (mammals), Section 5050 (reptiles and amphibians), and Section 5515 (fish). In addition, the protection of birds of prey is provided for in Sections 3503, 3513, and 3800 of the CFGC.

California Native Plant Protection Act (California Fish and Game Code §§ 1900–1913)

The California Native Plant Protection Act requires all state agencies to use their authority to carry out programs to conserve endangered and rare native plants. The California Native Plant Protection Act prohibits the take of such plants, with certain exceptions.

California Desert Native Plants Act (California Food and Agriculture Code §§ 80001–80201)

The California Desert Native Plants Act prohibits the removal of certain species of California desert native plants on public and privately owned lands without a valid permit from the sheriff or commissioner of the county where collecting would occur. This act applies within the boundaries of Imperial, Inyo, Kern, Los Angeles, Mono, Riverside, San Bernardino, and San Diego Counties.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (California Water Code § 13000 et seq.) provides for statewide coordination of water quality regulations. The State Water Resources Control Board was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis.

The RWQCBs have primary responsibility for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Water Quality Control Act.

Pursuant to the Porter-Cologne Water Quality Control Act, the state is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if a Section 404 permit is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

REGIONAL AND LOCAL PLANS

County of San Bernardino Land Use Services, Planning Division

According to the County's Biotic Resources Overlay Map, the project site is located within the Burrowing Owl Overlay Zone (County of San Bernardino 2012). The burrowing owl is listed as a Species of Special Concern (SSC) by CDFW.

City of Rialto General Plan

The biological resource policies outlined in the City's General Plan that relate to the project can be found in Chapter 2, Managing Our Land Supply: Land Use, Community Design, Open Space and Conservation, and includes:

> Policy 2-39.3: Continue to work with the United States Fish and Wildlife Service to adopt a habitat conservation plan to protect viability of the Delhi Sands Flower-loving Fly. Until a habitat conservation plan is established, continue to support the implementation of the existing Delhi Sands Flower-loving Fly Recovery Plan.

Agua Mansa Industrial Corridor Specific Plan

The project site falls within the Agua Mansa Industrial Corridor Specific Plan (Willdan Associates and Williams-Kuebelbeck & Associates [Willdan & Williams] 1986). Based on the disturbed nature of the area at the time of plan development, the *Agua Mansa Industrial Corridor Specific Plan* does not include guidance in terms of rare, threatened, or endangered species management or surveillance. However, Section 4.1.1 instructs that development minimizes "adverse impacts on the environment by avoiding the placement of heavy industrial uses at sensitive locations" (Willdan & Williams 1986).

2 METHODS

Rocks Biological Consulting (RBC) biologists conducted vegetation mapping, habitat assessments for special-status species, and a general biological survey on August 1, 2022. Additionally, RBC examined the site for the presence of potentially jurisdictional aquatic resources; however, a formal aquatic resources delineation to identify areas that may be considered jurisdictional under the Corps pursuant to Section 404 of the CWA, under the RWQCB pursuant to Section 401 of the CWA and the Porter-Cologne Water Quality Control Act, and under the CDFW pursuant to Section 1602 of the CFGC, was not conducted.

The general biological survey, vegetation mapping, habitat assessments, and constraints-level aquatic resources assessment were conducted within the approximately 5.9-acre project site and a surrounding 100-foot buffer (survey area) for a total of 11.7 acres. Note that buffer areas are included in this analysis to assess the potential for special-status species or resources in areas immediately adjacent to the project site that could be impacted by the project analyzed herein. Such information should not be considered comprehensive for all biological resources or aquatic resources that may occur in buffer areas, and buffer mapping is intended only for the project analysis outlined herein; such information is not intended for impact analysis of any potential future projects within or adjacent to project buffer areas.

2.1 DATABASE SEARCH

Prior to conducting field surveys, existing information regarding biological resources present or potentially present within the project area was obtained through a review of pertinent literature and databases, including, but not limited to:

- CDFW California Natural Diversity Database (CNDDB; CDFW 2022a)
- California Native Plant Society (CNPS) Electronic Inventory (CNPS 2022)
- USFWS Special-Status Species Database (USFWS 2022a)
- USFWS Information for Planning and Consulting (IPaC) Database (USFWS 2022b)
- USFWS National Wetlands Inventory (NWI) Database (USFWS 2022c)
- U.S. Geological Survey (USGS) National Hydrography Dataset (NHD) Database (USGS 2022a)
- Natural Resources Conservation Service (NRCS) Soils Survey Database (NRCS 2022)

The CNDDB and USFWS queries were conducted for the project site plus a three-mile radius. The CNPS Electronic Inventory search was conducted for the USGS 7.5' quadrangles San Bernardino South and Fontana for an elevational range of 800 to 1,100 feet above mean sea level (amsl). The potential for special-status species to occur within the survey area was refined by considering the habitat affinities of each species, field habitat assessments, vegetation mapping, and knowledge of local biological resources.

Database results, along with local biological knowledge, were used for assessment of special-status species' potential for occurrence on or adjacent the project site. The potential for

occurrence tables created for the project (see section 3) include federally and state-listed species, candidate species, and other state-designated special-status species that have been reported within three miles of the project site (CNDDB and USFWS Special-Status Species Database) and determined to be potentially present in the IPaC Database, as well as California Rare Plant Rank (CRPR) 1 and 2 species that occur within the search of the two pertinent quadrangles (CNPS 2022).

2.2 VEGETATION MAPPING AND GENERAL BIOLOGICAL SURVEYS

On August 1, 2022, RBC biologists conducted vegetation mapping in the field to provide a baseline of the biological resources that occur or have the potential to occur within the project site. RBC conducted vegetation mapping by walking throughout the survey area and mapping vegetation communities on aerial photographs at a 1:2400 scale (1 inch = 200 feet).

The extent of each habitat type (delineated as a habitat polygon on the vegetation maps) was calculated using the Geographic Information System (GIS) application ArcGIS Collector. Habitats were classified based on the dominant and characteristic plant species in accordance with vegetation community classifications outlined in Holland's *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). The vegetation communities were also cross-walked with *The Manual of California Vegetation, 2nd Edition* (MCV2) (Sawyer et al. 2009), and the equivalent classification is provided in Table 1 below.

RBC biologists conducted a general biological survey for plants and wildlife concurrently with vegetation mapping. Photos taken during the general biological survey are provided in Appendix A. Plant species encountered during the field survey were identified and recorded in field notebooks. Plant species that could not be identified were brought to the laboratory for identification using the dichotomous keys in the *Jepson Manual* (Baldwin et al. 2012). A list of the vascular plant species observed in the survey area is presented in Appendix B.

Wildlife species were documented during the field survey by sight, calls, tracks, scat, or other signs, and were recorded in field notebooks. Binoculars (10X42 magnification) were used to aid in the identification of wildlife. In addition to species observed during the surveys, expected wildlife use of the project site was assessed based on known habitat preferences of local species and knowledge of their biogeographic distribution in the region. A list of wildlife species observed in the project site is presented in Appendix B; scientific and common names of wildlife follow CDFW's Complete List of Amphibian, Reptile, Bird and Mammal Species in California Special Animals List (CDFW 2016).

If observed, the location of biological resources designated as special-status by the USFWS, CDFW, and/or CNPS, were recorded in field notebooks, on aerial maps, and/or through the use of Global Positioning System (GPS) units.

2.3 SPECIAL-STATUS SPECIES SURVEYS

Due to the low habitat suitability of the project site, no special status surveys were required or conducted.

2.4 INITIAL AQUATIC RESOURCES ASSESSMENT

RBC conducted a constraints-level assessment of the project site to assess the site for areas that may be considered potentially jurisdictional under the Corps pursuant to Section 404 of the CWA; the RWQCB pursuant to Section 401 of the CWA and the Porter-Cologne Act; or CDFW pursuant to CFGC §1602. Areas with depressions, drainage patterns, wetland vegetation, or riparian vegetation within the project site were assessed for potential jurisdictional status, with focus on the presence of defined channels, soils, and hydrology. No formal jurisdictional delineation was conducted as part of this effort.

3 RESULTS

This section includes results of the literature review, vegetation mapping, general biological survey, and the initial aquatic resources assessment. Special-status biological resources are also addressed in this section and are defined as follows: 1) species that have been given special recognition by federal, state, or local conservation agencies and organizations due to limited, declining, or threatened/endangered population sizes; 2) species and their associated habitat types recognized by local and regional resource agencies as sensitive; 3) habitat areas or vegetation communities that are unique, are of relatively limited distribution, or are of particular value to wildlife; 4) wildlife corridors and habitat linkages; and/or 5) biological resources that may or may not be considered sensitive, but are regulated under local, state, and/or federal laws.

3.1 PHYSICAL SETTING

The project site is a relatively flat parcel that supports disturbed, developed, and non-native grassland habitats. The site is largely made up of developed industrial buildings with a patch of disturbed habitat to the east and non-native grassland to the west. The project site is surrounded by development consisting primarily of other industrial buildings and roads with little to no native habitat.

On-site elevations range from approximately 970 feet amsl to 1,010 feet amsl. Soils mapped on site include Hanford coarse loamy sand, 2 to 9 percent slopes and 9 to 15 percent slopes (NRCS 2022).

3.2 VEGETATION COMMUNITIES AND LAND USES

The project site supports little diversity in vegetation communities and other land covers. Table 1 provides a summary of vegetation/land cover on the site, which are depicted on Figure 2.

Table 1. Summary of Vegetation/Land Cover Within the Survey Area

Vegetation (Holland)[1]	Vegetation[2]	Global/ State Rank	Survey Area (acres)
Developed	Developed/Disturbed	No Rank	8.9
Disturbed habitat	Developed/Disturbed	No Rank	1.6
Non-native grassland	Wild Oats and Annual Brome Grasslands	No Rank	1.2
		Total	**11.7**

[1] *Vegetation communities recognized by Holland (1986)*
[2] *Vegetation communities from Holland (1986) crosswalked to The Manual of California Vegetation (Sawyer et al. 2009)*

Natural communities with ranks of S1 through S3 are considered sensitive natural communities by CDFW to be addressed in the environmental review processes of CEQA. The project site contains no habitat that is considered a sensitive vegetation community by CDFW (CDFW 2022c).

Developed

Developed land is typically classified as lands regularly utilized by humans that are devoid of natural habitat. Developed land within the survey area (8.9 acres) consists primarily of industrial buildings, parking and loading areas, and roads. Ornamental landscaping, such as bougainvillea (*Bouugainvillea sp.*), lantana (*Lantana camara*), Peruvian pepper tree (*Schinus molle*), and tree of heaven (*Ailanthus altissima*), is present within the developed land on site.

Developed habitat is not recognized by CDFW (CDFW 2022c); therefore, it is not considered a sensitive natural community under CEQA.

Disturbed

Disturbed land is typically classified as land on which the native vegetation has been significantly altered by agriculture, construction, or other land-clearing activities, and the species composition and site conditions are not characteristic of the disturbed phase of a plant association (e.g., disturbed Riversidean sage scrub). Disturbed habitat is typically found in vacant lots, along roadsides, within construction staging areas, and in abandoned fields. The habitat is typically dominated by non-native annual species and perennial broadleaf species.

Disturbed habitat occurs within the eastern portion of the survey area (1.6 acres) and is a recently disked field. It historically functioned as an orchard until approximately 2010, and it appears to have been periodically disked since that time. It is primarily vegetated by non-native species such as barley (*Hordeum* sp.), cheeseweed (*Malva parviflora*), common purslane (*Portulaca oleracea*), prickly lettuce (*Lactuca serriola*), puncture vine (*Tribulus terrestris*), water beardgrass (*Polypogon viridis*), and water speedwell (*Veronica anagallis-aquatica*). There are a few scattered native species throughout the disturbed habitat, such as annual bur-sage (*Ambrosia acanthacarpa*), Canada horseweed (*Erigeron canadensis*), Goodding's black willow (*Salix gooddingii*), rigid fiddleneck (*Amsinckia menziesii*), and tall flatsedge (*Cyperus eragrostis*); however, they are isolated occurrences and do not function as separate vegetation communities or land cover types.

Disturbed habitat is not recognized by CDFW (CDFW 2022c); therefore, it is not considered a sensitive natural community under CEQA.

Non-native grassland

Non-native grassland occurs throughout the western portion of the survey area (1.2 acres). It is dominated by non-native grasses such as barley (*Hordeum* sp.), ripgut grass (*Bromus diandrus*), and slender wild oat (*Avena barbata*) and other non-native herbs such as Sahara mustard (*Brassica tournefortii*), short-pod mustard (*Hirschfeldia incana*), stinknet (*Oncosiphon piluliferum*), and tumbleweed (*Salsola tragus*).

Non-native grassland is not recognized by CDFW (CDFW 2022c); therefore, it is not considered a sensitive natural community under CEQA.

3.3 PLANTS AND WILDLIFE

The project area supports a very low diversity of vegetation communities and plant species. A total of 37 plant species (19 percent native, 81 percent non-native) were observed during project

biological surveys (Appendix B). A total of 10 bird species, two reptile species, one mammal species, and four invertebrate species were observed (Appendix B). Twilight/nighttime surveys were not conducted, therefore crepuscular and nocturnal animals are likely under-represented in the project species list; however, habitat assessments were performed for all special-status species to ensure that any potentially present rare species are adequately addressed herein.

For the purposes of this report, species are considered to have special status if they meet one or more of the following criteria:

- Listed or considered for listing or proposed for listing under the ESA or CESA (CDFW 2022a; USFWS 2022a)
- CDFW Species of Special Concern (CDFW 2022b)
- CDFW Fully Protected Species (CDFW 2022b)
- CDFW Watch List Species (CDFW 2022b)
- CRPR 1 or 2 species (CNPS 2022)

3.3.1 SPECIAL-STATUS PLANT SPECIES

As mentioned above and clarified in this section, special-status plant species include those that are: 1) Listed or proposed for listing by federal or state agencies as threatened or endangered; 2) CRPR 1 or 2 species (CNPS 2022); or 3) Considered rare, endangered, or threatened by the CDFW (CDFW 2022a) or other local conservation organizations or specialists.

In the state of California, CNPS is a statewide resource conservation organization that has developed an inventory of California's sensitive plant species. The CRPR system is recognized by the CDFW and essentially serves as an early warning list of potential candidate species for threatened or endangered status. The CRPR system is categorized as outlined in Table 2.

Table 2. California Rare Plant Rank (CRPR) Definitions

Rank	1A	presumed extirpated in California and rare or extinct elsewhere
	1B	rare, threatened, or endangered in California and elsewhere
	2A	presumed extirpated in California but more common elsewhere
	2B	rare, threatened, or endangered in California but more common elsewhere
	3	plants for which more information needed
	4	plants of limited distribution

Threat Ranks	0.1	Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
	0.2	Moderately threatened in California (20-80% occurrences threatened / moderate degree and immediacy of threat)
	0.3	Not very threatened in California (<20% of occurrences threatened / low degree and immediacy of threat or no current threats known)

No special-status plant species were observed on site. Special-status plants assessed for their potential to occur on site are presented in Table 3. Please note that CRPR 3 and 4 species were omitted from the potential to occur analysis below due to their relatively low threat status.

Table 3. Assessment of Special-Status Plant Species With Potential to Occur Within the Survey Area

Species	Status	Habitat Description	Potential to Occur
Bristly sedge (*Carex comosa*)	CRPR 2B.1	Perennial rhizomatous herb. Blooms May-September. Coastal prairie, marshes and swamps (lake margins), valley and foothill grasslands. Elevation 0-2,050 feet.	**None**. Suitable aquatic habitat not present in the vicinity. Grassland habitat on site is dominated by invasive species and surrounded by development.
Chaparral ragwort (*Senecio aphanactis*)	CRPR 2B.2	Annual herb. Blooms January-April. Chaparral, cismontane woodland, and coastal scrub. Elevation 50-2,625 feet.	**None**. Native scrub/woodland habitat not present in the survey area or surrounding landscape.
Gambel's water cress (*Nasturtium gambelii*)	FE; ST; CRPR 1B.1	Perennial rhizomatous herb. Blooms April-October. Marshes and swamps. Elevation 15-1,085 feet.	**None**. No suitable aquatic habitats present in the vicinity.
Horn's milk-vetch (*Astragalus hornii* var. *hornii*)	CRPR 1B.1	Annual herb. Blooms May-October. Lake margins, alkaline, meadows and seeps, playas. Elevation 195-2,790 feet.	**None**. No suitable aquatic habitats present in the vicinity. Grassland habitat on site is dominated by invasive species and surrounded by development.
Los Angeles sunflower (*Helianthus nuttallii* ssp. *parishii*)	CRPR 1A	Perennial rhizomatous herb. Blooms August-October. Marshes and swamps (coastal salt and freshwater). Elevation 30-5,005 feet.	**None**. No suitable aquatic habitats present in the vicinity. Species is presumed extinct.
Marsh sandwort (*Arenaria paludicola*)	FE; SE; CRPR 1B.1	Perennial stoloniferous herb. Blooms May-August. Marshes and swamps (brackish, freshwater). Elevation 10-560 feet.	**None**. No suitable aquatic habitats present. Survey area is not within species' elevational range.

Species	Status	Habitat Description	Potential to Occur
Mesa horkelia (*Horkelia cuneata* var. *puberula*)	CRPR 1B.1	Perennial herb. Blooms February-September. Maritime chaparral, cismontane woodland, and coastal scrub. Elevation 230-2,657 feet.	**None**. Native scrub and woodland habitats not present in the survey area or surrounding landscape.
Parish's bush-mallow (*Malacothamnus parishii*)	CRPR 1A	Perennial deciduous shrub. Blooms June-July. Chaparral and coastal scrub. Elevation 1,000-1,495 feet.	**None**. No suitable habitats present. This conspicuous perennial shrub would have been observed if present. Species is presumed extinct.
Parish's desert-thorn (*Lycium parishii*)	CRPR 2B.3	Perennial shrub. Blooms March-April. Coastal scrub and Sonoran desert scrub. Elevation 445-3,280 feet.	**None**. No suitable habitats present; survey area contains only developed habitat, disturbed habitat, and non-native grassland. This conspicuous perennial shrub would have been observed if present.
Parish's gooseberry (*Ribes divaricatum var. parishii*)	CRPR 1A	Perennial deciduous shrub. February-April. Riparian woodland. Elevation 215-985 feet.	**None**. No suitable habitats present. This conspicuous perennial shrub would have been observed if present. Species is presumed extinct.
Parry's spineflower (*Chorizanthe parryi* var. *parryi*)	CRPR 1B.1	Annual herb. Blooms April-June. Chaparral, cismontane woodland, coastal scrub, and valley and foothill grassland. Elevation 900-4,000 feet.	**None**. Suitable woodland and scrub habitat not present. Grassland habitat on site dominated by invasive species and surrounded by development.
Prairie wedge grass (*Sphenopholis obtusata*)	CRPR 2B.2	Perennial herb. Blooms April-July. Cismontane woodland, meadows and seeps. Elevation 984-6,561 feet.	**None**. Woodland habitat not present. Grassland habitat on site is dominated by invasive species and surrounded by development.
Pringle's monardella (*Monardella pringlei*)	CRPR 1A	Annual herb. Blooms May-June. Coastal scrub (sandy). Elevation 985-1,310 feet.	**None**. No suitable scrub habitat present. Species is presumed extinct.
Salt marsh bird's-beak (*Chloropyron maritimum* ssp. *maritimum*)	FE; SE; CRPR 1B.2	Annual herb (hemiparasitic). Blooms May-October (November). Coastal dunes and marshes and swamps (coastal salt). Elevation 0-100 feet.	**None**. No suitable habitats present. Survey area is not within species' elevational range.

Species	Status	Habitat Description	Potential to Occur
Salt spring checkerbloom (*Sidalcea neomexicana*)	CRPR 2B.2	Perennial herb. Blooms March-June. Chaparral, coastal scrub, lower montane coniferous forests, Mojavean desert scrub, and playas. Elevation 50-5,020 feet.	**None**. No suitable native habitats present. Survey area contains only developed habitat, disturbed habitat, and non-native grassland.
San Bernardino aster (*Symphyotrichum defoliatum*)	CRPR 1B.2	Perennial rhizomatous herb. Blooms July-November. Cismontane woodlands, coastal scrub, lower montane coniferous forest, meadows and seeps, marshes and swamps, and vernally mesic valley/foothill grasslands. Elevation 7-6,690 feet.	**None**. No suitable native habitats present. Survey area contains only developed habitat, disturbed habitat, and non-native grassland.
San Diego ambrosia (*Ambrosia pumila*)	FE; CRPR 1B.1	Perennial rhizomatous herb. Blooms April-October. Sandy loam or clay soils in chaparral, coastal scrub, valley and foothill grassland, and vernal pools. Elevation 65-1,350 feet.	**None**. No suitable chaparral, scrub, or vernal pool habitats present. Grassland habitat on site is dominated by invasive species and surrounded by development
Santa Ana River woollystar (*Eriastrum densifolium* ssp. *sanctorum*)	FE; SE; CRPR 1B.1	Perennial herb. Blooms April-September. Chaparral and coastal alluvial fan scrub. Elevation 298-2,000 feet.	**None**. No suitable native habitats present. Survey area contains only developed habitat, disturbed habitat, and non-native grassland. Survey area and surroundings have been altered from historical conditions.
Slender-horned spineflower (*Dodecahema leptoceras*)	FE; SE; CRPR 1B.1	Annual herb. Blooms April-June. Chaparral, cismontane woodland, and alluvial fan coastal scrub. Elevation 655-2,490 feet.	**None**. No suitable chaparral, scrub, or woodland habitats present. Survey area contains only developed habitat, disturbed habitat, and non-native grassland.
Smooth tarplant (*Centromadia pungens* ssp. *laevis*)	CRPR 1B.1	Annual herb. Blooms April-September. Chenopod scrub, meadows and seeps, playa, riparian woodland, and valley and foothill grassland. Elevation 0-2,100 feet.	**Low**. No suitable native habitats present. Survey area contains non-native grassland and disturbed habitat. This species is tolerant of some disturbance; however, the on-site grassland and disturbed land previously functioned as orchards and have undergone extensive anthropogenic alterations that reduce the likelihood of this species' occurrence.

CRPR: California Rare Plant Rank
FE: Federally Endangered
SE: State Endangered
ST: State Threatened

No federally or state threatened or endangered plant species were observed during the field survey and none have the potential to occur within the survey area. Additionally, no other special-status plants were observed during the field survey and none have a moderate or high potential to occur based on the disturbed nature of the site and lack of suitable habitats (Table 3). Although there are documented occurrences of special-status plant species within three miles from the project site (Figures 3a and 3b), the significant disturbances on the undeveloped portions of the site make it highly unlikely to support populations of special-status plants. Please note that special-status plant species with low potential to occur or not expected to occur are not addressed further in this report; because these species have low or no potential for occurrence, no impacts are anticipated on these species.

3.3.2 SPECIAL-STATUS WILDLIFE SPECIES AND CRITICAL HABITATS

As mentioned above and clarified in this section, special-status wildlife species include those that are: 1) listed or proposed for listing by federal or state agencies as threatened or endangered; or 2) considered endangered, threatened, or rare by the CDFW (CDFW 2022b). Special-status wildlife assessed for their potential to occur on site are presented in Table 4.

Table 4. Special-Status Wildlife Species With Potential to Occur Within the Survey Area

Species	Status	Habitat Description	Potential to Occur
INVERTEBRATES			
Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*)	FE	Found in sandy areas composed of Delhi fine sands, stabilized by sparse native vegetation.	**None**. No suitable habitat/soil present.
Monarch - overwintering population (*Danaus plexippus*)	FC	Found in a variety of habitats across the United States and Mexico (e.g., grasslands, urban land, mountains, and coastal habitats). Exclusively oviposit on milkweed. Nectivorous adults require flowering plants. Roost in eucalyptus, Monterey pines, and Monterey cypresses in California.	**Very low.** No suitable habitats present. Nectar sources limited, no host or roost plants present on site.

Species	Status	Habitat Description	Potential to Occur
FISH			
Arroyo chub (*Gila orcuttii*)	SSC	Found in slow-moving streams and backwaters of streams.	**None**. No suitable habitats present.
Santa Ana sucker (*Catostomus santaanae*)	FT	Found in small and medium-sized streams that typically maintain perennial flow containing gravel and boulder substrates.	**None**. No suitable habitats present.
Steelhead (*Oncorhynchus mykiss irideus*) – southern California distinct population segment (DPS) 10	FE; CSE	Found in coastal streams.	**None**. No suitable habitats present.
REPTILES			
California glossy snake (*Arizona elegans occidentalis*)	SSC	Found in arid scrub, rocky washes, grasslands, and chaparral habitats. Prefers habitats containing open areas and loose soils for burrowing.	**Very low**. Non-native grassland habitat on site is marginally suitable for this species. Frequent disturbance and surrounding development make it unlikely for this species to occur.
Coast horned lizard (*Phrynosoma blainvilii*)	SSC	Found in a variety of habitats including sage scrub, chaparral, and coniferous and broadleaf woodlands. Found on sandy or friable soils with open scrub. Requires open areas, bushes, and fine loose soil.	**None**. No suitable habitats present.
Coastal whiptail (*Aspidoscelis tigris stejnegeri*)	SSC	Found in a variety of rocky, sandy, dry habitats including sage scrub, chaparral, woodlands on friable loose soil.	**None**. No suitable habitats present.
Orange-throated whiptail (*Aspidoscelis hyperythra*)	WL	Found in a variety of habitats including sage scrub, chaparral, and coniferous and broadleaf woodlands. Found on sandy or friable soils with open scrub.	**None**. No suitable habitats present.
San Diego banded gecko (*Coleonyx variegatus abbotti*)	SSC	Found in rocky areas of coastal sage scrub and chaparral.	**None**. No suitable habitats present.

Species	Status	Habitat Description	Potential to Occur
Southern California legless lizard (*Anniella stebbinsi*)	SSC	Found in a variety of habitats including coastal dunes, sandy washes, and alluvial fans, containing moist, loose soils.	**None**. No suitable habitats present.
BIRDS			
Bell's sage sparrow (*Artemisiospiza belli belli*)	WL	Found in open, dry habitats, such as coastal sage scrub chapparal. Require shrubs for nesting and foraging.	**None**. No suitable habitats present.
Burrowing owl (*Athene cunicularia*)	SSC	Found in grasslands and open scrub from coast to foothills. Strongly associated with California ground squirrel and other fossorial mammal burrows.	**Low**. Marginally suitable non-native grassland and disturbed habitat present on site, though soils are loose. Few small mammal burrows, likely gopher, were observed on site; no California ground squirrel sign was observed.
Coastal California gnatcatcher (*Polioptila californica californica*)	FT; SSC	Found in sage scrub habitats, often on slopes. Nests in shrubs including sagebrush, buckwheat, and sage. Diegan coastal sage scrub and other similar open scrub habitats in coastal areas, with most populations occurring below 1,500 feet in elevation.	**None**. No suitable habitats present.
Least Bell's vireo (*Vireo bellii pusillus*)	FE (when nesting); SE (when nesting)	Found in riparian woodland with understory of dense young willows or mulefat and willow canopy. Nests often placed along internal or external edges of riparian thickets.	**None**. No suitable habitats present.
Southwestern willow flycatcher (*Emipdonax traillii extimus*)	FE (when nesting); SE (when nesting)	Found in in thick riparian areas with willows near standing or running water.	**None**. No suitable habitats present.
Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*)	FT (when nesting); SE (when nesting)	Found in riparian areas exclusively, typically nesting in low to moderate elevation riparian woodlands with native broadleaf trees such as Fremont cottonwood.	**None**. No suitable habitats present.

Species	Status	Habitat Description	Potential to Occur
MAMMALS			
Los Angeles pocket mouse (*Perognathus longimembris brevinasus*)	SSC	Found in low elevation grassland, alluvial sage scrub, and coastal sage scrub.	**Very low**. Non-native grassland habitat on site is marginally suitable for this species. Frequent disturbance and surrounding development make it unlikely for this species to occur.
Northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*)	SSC	Found in coastal sage scrub, sage scrub/grassland ecotones, and chaparral communities.	**Very low**. Non-native grassland habitat on site is marginally suitable for this species. Frequent disturbance and surrounding development make it unlikely for this species to occur.
Pocketed free-tailed bat (*Nyctinomops femorosaccus*)	SSC	Found in rugged cliffs, rocky outcrops, and slopes in desert shrub and pine oak forests.	**None**. No suitable habitats present.
San Bernardino kangaroo rat (*Dipodomys merriami parvus*)	FE; CSE; SSC	Found in alluvial scrub and floodplain habitats containing sandy loam substrate and open vegetative cover.	**None**. No suitable habitats present.
Stephen's kangaroo rat (*Dipodomys stephensi* including *D. cascus*)	FT; ST	Found in annual grassland and coastal sage scrub with sparse shrub cover. Commonly in association with *Eriogonum fasciculatum*, *Artemisia californica*, and *Erodium cicutarium*, in areas with loose, friable, well-drained soil, and flat or gently rolling terrain.	**None**. No suitable habitats present.
Western mastiff bat (*Eumops perotis californicus*)	SSC	Found in open spaces with crevices in trees, buildings, tunnels, cliffs, rocks, etc. for roosting and hymenopterous insects for consumption.	**None**. No suitable habitats present.
Western yellow bat (*Lasiurus xanthinus*)	SSC	Found in valley foothill riparian, desert riparian, desert wash, and palm oasis habitats. Roost in trees.	**None**. No suitable habitats present.

CSE: Candidate State Endangered
FC: Federal Candidate Species
FE: Federally Endangered
FT: Federally Threatened
SE: State Endangered
ST: State Threatened
SSC: CDFW Species of Special Concern
WL: CDFW Watch List Species

No federally or state threatened or endangered wildlife species were observed during the field survey and none have the potential to occur within the survey area. Additionally, no other special-status wildlife were observed during the field survey and none have a moderate or high potential to occur based on the disturbed nature of the site and lack of suitable habitats (Table 4).

Although there are documented occurrences of special-status wildlife species within three miles from the project site (Figures 3a and 3b), the significant disturbance of the undeveloped portions of the site makes it highly unlikely to support special-status species. Additionally, the project site is surrounded by development, making it unlikely to support populations of wildlife species that are sensitive to the human encroachment. Only one special-status wildlife species, burrowing owl (*Athene cunicularia*), has low potential to occur. Please note that special-status wildlife species with very low or no potential to occur are not addressed further in this report; because these species have very low or no potential for occurrence, no impacts are anticipated on these species.

Burrowing Owl

Burrowing owl is a CDFW SSC at nesting sites and is federally protected by the MBTA. Suitable burrowing owl habitat can be found in annual and perennial grasslands, deserts, and scrublands characterized by low-growing vegetation (Zarn 1974). Suitable burrowing owl habitat may also include trees and shrubs if the canopy covers less than 30 percent of the ground surface. Burrows are the essential component of burrowing owl habitat; both natural and artificial burrows provide protection, shelter, and nests for burrowing owl (Henny and Blus 1981). Burrowing owl typically use burrows made by rodents, such as ground squirrels or badgers, but may also use human-made structures, such as concrete culverts; concrete, asphalt, or wood debris piles; or openings beneath concrete or asphalt pavement.

Burrowing owls have declined throughout much of their range because of habitat loss due to urbanization, agricultural conversion, and destruction of ground squirrel colonies (Remsen 1978). The incidental poisoning of burrowing owls and the destruction of their burrows during eradication programs aimed at rodent colonies have also caused their decline (Collins 1979; Remsen 1978). Although burrowing owl are relatively tolerant of lower levels of human activity, human-related impacts, such as shooting and introduction of non-native predators, have negative population impacts. Burrowing owl often nest and perch near roads where they are vulnerable to roadside shooting, fatal car strikes, and general harassment (Remsen 1978).

The project is within the Burrowing Owl Overlay Zone (County of San Bernardino 2012). No burrowing owl individuals, active sign, or suitable burrows were observed during the general biological survey; however, burrowing owl has historically bred in the local area (eBird 2022). Despite the current absence of suitable burrows, burrowing owl has low potential to occur within the survey area based on its range and ability to establish in disturbed habitats.

Critical Habitat

The ESA defines critical habitat as a specific geographic area, or areas, that contains features essential for the survival and recovery of endangered and threatened species. USFWS designates critical habitat for endangered and threatened species and may include sites for breeding and

rearing, movement or migration, feeding, roosting, cover, and shelter. Critical habitat may also include areas that are not currently occupied by the species, but that will be needed for its recovery.

No USFWS designated critical habitat occurs within or immediately adjacent the project site, or within three miles of the project site (Figure 3a).

3.4 WILDLIFE CORRIDORS

A wildlife corridor can be defined as a physical feature that links wildlife habitat, often consisting of native vegetation that joins two or more larger areas of similar wildlife habitat. Corridors enable migration, colonization, and genetic diversity through interbreeding and are therefore critical for the movement of animals and the continuation of viable populations. Corridors can consist of large, linear stretches of connected habitat (such as riparian vegetation) or as a sequence of stepping-stones across the landscape (discontinuous areas of habitat such as wetlands and ornamental vegetation), or corridors can be larger habitat areas with known or likely importance to local fauna.

Regional corridors are defined as those linking two or more large patches of habitat, and local corridors are defined as those allowing resident animals to access critical resources (food, cover, and water) in a smaller area that might otherwise be isolated by urban development. A viable wildlife migration corridor consists of more than an unobstructed path between habitat areas. Appropriate vegetation communities must be present to provide food and cover for both transient species and resident populations of less mobile animals. There must also be a sufficient lack of stressors and threats within and adjacent to the corridor for species to use it successfully.

The project site does not function as part of a wildlife corridor. The project site is composed primarily of developed land and the undeveloped areas are highly disturbed and surrounded by development. No undeveloped land is contiguous with the disturbed habitat and non-native grassland in the survey area. No large areas of native vegetation occur in proximity to the project site. Cumulatively, the project site and other undeveloped isolated lots in the project vicinity are unlikely to be used by wildlife species as refuge between larger areas of naturally occurring habitat.

3.5 POTENTIAL FEDERAL AND STATE JURISDICTIONAL AQUATIC RESOURCES

No blue line streams, natural channels, or vernal pools were observed within the project site during the reconnaissance aquatic assessment of the site, and no Section 10 navigable waters of the U.S. or other likely jurisdictional features occur within the project site based on the reconnaissance level aquatic assessment.

One of the South Willow Avenue concrete street gutters near the eastern boundary of the project site (Appendix A, Photos 9 and 10) was observed to have standing water and hydrophytic vegetation (i.e., Goodding's black willow [facultative wetland (FACW)], tall flatsedge [FACW], and water speedwell [obligate]) during project surveys. The gutter appears to collect rainwater from South Willow Avenue and the surrounding development; the street gutter does not occur within a historic channel or riverine area based on aerial photograph review.

Based on the lack of hydric soils in the concrete street gutter, this feature is not anticipated to meet the appropriate wetland parameters to qualify as wetland waters of the U.S./State per the Corps and the SWRCB/RWQCB or associated wetlands potentially jurisdictional by the CDFW. The concrete street gutter would also not qualify as non-wetland waters of the U.S. per the Corps as it did not display an observable ordinary high water mark (OHWM) and the location was not associated with historic, natural drainages or excavated tributaries based on the field assessment, a review of Google Earth aerial imagery, and the NHD and NWI databases (Figure 4). Specifically, the concrete street gutter appears to have been constructed in an otherwise upland area to manage stormwater and irrigation runoff associated with the surrounding development. Thus, based on the current pre-2015 definition of "waters of the U.S.," which was further defined by the 2001 *Solid Waste Agency of Northern Cook County* (SWANCC) decision and the 2006 *Rapanos* decisions, the concrete street gutter should be considered a ditch "excavated wholly in and draining only uplands" that does "not carry a relatively permanent flow of water" (U.S. EPA 2008).

The concrete street gutter would also likely not qualify as a non-wetland waters of the State by the SWRCB/RWQCB as the concrete street gutter is a maintained artificial structure, which functions as localized stormwater runoff conveyance with no downstream connectivity and which does not provide/has no impact on beneficial uses (e.g., agricultural supply, freshwater supply, or groundwater recharge). The concrete street gutter would also likely not qualify as a streambed jurisdictional per the CDFW, as the detention basin did not display an observable bed and bank, and the detention basin and concrete ditch lacked association with a natural feature/streambed and did not support wildlife habitat.

Please note that a formal, project-specific aquatic resources delineation and reporting per Corps, SWRCB/RWQCB, and CDFW standards and guidelines and further coordination with the Corps, SWRCB/RWQCB, and CDFW would be required to receive a determination from the regulatory agencies of their concurrence with the findings related to potential aquatic resources on site (i.e., that the project site does not support jurisdictional aquatic resources).

4 IMPACT ANALYSIS

Direct impacts are caused by the project and occur at the same time and place as the project. Any alteration, disturbance, or destruction of biological resources that would result from project-related activities is considered a direct impact. Direct impacts would include direct losses to native habitats, potential jurisdictional waters, wetlands, and special-status species; and diverting natural surface water flows. Direct impacts could include injury, death, and/or harassment of listed and/or special-status species. Direct impacts could also include the destruction of habitats necessary for species breeding, feeding, or sheltering. Direct impacts on plants can include crushing of adult plants, bulbs, or seeds.

Indirect impacts can result from project-related activities where biological resources are affected in a manner that is not direct. Indirect impacts may occur later in time or at a place that is farther removed in distance from the project than direct impacts, but indirect impacts are still reasonably foreseeable and attributable to project-related activities. Examples include habitat fragmentation; elevated noise, dust, and lighting levels; changes in hydrology, runoff, and sedimentation; decreased water quality; soil compaction; increased human activity; and the introduction of invasive wildlife (domestic cats and dogs) and plants (weeds). As noted in Section 2, the survey area included a 100-foot buffer to identify nearby biological resources and to aid in assessment of potential indirect impacts on protected resources, if present.

Cumulative impacts refer to incremental individual environmental effects of two or more projects when considered together. Such impacts taken individually may be minor but are collectively significant in light of regional impacts.

The significance thresholds as outlined in Appendix G of the state CEQA Guidelines (CCR Title 14, Division 6, Chapter 3, Sections 15000–15387) have been used to determine whether project implementation would result in a significant direct, indirect, and/or cumulative impact. A significant biological resources impact would occur if the project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS;
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by CDFW or USFWS;
- Have a substantial adverse effect on federal protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marshes, vernal pools, coastal, etc.) through direct removal, filling, hydrological interruption, or other means;
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites;
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy, or ordinance;

- Conflict with the provisions of an adopted Habitat Conservation Plan; Natural Community Conservation Plan; or other approved local, regional, or state habitat conservation plan.

4.1 NATIVE VEGETATION IMPACTS

The proposed project would result in impacts on three land uses/vegetation communities, developed land, disturbed habitat, and non-native grassland (Figure 5; Table 5). These habitats are not considered sensitive vegetation communities; therefore, impacts on native vegetation would be less than significant.

Table 5. Vegetation Communities/Land Cover Project Impacts

Vegetation (Holland)[1]	Vegetation[2]	Impacts (acres)
Developed	Developed/Disturbed	3.8
Disturbed habitat	Developed/Disturbed	1.6
Non-native grassland	Wild Oats and Annual Brome Grasslands	0.5
Total		5.9

[1] *Vegetation communities recognized by Holland (1986)*
[2] *Vegetation communities from Holland (1986) crosswalked to The Manual of California Vegetation (Sawyer et al. 2009)*

4.2 SPECIAL-STATUS PLANTS AND WILDLIFE IMPACTS

4.2.1 SPECIAL-STATUS PLANT SPECIES

The proposed project will not impact federally and/or state listed or other special-status plants as none are present or have a moderate to high potential to occur within the project site due to lack of suitable habitat and the overall disturbed nature of the site.

4.2.2 SPECIAL-STATUS WILDLIFE SPECIES AND CRITICAL HABITATS

Threatened and Endangered Wildlife Species

The proposed project will not impact federally and/or state listed wildlife species as no other species were recorded within/nearby the project site or have moderate to high potential to occur on site based on lack of suitable habitat and the disturbed nature of the site.

Other Special-Status Wildlife Species

The proposed project has the potential to impact one other special-status wildlife species, burrowing owl, as discussed below. The proposed project will not impact additional other special-status wildlife species as no other species were recorded within/nearby the project site or have moderate to high potential to occur on site.

Burrowing Owl

The project has low potential to support burrowing owl; however, the site occurs within the burrowing owl overlay and the site could support this species in the future. With project implementation, direct impacts on burrowing owl could occur in the form of habitat destruction, and potentially death, injury, or harassment of nesting birds, their eggs, and their young; such impacts, if they were to occur, are potentially significant. Injury or mortality occurs most frequently during the vegetation clearing stage of construction and affects eggs, nestlings, and recently fledged young that cannot safely avoid equipment. In accordance with state burrowing owl protections, pre-construction surveys will be required to avoid potential impacts on this species. Therefore, with the adherence of standard conditions as discussed in Section 5, impacts on burrowing owls resulting from the project would be less than significant.

4.3 NESTING BIRD IMPACTS

The proposed project has the potential to impact active bird nests if vegetation is removed or ground disturbing activities are initiated during the nesting season. The disturbed habitat and non-native grassland within the project site have the potential to support ground nesting species and impacts on nesting birds are prohibited by the MBTA and/or CFGC §3503. However, with the adherence of standard conditions proposed in Section 5, impacts on nesting birds resulting from the project would be less than significant.

4.4 WILDLIFE CORRIDOR IMPACTS

The project site does not serve as part of a regional wildlife corridor. As such, the project would not result in impacts on wildlife movement and regional corridors.

4.5 POTENTIAL JURISDICTIONAL AQUATIC RESOURCES IMPACTS

The proposed project is not expected to impact jurisdictional aquatic resources as such features were not documented on site (see Section 3.5). Therefore, permitting through the Corps, RWQCB, and CDFW is not expected to be required for the proposed project. A formal, project-specific aquatic resources delineation and reporting per Corps, SWRCB/RWQCB, and CDFW standards and guidelines and further coordination with the Corps, SWRCB/RWQCB, and CDFW would be required to receive a determination from the regulatory agencies of their concurrence with the findings related to potential aquatic resources on site (i.e., that the project site does not support jurisdictional aquatic resources).

4.6 LOCAL POLICIES & ORDINANCES IMPACTS

4.6.1 COUNTY OF SAN BERNARDINO BURROWING OWL OVERLAY ZONE

As previously discussed, the project site is within the Burrowing Owl Overlay Zone. As such, preconstruction surveys for burrowing owl should be conducted to determine presence/absence within the project site, as detailed in Section 5. With the adherence of standard conditions proposed, impacts on burrowing owl would be avoided and/or minimized.

4.6.2 CITY OF RIALTO GENERAL PLAN

The project does not contain suitable soils for Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*). As such, protocol surveys are not required, and the City of Rialto General Plan policy related to this species is not applicable.

4.7 HABITAT CONSERVATION PLAN; NATURAL COMMUNITY CONSERVATION PLAN; OR OTHER APPROVED LOCAL, REGIONAL, OR STATE HABITAT CONSERVATION PLAN IMPACTS

The project site is not located with an active HCP or NCCP area; therefore, the project would not result in impacts on HCPs or NCCPs.

4.8 INDIRECT IMPACTS ON BIOLOGICAL RESOURCES

In the context of biological resources, indirect impacts are those effects associated with developing areas adjacent to native open space. Potential indirect effects associated with development include water quality impacts from site drainage into adjacent open space/downstream aquatic resources; lighting effects; noise effects; invasive plant species from landscaping; and effects from human access into adjacent open space, such as recreational activities (including off-road vehicles and hiking), pets, dumping, etc. Temporary, indirect effects may also occur as a result of construction-related activities.

The project site and abutting lands are developed or have been heavily disturbed by human activities. Project activities would not significantly change the conditions on adjacent lands or result in indirect effects on biological resources. Therefore, indirect impacts would be less than significant.

4.9 CUMULATIVE IMPACTS ON BIOLOGICAL RESOURCES

Cumulative impacts are defined as the direct and indirect effects of a proposed project which, when considered alone, would not be deemed a substantial impact, but when considered in addition to the impacts of related projects in the area, would be considered potentially significant. ‘Related projects’ refers to past, present, and reasonably foreseeable probable future projects, which would have similar impacts to the proposed project. The project site is disturbed, surrounded by development, and does not support sensitive biological resources. As such, the proposed project will not result in significant cumulative effects.

5 STANDARD CONDITIONS

The following discussion provides project-specific standard conditions; adherence with these standard conditions is necessary to avoid and minimize impacts on biological resources resulting from the project.

5.1 BURROWING OWL AVOIDANCE AND STANDARD CONDITIONS

It was determined that the project site has low potential to support burrowing owl. Additionally, the project site is within the County of San Bernardino Overlay Zone. As such, adherence with the following standard conditions for burrowing owl is recommended:

BIO SC-1A: No less than 14 days prior to the onset of construction activities, a qualified biologist shall survey the construction limits of the project area and a 500-foot buffer for the presence of burrowing owls and occupied nest burrows. A second survey shall be conducted within 24 hours prior to the onset of construction activities. The surveys shall be conducted in accordance with the most current CDFW survey methods. If burrowing owls are not observed during the clearance survey, no additional conditions may be required to avoid impacts to burrowing owl.

If burrowing owl is documented on site, occupied burrowing owl burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by CDFW verifies through non-invasive methods that either the birds have not begun egg laying and incubation, or that juveniles from the occupied burrows are foraging independently and capable of independent survival. Disturbance avoidance buffers shall be determined and set up by a qualified biologist in accordance with the recommendations included in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012). A biologist shall be contracted to perform monitoring during all construction activities approximately every other day. The definitive frequency and duration of monitoring shall be dependent on whether it is the breeding versus non-breeding season and the efficacy of the exclusion buffers, as determined by a qualified biologist and in coordination with CDFW.

If burrowing owl is observed during the non-breeding season (September 1 through January 31) or confirmed to not be nesting, a non-disturbance buffer between the project activities and the occupied burrow shall be installed by a qualified biologist in accordance with the recommendations included in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012).

BIO SC-1B: If avoidance is not possible, either directly or indirectly, a Burrowing Owl Relocation and Mitigation Plan (Plan) shall be prepared and submitted for approval by CDFW. Once approved, the Plan would be implemented to relocate non-breeding burrowing owls from the project site. The Plan shall detail methods for passive relocation of burrowing owls from the project site, provide guidance for the monitoring and management of the replacement burrow sites and associated reporting requirements, and ensure that a minimum of two suitable, unoccupied burrows are

available off site for every burrowing owl or pair of burrowing owls to be passively relocated. Compensatory mitigation of habitat would be required if occupied burrows or territories occur within the permanent impact footprint. Habitat compensation shall be approved by CDFW and detailed in the Burrowing Owl Relocation and Mitigation Plan.

The project applicant shall submit at least one burrowing owl preconstruction survey report to the satisfaction of the City of Rialto and CDFW to document compliance with this standard condition. For the purposes of this standard condition, 'qualified biologist' is a biologist who meets the requirements set forth in the *Staff Report on Burrowing Owl Mitigation* (CDFW 2012).

5.2 NESTING BIRD AVOIDANCE AND STANDARD CONDITIONS

The project site supports suitable habitat for nesting birds. As such, adherence with the following standard condition is required to reduce impacts on nesting birds:

BIO SC-2: To ensure compliance with CFGC sections 3503, 3503.5, and 3513 and to avoid potential impacts to nesting birds, vegetation clearing and ground-disturbing activities shall be conducted outside of the bird nesting season (generally February 15 through August 31). If avoidance of the nesting season is not feasible, then a qualified biologist will conduct a nesting bird survey within three days prior to any disturbance of the site, including but not limited to vegetation clearing, disking, demolition activities, and grading. If active nests are identified, the biologist shall establish suitable buffers around the nests depending on the level of activity within the buffer and species observed, and the buffer areas shall be avoided until the nests are no longer occupied, and the juvenile birds can survive independently from the nests. During construction activities, the qualified biologist shall continue biological monitoring activities at a frequency recommended by the qualified biologist using their best professional judgment. If nesting birds are documented, avoidance and minimization measures may be adjusted, and construction activities stopped or redirected by the qualified biologist using their best professional judgement to avoid take of nesting birds. If nesting birds are not documented during the preconstruction survey, adherence to additional standard conditions may not be necessary to avoid impacts to nesting birds.

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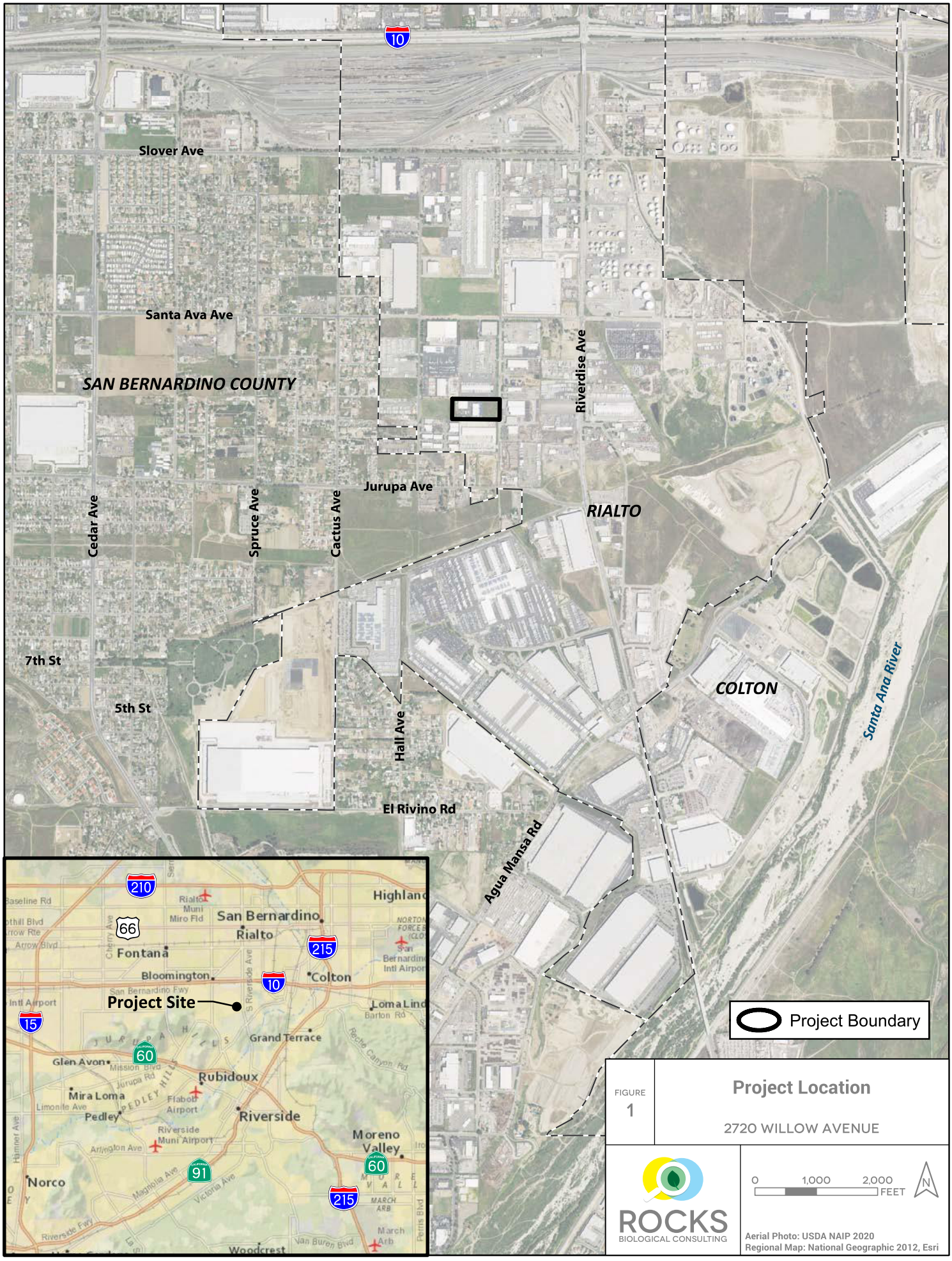


FIGURE 1

Project Location

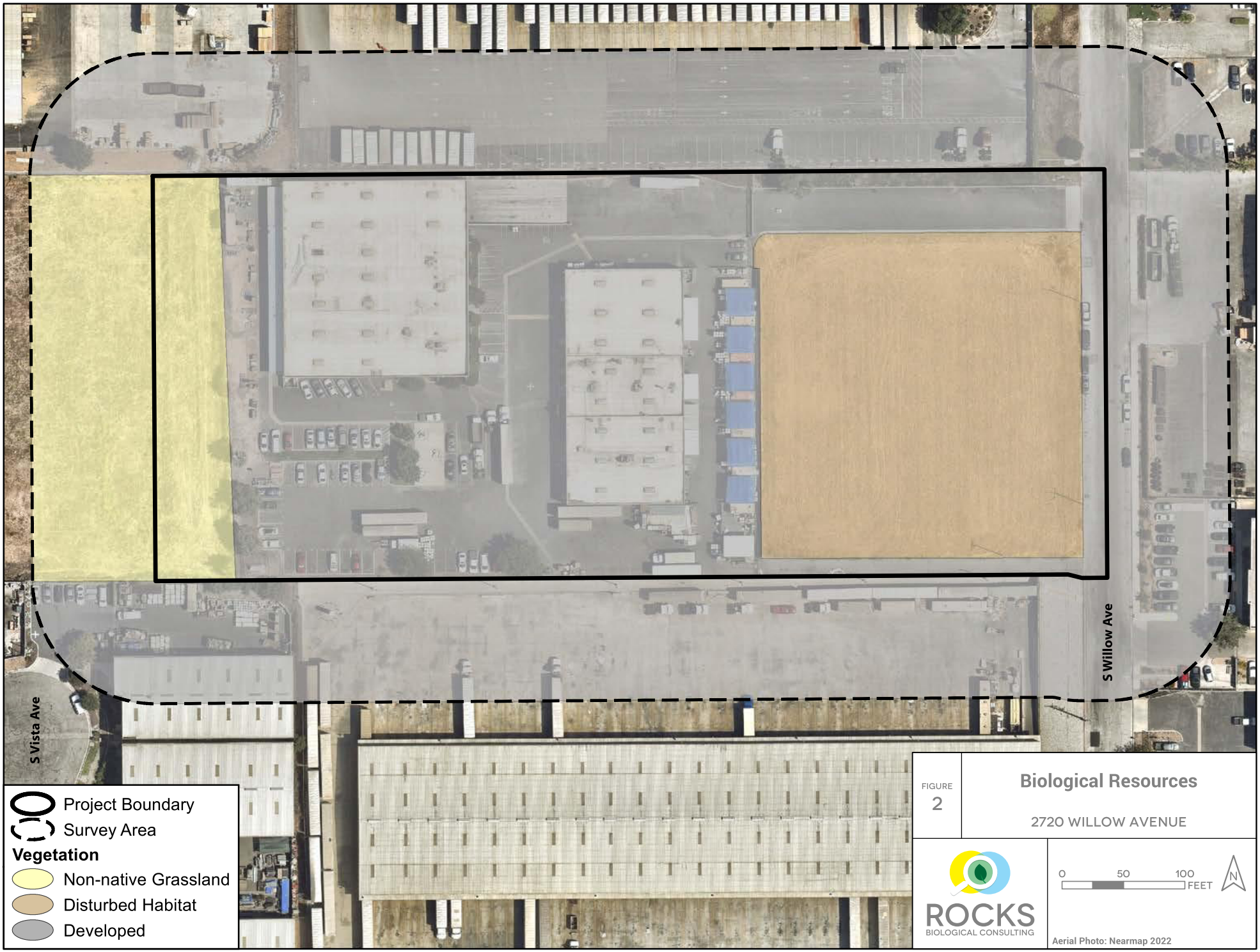
2720 WILLOW AVENUE

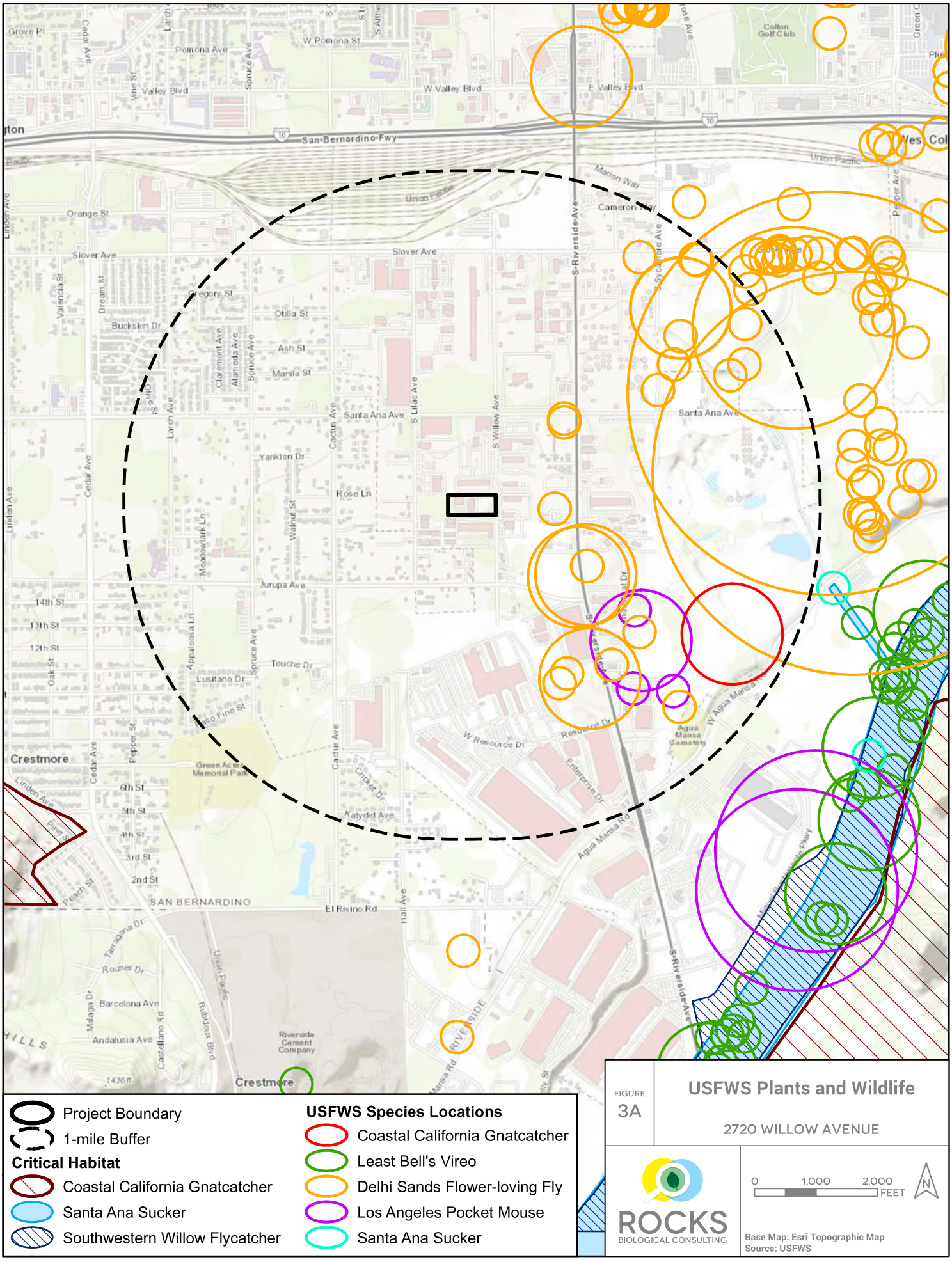
ROCKS BIOLOGICAL CONSULTING

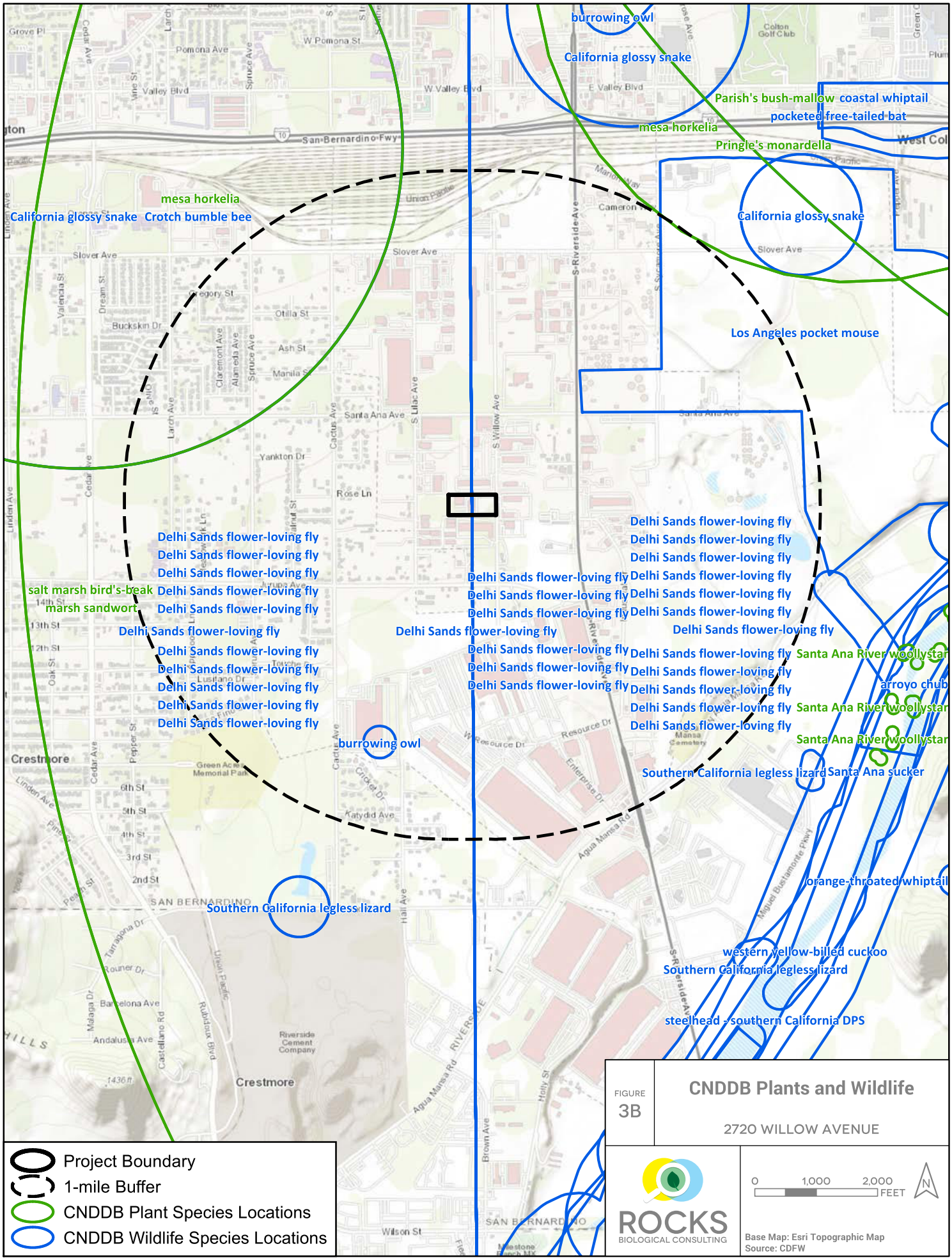
0 1,000 2,000 FEET

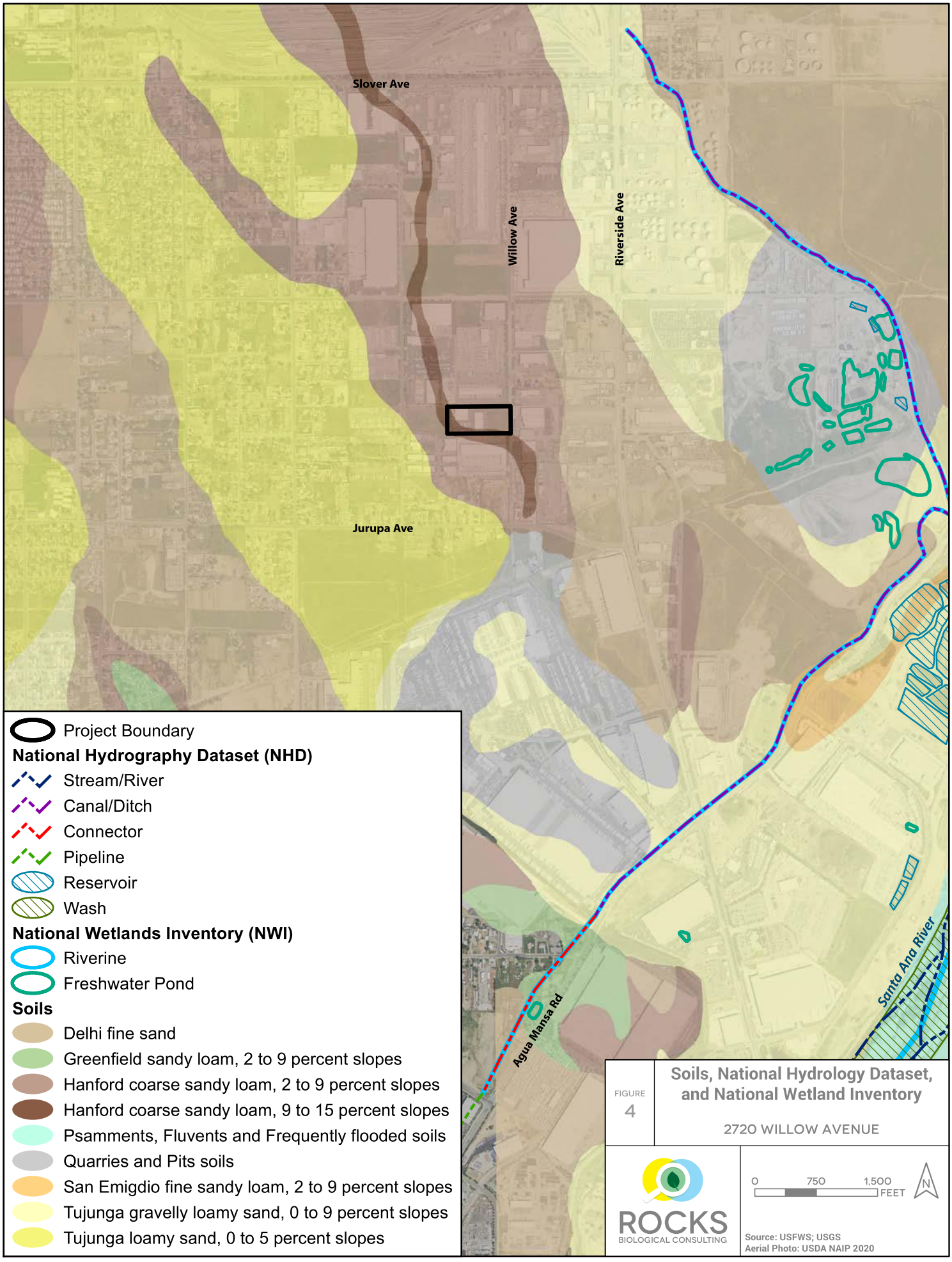
N

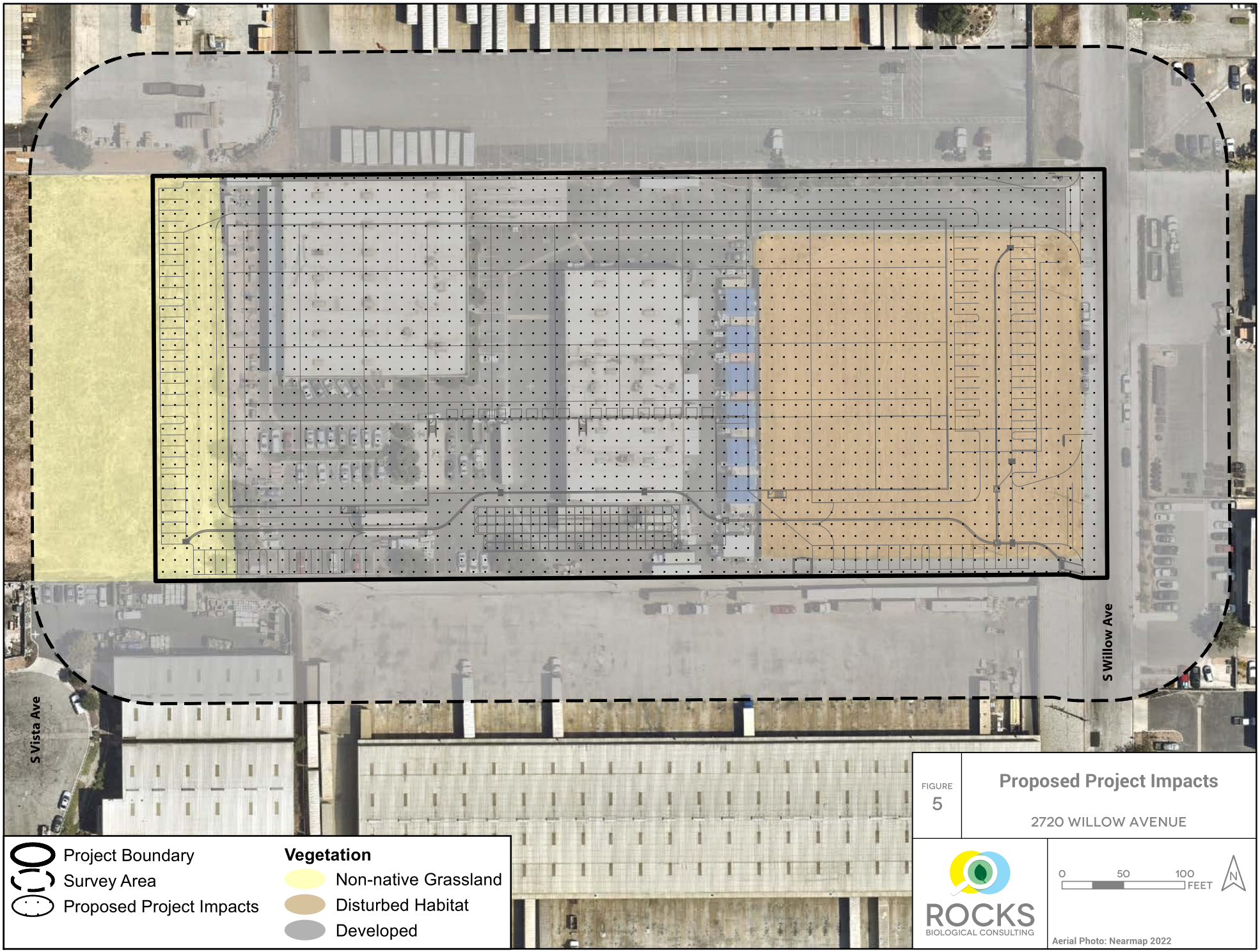
Aerial Photo: USDA NAIP 2020
Regional Map: National Geographic 2012, Esri


S Vista Ave
S Willow Ave
Project Boundary
Survey Area
Vegetation
Non-native Grassland
Disturbed Habitat
Developed
FIGURE
2
Biological Resources
2720 WILLOW AVENUE
ROCKS
BIOLOGICAL CONSULTING
0
50
100
FEET
N
Aerial Photo: Nearmap 2022


Project Boundary
1-mile Buffer
Critical Habitat
Coastal California Gnatcatcher
Santa Ana Sucker
Southwestern Willow Flycatcher
USFWS Species Locations
Coastal California Gnatcatcher
Least Bell's Vireo
Delhi Sands Flower-loving Fly
Los Angeles Pocket Mouse
Santa Ana Sucker
FIGURE
3A
USFWS Plants and Wildlife
2720 WILLOW AVENUE
ROCKS
BIOLOGICAL CONSULTING
0
1,000
2,000
FEET
N
Base Map: Esri Topographic Map
Source: USFWS


burrowing owl
California glossy snake
Parish's bush-mallow
coastal whiptail
pocketed free-tailed bat
mesa horkelia
Pringle's monardella
San Bernardino Fwy
mesa horkelia
California glossy snake
Crotch bumble bee
California glossy snake
Slover Ave
Los Angeles pocket mouse
Delhi Sands flower-loving fly
salt marsh bird's-beak
marsh sandwort
Santa Ana River woollystar
arroyo chub
Santa Ana River woollystar
Santa Ana River woollystar
Southern California legless lizard
Santa Ana sucker
burrowing owl
Crestmore
orange-throated whiptail
Southern California legless lizard
western yellow-billed cuckoo
Southern California legless lizard
steelhead - southern California DPS
Project Boundary
1-mile Buffer
CNDDB Plant Species Locations
CNDDB Wildlife Species Locations
FIGURE 3B
CNDDB Plants and Wildlife
2720 WILLOW AVENUE
ROCKS BIOLOGICAL CONSULTING
0 1,000 2,000 FEET
N
Base Map: Esri Topographic Map
Source: CDFW


Slover Ave
Willow Ave
Riverside Ave
Jurupa Ave
Agua Mansa Rd
Santa Ana River
Project Boundary
National Hydrography Dataset (NHD)
Stream/River
Canal/Ditch
Connector
Pipeline
Reservoir
Wash
National Wetlands Inventory (NWI)
Riverine
Freshwater Pond
Soils
Delhi fine sand
Greenfield sandy loam, 2 to 9 percent slopes
Hanford coarse sandy loam, 2 to 9 percent slopes
Hanford coarse sandy loam, 9 to 15 percent slopes
Psamments, Fluvents and Frequently flooded soils
Quarries and Pits soils
San Emigdio fine sandy loam, 2 to 9 percent slopes
Tujunga gravelly loamy sand, 0 to 9 percent slopes
Tujunga loamy sand, 0 to 5 percent slopes
FIGURE 4
Soils, National Hydrology Dataset, and National Wetland Inventory
2720 WILLOW AVENUE
ROCKS BIOLOGICAL CONSULTING
0 750 1,500 FEET
N
Source: USFWS; USGS
Aerial Photo: USDA NAIP 2020


S Vista Ave
S Willow Ave
Project Boundary
Survey Area
Proposed Project Impacts
Vegetation
Non-native Grassland
Disturbed Habitat
Developed
FIGURE
5
Proposed Project Impacts
2720 WILLOW AVENUE
ROCKS
BIOLOGICAL CONSULTING
0
50
100
FEET
N
Aerial Photo: Nearmap 2022

APPENDIX A

SITE PHOTOGRAPHS

Appendix A
Site Photographs
August 1, 2022

Photo 1. Overview of project site from the eastern portion of the site, showing disturbed habitat and developed land, facing northwest.

Photo 2. View of disturbed habitat in the eastern portion of the project site, showing recently tilled soil, facing north.

Photo 3. View of developed land and ornamental trees in the central portion of the project site, facing west.

Photo 4. View of developed land within the central portion of the project site and northern buffer, facing north.

Photo 5. View of developed habitat in the western portion of the project site, facing north.

Photo 6. View of non-native grassland, dominated by ripgut grass (*Bromus diandrus*), short-pod mustard (*Hirschfeldia incana*), and slender wild oat (*Avena barbata*) in the western buffer, facing east.

Photo 7. View of concrete street gutter near the eastern boundary of the project site with standing water and hydrophytic vegetation; this area is not anticipated to be a jurisdictional aquatic resource (see Section 3.5).

Photo 8. View of project site from South Willow Avenue, facing west.

APPENDIX B

PLANT AND WILDLIFE SPECIES OBSERVED

Appendix B
Plant and Wildlife Species Observed

Family	Common Name	Scientific Name
Plants		
Amaranthaceae	white tumbleweed*	*Amaranthus albus*
Amaranthaceae	prostrate amaranth	*Amaranthus blitoides*
Anacardiaceae	African sumac*	*Searsia lancea*
Anacardiaceae	Peruvian pepper tree*	*Schinus molle*
Arecaceae	Mexican fan palm*	*Washingtonia robusta*
Asteraceae	annual bur-sage	*Ambrosia acanthacarpa*
Asteraceae	Canada horseweed	*Erigeron canadensis*
Asteraceae	cowpen daisy*	*Verbesena encelioides*
Asteraceae	prickly lettuce*	*Lactuca serriola*
Asteraceae	western sunflower	*Helianthus annuus*
Asteraceae	stinknet*	*Oncosiphon piluliferum*
Boraginaceae	rigid fiddleneck	*Amsinckia menziesii*
Brassicaceae	Sahara mustard*	*Brassica tournefortii*
Brassicaceae	short-pod mustard*	*Hirschfeldia incana*
Chenopodiaceae	lamb's quarters*	*Chenopodium album*
Chenopodiaceae	tumbleweed*	*Salsola tragus*
Cyperaceae	tall flatsedge	*Cyperus eragrostis*
Euphorbiaceae	prostrate sandmat*	*Euphorbia prostrata*
Geraniaceae	red-stem filaree*	*Erodium cicutarium*
Lythraceae	crapemyrtle*	*Lagerstroemia indica*
Malvaceae	cheeseweed*	*Malva parviflora*
Nyctaginaceae	bougainvillea sp.*	*Bougainvillea sp.*
Plantaginaceae	water speedwell*	*Veronica anagallis-aquatica*
Poaceae	barley sp.*	*Hordeum sp.*
Poaceae	Bermuda grass*	*Cynodon dactylon*
Poaceae	crimson fountain grass*	*Pennisetum setaceum*
Poaceae	large crab grass*	*Digitaria sanguinalis*
Poaceae	ripgut grass*	*Bromus diandrus*
Poaceae	slender wild oat*	*Avena barbata*
Poaceae	smilo grass*	*Stipa miliacea*
Poaceae	water beardgrass*	*Polypogon viridis*
Portulacaceae	common purslane*	*Portulaca oleracea*
Salicaceae	Goodding's black willow	*Salix gooddingii*

Simaroubaceae	tree of heaven*	*Ailanthus altissima*
Solanaceae	tree tobacco*	*Nicotiana glauca*
Verbenaceae	lantana*	*Lantana camara*
Zygophyllaceae	puncture vine*	*Tribulus terrestris*
Invertebrates		
Hesperiidae	Eufala skipper	*Lerodea eufala*
Lycaenidae	western pygmy blue	*Brephidium exilis*
Papilionidae	anise swallowtail	*Papilio zelicaon*
Scarabaeidae	fig beetle	*Cotinis mutabilis*
Reptiles		
Phrynosomatidae	western fence lizard	*Sceloporus occidentalis*
Phrynosomatidae	western side-blotched lizard	*Uta stansburiana elegans*
Birds		
Accipitridae	red-tailed hawk	*Buteo jamaicensis*
Columbidae	Eurasian collared-dove*	*Streptopelia decaocto*
Columbidae	rock pigeon*	*Columba livia*
Corvidae	common raven	*Corvus corax*
Falconidae	American kestrel	*Falco sparverius*
Hirundinidae	barn swallow	*Hirundo rustica*
Mimidae	northern mockingbird	*Mimus polyglottos*
Sturnidae	European starling*	*Sturnus vulgaris*
Trochilidae	Anna's hummingbird	*Calypte anna*
Tyrannidae	Say’s phoebe	*Sayornis saya*
Mammals		
Leporidae	Audubon’s cottontail	*Sylvilagus audubonii*
* Non-Native Species		