Appendix D Biological Resources Report

Appendices

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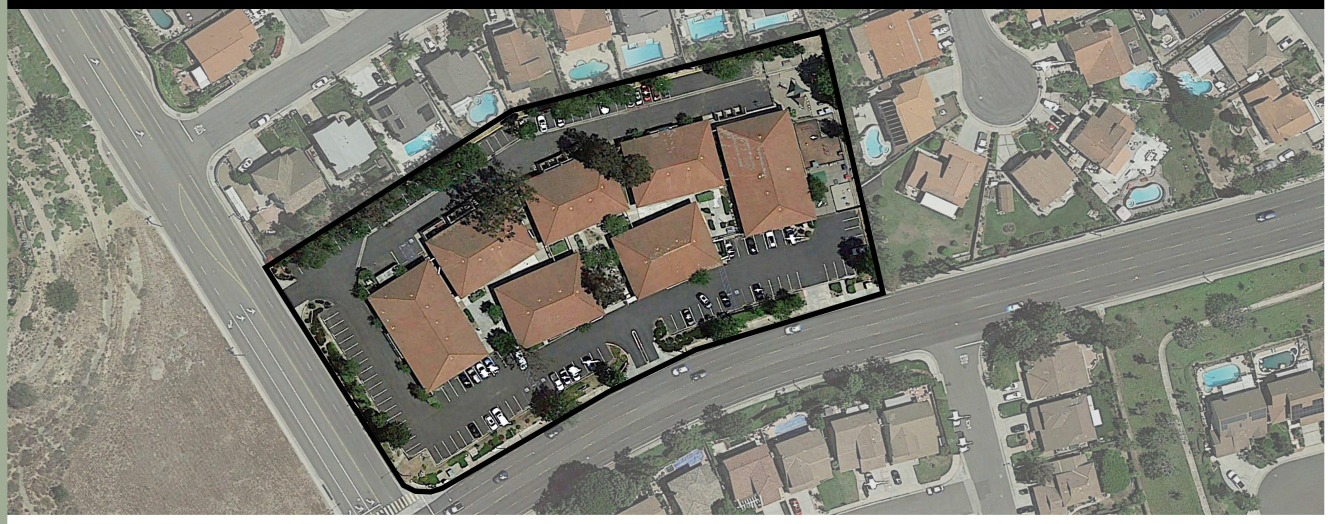
Biological Resources Technical Report

The Residences at Nohl Ranch

City of Anaheim, Orange County, California

FINAL REPORT



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INTRODUCTION

The following biological resources technical report describes a detailed assessment of potential sensitive natural resources located within and/or immediately adjacent to The Residences at Nohl Ranch project site (Project Site). The report has been prepared to support compliance with the California Environmental Quality Act (CEQA) documentation including the preparation of an Initial Study (IS), Mitigated Negative Declaration (MND) or Environmental Impact Report (EIR) and environmental review process conducted by the City of Anaheim, California. As discussed below, the assessment included a thorough literature review, site reconnaissance characterizing existing conditions (including floral, faunal and dominant vegetation communities), impact analysis, and development of proposed mitigation measures to reduce impacts to a level of less than significant, as warranted.

PROJECT LOCATION

The 3.03-acre Project Site is located within the southeastern region of the City of Anaheim, Orange County, California, as shown in Figure 1, *Regional Location Map*. Specifically, the Project Site extends east of Nohl Ranch Road and north of Serrano Avenue (6501-6513), APN 365-062-09 as shown in Figure 2, *Project Site Map*.

The Project Site is located within the Orange County's Central and Coastal Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP) area.

PROJECT DESCRIPTION

The Project Applicant proposes to demolish the existing Serrano Center, which consists of seven 1-story buildings, totaling approximately 42,526 square feet of nonresidential space, to construct 58 multifamily units, with a development density of 19.14 dwelling units per acre (du/ac) development density. The units would range in size from 1,171 to 2,018 square feet. The units would be constructed in eight buildings totaling 84,759 square feet. Project amenities include two outdoor lounges, an outdoor dining room, an outdoor living room, and three artificial turf play areas. The units would consist of 35 two-bedroom units and 23 three-bedroom units in three-story townhomes, two-story townhomes, carriage townhomes, and stacked flats, with a maximum building height of 40 feet. (PlaceWorks 2018)

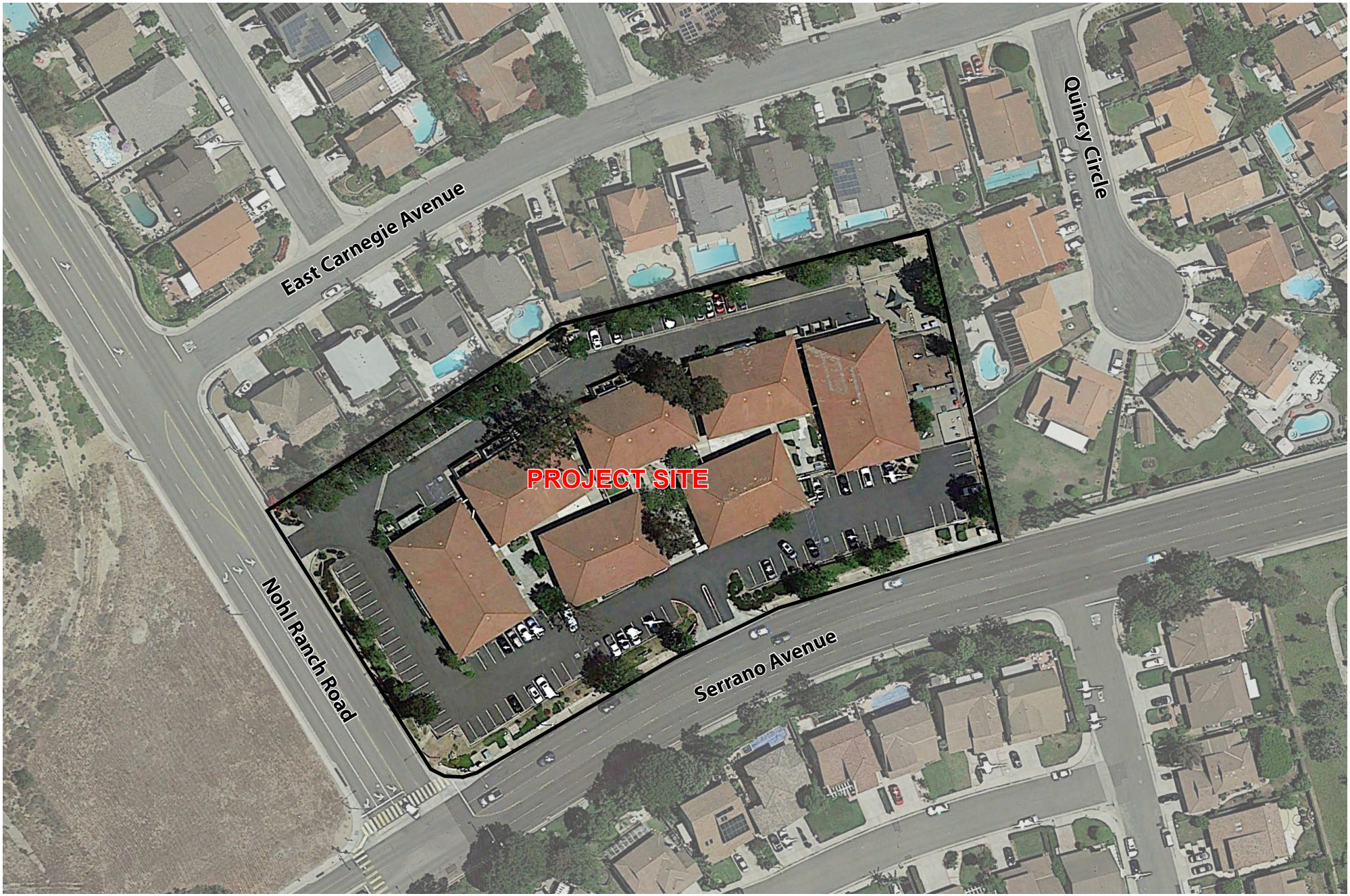
Vehicular access to the Project Site would be provided from both Serrano Avenue and Nohl Ranch Road. The Serrano Avenue entry would be near the southeast corner of the Project Site, in the same location as the existing driveway, providing a full vehicular access. The access on Nohl Ranch Road would be approximately 150 feet from Serrano Avenue and provide right-in and right-out vehicular access. A main internal access drive would connect the Nohl Ranch Road and Serrano Avenue driveways, providing access to the units' garages. Each dwelling unit would have two garage spaces, totaling 116 garaged parking spaces, of which 14 would be provided with tandem parking, and an additional 32 uncovered surface parking spaces would be provided, including 2 ADA spaces, for a total of 148 parking spaces. (PlaceWorks 2018)

APN 365-065-09

Figure 1 - Regional Location Map

Biological Resources Technical Report

The Residences at Nohl Ranch



APN 365-065-09

Figure 2 - Project Site Map

Biological Resources Technical Report
The Residences at Nohl Ranch

CADRE Environmental

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1 inch = 100 ft.

The following section details the methods implemented prior and during the reconnaissance survey conducted throughout the Project Site.

LITERATURE REVIEW

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 United States Fish and Wildlife Service (USFWS) were also reviewed in conjunction with anticipated federally listed species potentially occurring within the region of the Project Site. The California Natural Diversity Database (CNDDB) (CDFW 2018a), 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 property. In addition, numerous regional floral and faunal field guides were utilized in the identification of species and suitable habitats. Combined, the reviewed sources provided an excellent baseline from which to inventory the biological resources potentially occurring in the area. Other sources of information included the review of unpublished biological resource letter reports and assessments. Other CDFW reports and publications consulted include the following:

- Special Vascular Plants and Bryophytes List (CDFW 2018b);
- Endangered, Threatened, and Rare Plants of California (CDFW 2018c).
- Special Animals (CDFW 2018d);
- State and Federally Listed Endangered and Threatened Animals of California (CDFW 2017e); and
- Specimen Tree Report for the 6501-6513 Serrano Avenue Project, Anaheim, California. (Dudek 2018); and
- City of Anaheim. 2004. City of Anaheim 2004 General Plan – Final Anaheim General Plan and Zoning Code Update Environmental Impact Report No. 2003041105, Volume 1.

FIELD SURVEY

A reconnaissance survey of the Project Site was conducted by Ruben Ramirez of Cadre Environmental (USFWS Permit 780566-14, CDFW Permit 02243) on January 4th, 2019 in order to characterize and identify potential sensitive plant and wildlife habitats, and to establish the accuracy of the data identified in the literature search. Geologic and soil maps were examined to identify local soil types that may support sensitive taxa. Aerial photograph, topographic maps, vegetation and rare plant maps prepared for 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 or adjacent to the Project Site. Habitat assessments were conducted for, but not limited to, the following target species/groups.

- Coastal California gnatcatcher – FT/SSC
- Least Bell's vireo – FE/SE

- Southwestern willow flycatcher – FE/SE
- Sensitive plants
- Protected trees (City of Anaheim Municipal Code, Chapter 13.12, Street Trees and Chapter 18.18.040, Tree Preservation)

Vegetation Communities/Habitat Classification Mapping

Natural community names and hierarchical structure follows the "*Manual of California Vegetation*" (Sayer and Keeler-Wolf 2009) classification system, which has been refined and augmented where appropriate to better characterize the habitat types observed onsite.

Floristic Plant Inventory

A general plant survey was conducted throughout the Project Site during the reconnaissance in a collective effort to identify all species occurring onsite.

All plants observed during the survey efforts were either identified in the field or collected and later identified using taxonomic keys. Plant taxonomy follows Hickman (1993). Scientific nomenclature and common names used in this report generally follow Roberts et al. (2004) or Baldwin et al. (2012) for updated taxonomy. Scientific names are included only at the first mention of a species; thereafter, common names alone are used.

Wildlife Resources Inventory

All animals identified during the reconnaissance survey by sight, call, tracks, scat, or other characteristic sign were documented. In addition to species actually detected, expected use of the site by other wildlife was derived from the analysis of habitats on the site, combined with known habitat preferences of regionally occurring wildlife species.

Vertebrate taxonomy followed in this report is according to the Center for North American Herpetology (2019 for amphibians and reptiles), the American Ornithologists' Union (1988 and supplemental) for birds, and Baker et al. (2003) for mammals. Both common and scientific names are used during the first mention of a species; common names only are used in the remainder of the text.

Jurisdictional Resources Assessment

The Project Site was assessed for jurisdiction by the United States Army Corps of Engineers (USACE), CDFW, and Regional Water Quality Control Board (RWQCB). Non-wetland waters of the United States were assessed based on the limits of the Ordinary High-Water Mark (OHWM) as determined by erosion, the deposition of vegetation or debris, and changes in vegetation and soil characteristics. The assessment utilized the methodology for routine wetland determination according to the methods outlined in the USACE Wetland Delineation Manual (Environmental Laboratory 1987) and the Arid West Wetland Delineation Supplement and updated regulatory guidance letters (USACE 2008). Wetlands are identified by the presence of three

characteristics: hydrophytic vegetation, wetland hydrology, and hydric soils. If any of these criteria were met, one or more transects were run to determine the extent of the wetland.

EXISTING ENVIRONMENTAL SETTING

The following section presents the existing conditions of the Project Site assessment area. The Project Site flat with elevations ranging from 854 ft. above mean sea level (AMSL) and 870 ft. AMSL. The Project Site is currently developed and operating as the Serrano Center, a small neighborhood commercial center with seven 1-story buildings that the property owner has leased out for various commercial and neighborhood businesses (PlaceWorks 2018).

VEGETATION COMMUNITIES

The 3.03-acre Project Site is completely developed with associated ornamental shrub and tree landscaping as described in this report, and illustrated in Figure 3, *Vegetation Communities Map*, and Figures 4 and 5, *Current Project Site Photographs*. Natural community names and hierarchical structure follows the "*Manual of California Vegetation*" (Sayer and Keeler-Wolf 2009) classification system, which has been refined and augmented where appropriate to better characterize the habitat types observed.

Developed/Ornamental

The Project Site is developed and dominated by ornamental shrubs and trees. No native vegetation is located within the Project Site. Ornamental vegetation documented onsite includes but is not limited to spotted gum (*Corymbia maculate*), Indian laurel fig (*Ficus microcarpa*), shamel ash (*Fraxinus uhdei*), southern magnolia (*Magnolia grandiflora*), pygmy date palm (*Phoenix roebelenii*), Bradford pear (*Pyrus calleryana*), and Brazilian pepper-tree (*Schinus terebinthifolia*).

APN 365-065-09

Figure 3 - Vegetation Communities Map

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The Residences at Nohl Ranch

CADRE Environmental

PHOTOGRAPH 1 - Northeast view of Project Site from southwest corner near the intersection of Serrano Avenue and Nohl Ranch Road.

PHOTOGRAPH 2 - Southeast view of the Project Site from the northwest corner adjacent to Nohl Ranch Road. No native vegetation communities occur onsite.

Figure 4 - Current Project Site Photographs

PHOTOGRAPH 3 - Southwest view of Project Site from northeast corner.

PHOTOGRAPH 4 - Northwest view of the Project Site from the southeast corner adjacent to Serrano Avenue. No native vegetation communities occur onsite.

Figure 5 - Current Project Site Photographs

Table 1 – Project Site Vegetation Community Acreages

Vegetation Community	Onsite Acres
Developed/Ornamental	3.03
TOTAL	**3.03**

Source: Cadre Environmental 2019.

GENERAL PLANT & WILDIFE SPECIES

General plant species documented within the Project Site area are presented in the previous section.

General wildlife species documented onsite or within the vicinity during the site assessment include but are not limited to mourning dove (*Zenaida macroura*), Anna's hummingbird (*Calypte anna*), black phoebe (*Sayornis nigricans*), American crow (*Corvus brachyrhynchos*), northern mockingbird (*Mimus polyclottos*), and house finch (*Haemorhous mexicanus*).

JURISDICTIONAL WETLAND RESOURCES

No wetlands or jurisdictional resources regulated by the USACE, CDFW, or RWQCB were documented within or immediately adjacent to the Project Site.

Impacts to water quality would be less than significant during both construction and operation (i.e., compliance with NPDES permit (Order No. R9-2015-001 and R9-2015-0100), Orange County Stormwater Program, and MS4 code provisions would ensure no impacts to species, and compliance with County of Orange Phase 1 Municipal Separate Storm Sewer System (MS4) permit requirements and LID manual would also ensure no impacts to species).

SENSITIVE BIOLOGICAL RESOURCES

The following discussion describes the plant and wildlife species present, or potentially present within the property boundaries, that have been afforded special recognition by federal, state, or local resource conservation agencies and organizations, principally due to the species' declining or limited population sizes, usually resulting from habitat loss. Also discussed are habitats that are unique, of relatively limited distribution, or of particular value to wildlife. Protected sensitive species are classified by state and/or federal resource management agencies, or both, as threatened or endangered, under provisions of the state and federal endangered species act. Vulnerable or "at-risk" species that are proposed for listing as threatened or endangered (and thereby for protected status) are categorized administratively as "candidates" by the USFWS. CDFW uses various terminology and classifications to describe vulnerable species. There are additional sensitive species classifications applicable in California. These are described below.

Sensitive biological resources are habitats or individual species that have special recognition by federal, state, or local conservation agencies and organizations as endangered, threatened, or rare. The CDFW, USFWS, and special groups like the California Native Plant Society (CNPS) maintain watch lists of such resources. For the purpose of this assessment sources used to determine the sensitive status of biological resources are:

Plants: USFWS (2018), CNDDB (CDFW 2018a), CDFW (2018c), CNPS (2019), and Skinner and Pavlik (1994),

Wildlife: California Wildlife Habitat Relationships (2008), USFWS (2018), CNDDB (CDFW 2018a), and CDFW (2018d, 2017e).

Habitats: CNDDB (CDFW 2018f).

FEDERAL PROTECTION AND CLASSIFICATIONS

The Federal Endangered Species Act of 1973 (FESA) defines an endangered species as "any species that is in danger of extinction throughout all or a significant portion of its range..." Threatened species are defined as "any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range." Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to "take" any listed species. "Take" is defined as follows in Section 3(18) of the FESA: "...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Further, the USFWS, through regulation, has interpreted the terms "harm" and "harass" to include certain types of habitat modification as forms of a "take." These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action that could affect a federally listed plant and animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants. Recently, the USFWS instituted changes in the listing status of former candidate species. Former C1 (candidate) species are now referred to simply as candidate species and represent the only candidates for listing. Former C2 species (for which the USFWS had insufficient evidence to warrant listing at this time) and C3 species (either extinct, no longer a valid taxon or more abundant than was formerly believed) are no longer considered as candidate species. Therefore, these species are no longer maintained in list form by the USFWS, nor are they formally protected. However, some USFWS field offices have issued memoranda stating that former C2 species are henceforth to be considered Federal Species of Concern. This term is employed in this document but carries no official protections. All references to federally protected species in this report (whether listed, proposed for listing or candidate) include the most current published status or candidate category to which each species has been assigned by USFWS.

For purposes of this assessment, the following acronyms are used for federal status species:

FE	Federal Endangered
FT	Federal Threatened
FPE	Federal Proposed Endangered
FPT	Federal Proposed Threatened
FC	Federal Candidate for Listing

The designation of critical habitat can also have a significant impact on the development of land designated as "*critical habitat*." The FESA prohibits federal agencies from taking any action that will "*adversely modify or destroy*" critical habitat (16 U.S.C. § 1536(a)(2)). This provision of the FESA applies to the issuance of permits by federal agencies. Before approving an action affecting critical habitat, the federal agency is required to consult with the USFWS who then issues a biological opinion evaluating whether the action will "*adversely modify"* critical habitat. Thus, the designation of critical habitat effectively gives the USFWS extensive regulatory control over the development of land designated as critical habitat.

The Migratory Bird Treaty Act of 1918 (MBTA) makes it unlawful to "*take*" any migratory bird or part, nest, or egg of such bird listed in wildlife protection treaties between the United States and Great Britain, the Republic of Mexico, Japan, and the Union of Soviet States. For purposes of the MBTA, "*take*" is defined as to pursue, hunt, capture, kill, or possess or attempt to do the same.

The Bald Eagle and Golden Eagle Protection Act explicitly protects the bald eagle and golden eagle and imposes its own prohibition on any taking of these species. As defined in this act, take means to pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, or molest or disturb. Current USFWS policy is not to refer the incidental take of bald eagles for prosecution under the Bald Eagle and Golden Eagle Protection Act (16 U.S.C. 668-668d).

STATE PROTECTION AND CLASSIFICATIONS

California's Endangered Species Act (CESA) defines an endangered species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The State defines a threatened species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list

of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike FESA, CESA does not include listing provisions for invertebrate species.

Article 3, Sections 2080 through 2085, of CESA addresses the taking of threatened or endangered species by stating "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided..." Under CESA, "take" is defined as "...hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Exceptions authorized by the state to allow "take" require "...permits or memorandums of understanding..." and can be authorized for "...endangered species, threatened species, or candidate species for scientific, educational, or management purposes." Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance.

Additionally, some sensitive mammals and birds are protected by the State as Fully Protected Mammals or Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. SSC ("special" animals and plants) listings include special status species, including all state and federal protected and candidate taxa, Bureau of Land Management (BLM) and US Forest Service (USFS) sensitive species, species considered to be declining or rare by the CNPS or National Audubon Society, and a selection of species which are considered to be under population stress but are not formally proposed for listing. This list is primarily a working document for the CDFW's CNDDB project. Informally listed taxa are not protected per se, but warrant consideration in the preparation of biotic assessments. For some species, the CNDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest sites.

For the purposes of this assessment, the following acronyms are used for State status species:

SE	State Endangered
ST	State Threatened
SCE	State Candidate Endangered
SCT	State Candidate Threatened
SFP	State Fully Protected
SP	State Protected
SR	State Rare
SSC	California Species of Special Concern
CWL	California Watch List

The CNPS is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in the State. This organization has compiled an inventory comprised of the information focusing on geographic distribution and

qualitative characterization of rare, threatened, or endangered vascular plant species of California (Tibor 2001). The list serves as the candidate list for listing as threatened and endangered by CDFW. The CNPS has developed five categories of rarity (CRPR):

CRPR 1A	Presumed extinct in California.
CRPR 1B	Rare, threatened, or endangered in California and elsewhere.
CRPR 2	Rare, threatened, or endangered in California, but more common elsewhere.
CRPR 3	Plants about which we need more information – a review list.
CRPR 4	Species of limited distribution in California (i.e., naturally rare in the wild), but whose existence does not appear to be susceptible to threat.

As stated by the CNPS:

> "*Threat Rank is an extension added onto the California Rare Plant Rank and designates the level of endangerment by a 1 to 3 ranking with 1 being the most endangered and 3 being the least endangered. A Threat Rank is present for all California Rare Plant Rank 1B's, 2's, 4's, and the majority of California Rare Plant Rank 3's. California Rare Plant Rank 4 plants are seldom assigned a Threat Rank of 0.1, as they generally have large enough populations to not have significant threats to their continued existence in California; however, certain conditions exist to make the plant a species of concern and hence be assigned a California Rare Plant Rank. In addition, all California Rare Plant Rank 1A (presumed extinct in California), and some California Rare Plant Rank 3 (need more information) plants, which lack threat information, do not have a Threat Rank extension."* (CNPS 2018)

0.1	Seriously threatened in California (over 80% of occurrences threatened / high degree and immediacy of threat)
0.2	Fairly 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)

LOCAL PROTECTION AND CLASSIFICATIONS

As stated by the City of Anaheim Tree Preservation Ordinance in the Municipal Code (Chapter 18.18.04):

> "*Preservation of significant stands and single specified trees in the (SC) Overlay Zone is necessary to preserve the natural beauty of the Santa Ana Canyon environment, increase the visual identity and quality of the area, and protect the remaining natural amenities from premature removal or destruction… Except as provided in subsection .030, it shall be unlawful for any person to destroy or otherwise direct or permit the destruction of*

> *one (1) or more Specimen Trees growing within the boundaries of the "SC" Overlay Zone, without a permit issued by the City of Anaheim pursuant to the provisions of this section… A Specimen Tree Removal Permit is required to remove Specimen Trees as defined in this Chapter. Applications for authority to destroy Specimen Trees shall be filed with the Planning and Building Department on forms provided for such purpose, together with a filing fee as established by resolution of the City Council. The following Specimen Trees may be destroyed lawfully; provided that, prior to such destruction, a report obtained from the City Arborist, or an arborist certified by the International Society of Arboriculture and authorized to do business within the City, is submitted along with an application*." (City of Anaheim 2018)

A specimen tree preservation analysis was conducted throughout the Project Site by Dudek, certified arborist (Dudek 2018). A total of 65 trees were documented onsite, three (3) of which were classified as specimen trees, as defined by the City of Anaheim's tree ordinance. Table 2, *Specimen Tree Required Mitigation*, provides a summary of required tree removal mitigation. In total, 9 replacement trees (minimum 24-inch box size) are required for the removal of the 3 specimen trees. Prior to any specimen tree removal, a Specimen Tree Removal Permit is required (Dudek 2018). *The City of Anaheim declassified Eucalyptus trees as specimen trees on November 20, 2018, after the completion of the Specimen Tree Reports. Therefore, this report reflects the change in ordinance.

Botanical Name	Common Name	Removal Total	Mitigation
Schinus terebinthifolia	Brazilian pepper-tree	3 trees	9 trees
Total		**9 trees**	**9 trees**

Source: Dudek 2018.

SENSITIVE HABITATS

As stated by CDFW:

> "*One purpose of the vegetation classification is to assist in determining the level of rarity and imperilment of vegetation types. Ranking of alliances according to their degree of imperilment (as measured by rarity, trends, and threats) follows NatureServe's Heritage Methodology, in which all alliances are listed with a G (global) and S (state) rank. For alliances with State ranks of S1-S3, all associations within them are also considered to be highly imperiled*" (CDFW 2017c)

No sensitive or undisturbed native habitats were documented within the Project Site. The Project Site is characterized as developed/ornamental.

SENSITIVE PLANTS

The Project Site was assessed to determine the potential for twenty-three (23) sensitive plant species known to occur within the region, to occur onsite, as presented in Table 3, *Sensitive Plant Species Assessment*. No suitable habitat for sensitive plant species

including those listed as federal or state threatened/endangered was documented within the Project Site. No sensitive plant species listed in Table 3 or undisturbed native habitats were documented within the Project Site. The Project Site is characterized as developed/ornamental.

Table 3. Sensitive Plant Species Assessment

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Chaparral sand verbena (*Abronia villosa* var. *aurita)* CRPR 1B.1	Chaparral, coastal scrub, desert dunes, often sandy; 80-1600m, generally blooms from January to September.	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Braunton's milk-vetch (*Astragalus brauntonii)* CRPR 1B.1	Perennial herb which generally blooms from January to August within recently burned chaparral, coastal scrub and grassland habitats with sandstone substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Coulter's saltbush (*Atriplex coulteri*) CRPR 1B.2	Perennial herb which generally blooms from March to October within coastal scrub dunes and grassland habitats with alkaline or clay substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Malibu baccharis (*Baccharis malibuensis*) CRPR 1B.1	Perennial deciduous scrub which generally blooms in August within chaparral, cismontane woodland coastal scrub, and riparian woodland habitats. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Catalina mariposa-lily (*Calochortus catalinae*) CRPR 4.2	Perennial bulbiferous herb which generally blooms from March to June within chaparral, cismontane woodland, valley grassland, and coastal sage scrub (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Plummer's mariposa-lily (*Calochortus plummerae*) CRPR 4.2	Perennial bulbiferous herb which generally blooms from May to June within chaparral, cismontane woodland, coastal scrub, lower montane coniferous forest, and grassland habitats with granite and rocky substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Intermediate mariposa lily (*Calochortus weedii* var. *intermedius*) CRPR 1B.2	Perennial bulbiferous herb which generally blooms from May to July within chaparral, coastal scrub and grassland habitats with rocky substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
San Fernando Valley spineflower (*Chorizanthe parryi* var. *fernandina*) CRPR 1B.1	Annual herb which blooms from April to July within coastal scrub and grassland habitats with sandy substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Long-spined spineflower (*Chorizanthe procumbens*) CRPR 1B.2	Chaparral, coastal scrub, meadows, valley and foothill grassland. Usually gabbro, clay or clay lens inclusions; 30-1450m, generally blooms from April to July.	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Santa Monica dudleya (*Dudleya cymosa* ssp. *ovatifolia*) CRPR 1B.1	Perennial herb which generally blooms from March to June within chaparral and coastal scrub habitats with volcanic-sedimentary or rocky substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Many-stemmed dudleya (*Dudleya multicaulis*) CRPR 1B.2	Perennial herb which generally blooms from April to July within chaparral, coastal scrub and valley and foothill grassland often associated with clay substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Santa Ana River woollystar (*Eriastrum densifolium ssp. sanctorum*) CRPR 1B.1 FE/SE	Perennial herb which generally blooms from April to September within chaparral, coastal scrub (alluvial fan) in sandy and gravelly substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Tecate cypress (*Hesperocyparis forbesii*) CRPR 1B.1	Perennial evergreen which occurs within chaparral and coniferous forest with clay gabbroic and metavolcanics substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Heart-leaved pitcher sage (*Lepechinia cardiophylla*) CRPR 1B.2	Chaparral, cismontane woodland and closed-cone coniferous forest; 520-1370m, generally blooms from April to July.	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Robinson's pepper-grass (*Lepidium virginicum var. robinsonii*) CRPR 4.3	Annual herb which generally blooms from January to July within chaparral and coastal sage scrub habitats. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Hall's monardella (*Monardella macrantha ssp. hallii*) CRPR 1B.3	Perennial rhizomatous herb which generally blooms from June to October within broadleaf upland forest, chaparral, cismontane woodland, lower montane coniferous forest, valley and foothill grassland. (CNPS 2018)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Chaparral nolina (*Nolina cismontana*) CRPR 1B.2	Perennial evergreen shrub which generally blooms from March to July within chaparral and coastal scrub habitats with sandstone or gabbro substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
California beardtongue (*Penstemon californicus*) CRPR 1B.2	Perennial herb which generally blooms from May to August within chaparral, lower montane coniferous forest, pinyon and juniper woodland habitats with sandy substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Allen's pentachaeta (*Pentachaeta aurea* ssp. *allenii*) CRPR 1B.1	Annual herb which generally blooms from March to June within coastal scrub and grassland habitats. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
White-rabbit tobacco (*Pseudognaphalium leucocephalum*) CRPR 2B.2	Perennial herb which generally blooms from July to August within chaparral, cismontane woodland, coastal scrub, and riparian woodland with sandy or gravelly substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Nuttall's scrub oak (*Quercus dumosa*) CRPS 1B.1	Perennial evergreen shrub which generally blooms from February to August within coniferous forest chaparral, and coastal scrub habitats with sandy and clay loam substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Coulter's matilija poppy (*Romneya coulteri*) CRPR 4.2	Chaparral and sage scrub, often after burns; 20-1200m, generally blooms from March to July.	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.
Salt spring checkerbloom (*Sidalcea neomexicana*) CRPR 2B.2	Perennial herb which generally blooms from March to June within chaparral, coastal scrub, lower montane coniferous forest, Mojavean desert scrub, and playas within alkaline and mesic substrates gravelly substrates. (CNPS 2019)	Not expected to occur onsite based on a lack of suitable habitat. The Project Site is completely developed and possesses no native vegetation or soils.

California Native Plant Society (CNPS): California Rare Plant Rank (CRPR)
CRPR 1A – plants presumed extinct in California
CRPR 1B – plants rare, threatened, or endangered in California, but more common elsewhere
CRPR 2 – plants rare, threatened, or endangered in California, but more common elsewhere
CRPR 3 – Plants about which we need more information, a review list
CRPR 4 – Plants of limited distribution, a watch list
.1 – Seriously endangered in California
.2 – Fairly endangered in California
.3 – Not very endangered in California

Federal (USFWS) Protection and Classification
FE – Federally Endangered
FC – Federal Candidate for Listing

State (CDFW) Protection and Classification
SE – State Endangered

SENSITIVE WILDLIFE

The Project Site was assessed to determine the potential for twenty-one (21) sensitive wildlife species known to occur within the region, to occur onsite, as presented in Table 4, *Sensitive Wildlife Species Assessment*. No suitable habitat for species listed as federal or state threatened/endangered was documented within the Project Site. The Project Site is characterized as disturbed and developed/ornamental.

Table 4. Sensitive Wildlife Species Assessment

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
INVERTEBRATES		
San Diego fairy shrimp (*Branchinecta sandiegonensis*) FE	Occurs in vernal pools and seasonal depressions.	Not expected to occur onsite based on a lack of suitable habitat.
Quino checkerspot butterfly (*Euphydryas editha quino*) FE	Quino checkerspot butterfly (QCB) is restricted to low elevation meadow habitats or clearings usually characterized by clay or cryptogamic deposits, inhabited by host plants including *Plantago erecta*, *Plantago patagonica*, *Castilleja exserta,* and *Cordylanthus rigidus*. Adult QCB often occur on open vegetated hilltops, ridgelines, and outcrops.	Not expected to occur onsite based on a lack of suitable habitat.
AMPHIBIANS		
Western spadefoot (*Spea hammondii*) SSC	The western spadefoot population is patchily but widely distributed throughout the Riverside Lowlands and San Jacinto Foothills Bioregions. Primary habitat for this species includes suitable breeding habitat below 1500 meters (i.e., vernal pools or other standing water that is free of exotic species) with secondary habitats including adjacent chaparral, sage scrub, grassland, and alluvial scrub habitats.	Not expected to occur onsite based on a lack of suitable habitat.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
REPTILES		
Orange-throated whiptail (*Aspidoscelis hyperythra*) WL	The orange-throated whiptail occurs in RSS and chaparral where loose soils and occasional rocky areas are found. Although no individuals have been observed during recent project biological surveys, the City provides some suitable habitat for this species, particularly in the north end, south of I-15 and in the Jurupa Mountains. (City of Fontana 2003)	Not expected to occur onsite based on a lack of suitable habitat.
Western pond turtle (*Actinemys marmorata*) SSC	The western pond turtle inhabits slow moving permanent or intermittent streams, small ponds, small lakes, reservoirs, abandoned gravel pits, permanent and ephemeral shallow wetlands, stock ponds, and sewage treatment lagoons. Pools are the preferred habitat within streams.	Not expected to occur onsite based on a lack of suitable habitat.
Red-diamond rattlesnake (*Crotalus ruber*) SSC	The northern red-diamond rattlesnake is often found in areas with dense vegetation especially chaparral and sage scrub up to 1,520 meters in elevation.	Not expected to occur onsite based on a lack of suitable habitat.
Coast patch-nosed snake (*Salvadora hexalepis virgultea*) SSC	The coast patch-nosed snake prefers brushy coastal sage scrub/ chaparral habitats.	Not expected to occur onsite based on a lack of suitable habitat.
Coast horned lizard (*Phrynosoma blainvillii*) SSC	The horned lizard occurs primarily in scrub, chaparral, and grassland habitats.	Not expected to occur onsite based on a lack of suitable habitat.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
BIRDS		
Cooper's hawk (*Accipiter cooperii*) SSC	Cooper's hawk is most commonly found within or adjacent to riparian/oak forest and woodland habitats. This uncommon resident of California increases in numbers during winter migration.	Not expected to occur onsite based on a lack of suitable habitat.
Sharp-shinned hawk (*Accipiter striatus*) CWL	Potential habitat for the sharp-shinned hawk includes montane coniferous forest for potential breeding areas and riparian scrub, woodland, and forest habitat, oak woodland and forest, chaparral, coastal sage scrub, desert scrub, and Riversidean alluvial fan sage scrub for foraging.	Not expected to occur onsite based on a lack of suitable habitat.
Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*) CWL	Southern California rufous-crowned sparrow is a non-migratory bird species that primarily occurs within sage scrub and grassland habitats and to a lesser extent chaparral sub-associations. This species generally breeds on the ground within grassland and scrub communities.	Not expected to occur onsite based on a lack of suitable habitat.
Bell's sage sparrow (*Artemisiospiza belli belli*) CWL	This species is typically found in chaparral on alluvial fans and foothills. This species was observed in north Fontana in 2002, north of the I-15. (City of Fontana 2003)	Not observed or expected to occur onsite based on a lack of suitable habitat.
Golden eagle (*Aquila chrysaetos*) CWL, SFP	Within southern California, the species prefers grasslands, brushlands (coastal sage scrub and chaparral), deserts, oak savannas, open coniferous forests, and montane valleys.	Not expected to occur onsite based on a lack of suitable habitat.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Burrowing owl (*Athene cunicularia)* SSC	The burrowing owl uses predominantly open land, including grassland, agriculture (e.g., dry-land farming and grazing areas), playa, and sparse coastal sage scrub and desert scrub habitats. Some breeding burrowing owls are year-round residents and additional individuals from the north may winter throughout the region.	Not expected to occur onsite based on a lack of suitable habitat.
Cactus wren (*Campylorhynchus brunneicapillus*) SSC	The cactus wren is closely associated with three species of cacti and occurs almost exclusively in thickets of cholla (*Opuntia prolifera)* and prickly pear (*Opuntia littoralis* and *Opuntia oricola)* dominated stands of coastal sage scrub below 457 meters in elevation on mesas and lower slopes of the coast ranges (Proudfoot *et al.* 2000).	Not expected to occur onsite based on a lack of suitable habitat.
White-tailed kite (*Elanus leucurus*) SFP	The white-tailed kite is found in riparian, oak woodlands adjacent to open spaces including grasslands, wetlands, savannahs and agricultural fields. This non-migratory bird occurs in lower elevations of California.	Not expected to breed onsite based on a lack of suitable habitat.
Southwestern willow flycatcher (*Empidonax traillii extimus*) FE/SE	The southwestern willow flycatcher breeds in dense riparian and shrub communities where exposed water is present including rivers, wetlands and reservoirs.	Not expected to occur onsite based on a lack of suitable riparian habitat.

Species Name (*Scientific Name*) Status	**Habitat Description**	**Comments**
Coastal California gnatcatcher (*Polioptila californica californica*) FT/SSC	The coastal California gnatcatcher is a non-migratory bird species that primarily occurs within sage scrub habitats in coastal southern California dominated by California sagebrush.	Not expected to occur onsite based on a lack of suitable habitat.
Least Bell's vireo (*Vireo bellii pusillus*) FE/SE	Least Bell's vireo reside in riparian habitats with a well-defined understory including southern willow scrub, mulefat, and riparian forest/woodland habitats.	Not expected to occur onsite based on a lack of suitable riparian habitat.
MAMMALS		
Pallid bat (*Antrozous pallidus*) SSC	Roosts in rocky areas and forages in grassland, shrublands, and woodlands.	Not expected to occur onsite based on a lack of suitable habitat
Western mastiff bat (*Eumops perotis californicus*) SSC	Roosts in rocky areas and forages in grassland, shrublands, and woodlands.	Not expected to occur onsite based on a lack of suitable habitat.

Federal (USFWS) Protection and Classification
FE – Federally Endangered
FC – Federal Candidate for Listing

State (CDFW) Protection and Classification
SE – State Endangered
SSC – State Species of Special Concern
CWL – California Watch List
SPF – State Fully Protected

The Project Site does not occur within or adjacent to a USFWS designated critical habitat for any federally listed threatened or endangered species.

JURISDICTIONAL WETLAND RESOURCES

No wetlands or jurisdictional resources regulated by the USACE, CDFW, or RWQCB were documented within or immediately adjacent to the Project Site.

Impacts to water quality would be less than significant during both construction and operation (i.e., compliance with NPDES permit (Order No. R9-2015-001 and R9-2015-0100), Orange County Stormwater Program, and MS4 code provisions would ensure no impacts to species, and compliance with County of Orange Phase 1 Municipal Separate Storm Sewer System (MS4) permit requirements and LID manual would also ensure no impacts to species).

The following section includes an analysis of the direct and/or indirect impacts of the proposed action on sensitive biological resources. This analysis characterizes the project related activities that are anticipated to adversely impact the species, and when feasible, quantifies such impacts. Direct effects are defined as actions that may cause an immediate effect on the species or its habitat, including the effects of interrelated actions and interdependent actions. Indirect effects are caused by or result from the proposed actions, are later in time, and are reasonably certain to occur. Indirect effects may occur outside of the area directly affected by the proposed action.

THRESHOLD OF SIGNIFICANCE

The environmental impacts relative to biological resources are assessed using impact significance criteria which mirror the policy statement contained in the CEQA at Section 21001 (c) of the Public Resources Code. This section reflects that the legislature has established it to be the policy of the state to:

> "*Prevent the elimination of fish and wildlife species due to man's activities, ensure that fish and wildlife populations do not drop below self-perpetuating levels, and preserve for future generations representations of all plant and animal communities*…"

The following definitions apply to the significance criteria for biological resources:

- "*Endangered*" means that the species is listed as endangered under state or federal law.

- "*Threatened*" means that the species is listed as threatened under state or federal law.

- "*Rare*" means that the species exists in such small numbers throughout all or a significant portion of its range that it may become endangered if its environment worsens.

- "*Region*" refers to the area within southern California that is within the range of the individual species.

- "*Sensitive habitat*" refers to habitat for plants and animals (1) which plays a special role in perpetuating species utilizing the habitat on the property, and (2) without which there would be substantial danger that the population of that species would drop below self-perpetuating levels.

- "*Substantial effect*" means significance loss or harm of a magnitude which, based on current scientific data and knowledge, (1) would cause a species or a native plant or animal community to drop below self-perpetuating levels on a statewide or regional basis or (2) would cause a species to become threatened or endangered.

Also, the determination of impacts has been made according to the federal definition of "*take*". FESA prohibits the "*taking*" of a member of an endangered or threatened wildlife species or removing, damaging, or destroying a listed plant species by any person (including private individuals and private or government entities). FESA defines "*take*" as "*to harass, harm, pursue, hunt, shoot, would, kill, trap, capture or collect*" an endangered or threatened species, or to attempt to engage in these activities.

DIRECT IMPACTS

Specifically, the biological resources assessment report addresses the following CEQA Environmental Checklist items.

Environmental Issues	**Potentially Significant Impact**	**Less than Significant with Mitigation**	**Less than Significant Impact**	**No Impact**
Would the Project:				
a) Have a substantial adverse effect, either directly or through habitat modification, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				**X**
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				**X**
d) 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?			**X**	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		**X**		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Native Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?			**X**	

a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?*

Less than Significant with Mitigation. The proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any plant or wildlife species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. No native undisturbed suitable habitat or sensitive plant/wildlife species observations were documented within the Project Site. The Project Site is characterized as developed/ornamental.

b) *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS*?

No Impact. No riparian, sensitive or undisturbed native habitats were documented within or adjacent to the Project Site as outlined in Table 5, *Project Site Vegetation Community Impacts,* and Figure 6, *Vegetation Communities Impact Map*. The Project Site is characterized as disturbed and developed/ornamental vegetation. Therefore, no mitigation is required or proposed.

Table 5 – Project Site Vegetation Community Impacts

Vegetation Community	Onsite Acres	Permanent/ Impact Acres
Developed/Ornamental	3.03	3.03
TOTAL	**3.03**	**3.03**

Source: Cadre Environmental 2019.

c) *Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

No Impact. No wetlands or jurisdictional resources regulated by the USACE, CDFW, or RWQCB were documented within or immediately adjacent to the Project Site. Therefore, no mitigation is required or proposed.

d) *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?*

Less than Significant. Wildlife movement corridors facilitate movement of species between large patches of natural habitat. The Project Site is already fully developed except for ornamental landscaping materials, and therefore does not represent a wildlife movement route or corridor. However, there are several ornamental trees and shrubs

onsite that require removal, and these may be used for nesting by migratory birds, which are protected under the federal Migratory Bird Treaty Act (MBTA; US Code, Title 16, §§ 703–712). The MBTA governs the taking, killing, possession, transportation, and importation of migratory birds, their eggs, parts, and nests. It prohibits the take, possession, import, export, transport, sale, purchase, barter, or offering of these activities, except under a valid permit or as permitted in the implementing regulations. Compliance with the MBTA would ensure that no significant impacts to migratory birds occur.

Construction outside the nesting season (between September 1st and January 31st) does not require pre-removal nesting bird surveys. If construction is proposed between February 1st and August 31st, a qualified biologist must 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 preconstruction survey(s) will focus on identifying any raptors and/or bird nests that may be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall 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 shall be postponed until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the City of Anaheim prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a biological monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A final report of the findings, prepared by a qualified biologist, shall be submitted to the City of Anaheim prior to construction-related activities that have the potential to disturb any active nests during the nesting season.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant with Mitigation.

A specimen tree preservation analysis was conducted throughout the Project Site by Dudek, certified arborist (Dudek 2018). A total of 65 trees were documented onsite, three (3) of which were classified as specimen trees, as defined by the City of Anaheim's tree preservation ordinance. In total, 9 replacement trees (minimum 24-inch box size) are required for the removal of the 3 specimen trees. Prior to any specimen tree removal, a Specimen Tree Removal Permit is required (Dudek 2018). Implementation of BIO-MM1 will ensure compliance with the ordinance and reduce impacts to less than significant.

Figure 6 - Vegetation Communities Impact Map

Biological Resources Technical Report
The Residences at Nohl Ranch

CADRE Environmental

N
1 inch = 100 ft.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Native Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant. The Project Site is located within the Orange County's Central and Coastal Natural Community Conservation Plan/Habitat Conservation Plan area. According to the Anaheim General Plan Green Element, a portion of the City generally south of SR-91 and east of SR-55 falls within the NCCP/HCP area. However, the Project Site is already fully developed with urban uses, and redevelopment of the Project Site to residential uses would not conflict with the provision of the NCCP/HCP or any adopted habitat conservation plan

This NCCP/HCP was approved by the California Department of Fish and Game and the USFWS, in 1996 with the purpose of addressing protection and management of coastal sage scrub (CSS) habitat and CSS-obligate species and other covered habitats and species, and mitigate anticipated impacts to those habitats and species on a programmatic, sub-regional level, rather than on a project-by-project, single species basis (City of Anaheim 2004).

The NCCP/HCP and NCCP Reserve design focused on habitat conservation at an ecosystem level in an effort to promote wildlife diversity and preserve wildlife corridors and established linkages. To achieve these conservation goals, the Reserve was established, designed, and approved incorporating key principles including: conservation of focus species and their habitats throughout the planning area; conservation of large habitat blocks; conservation of habitat diversity; maintenance of Reserve connectivity; and, protection of Reserves from encroachment and invasion of non-native species. Under the NCCP/HCP Implementation Agreement, it was determined that the Reserve design incorporated sufficient connectivity for purposes of wildlife movement. (City of Anaheim 2004). The Project Site is already fully developed with urban uses, and redevelopment of the Project Site to residential uses would not conflict with the provision of the NCCP/HCP or any adopted habitat conservation plan

INDIRECT IMPACTS

Potential indirect impacts include hydrological modification, discharges, lighting, and construction noise. Compliance with all the following guidelines will ensure that the proposed project will not result in significant indirect impacts to habitats and associated floral and faunal species within and/or adjacent to the Project Site.

Water Quality

Impacts to water quality would be less than significant during both construction and operation (i.e., compliance with NPDES permit (Order No. R9-2015-001 and R9-2015-0100), Orange County Stormwater Program, and MS4 code provisions would ensure no impacts to species, and compliance with County of Orange Phase 1 Municipal Separate Storm Sewer System (MS4) permit requirements and LID manual would also ensure no impacts to species).

Toxics

Toxic sources within the Project Site would be limited to those commonly associated with facility developments such as pesticides, insecticides, herbicides, fertilizers, and vehicle emissions. In order to mitigate for the potential effects of these toxics, the project will incorporate structural BMPs, as required in association with compliance with the NPDES permit system, in order to reduce the level of toxins introduced into the drainage system. Water quality measures will be implemented and no significant impacts are anticipated.

Lighting

Impacts related to lighting would be less than significant during both construction and operation. No native habitat is located adjacent to the Project Site and no indirect impacts to wildlife species will occur. No significant impacts are anticipated.

Noise

Indirect temporal noise impacts may occur to nesting bird species located adjacent to the Project Site during project construction. Noise and vibration associated with the use of heavy equipment during project construction has the potential to disrupt bird nesting, foraging and breeding behavior within and adjacent to sensitive receptor sites. Compliance with the MBTA would ensure that no indirect significant impacts to migratory birds occur. No significant impacts are anticipated.

CUMULATIVE IMPACTS

The temporary direct and/or indirect impacts of the project would not result in significant cumulative impacts (CEQA Section 15310) to environmental resources within the region of the Project Site. Cumulative impacts refer to incremental effects of an individual project when assessed with the effects of past, current, and proposed projects. The project represents the redevelopment of previously developed land within its approximately 3.03-acre project area and therefore will not result in an adverse cumulative impact.

MITIGATION MEASURE

The following biological mitigation measure addresses the adverse impacts determined to be potentially significant or are relevant to the protection of biological resources to the extent practicable as part of ensuring all potential impacts are mitigated to a level of less than significant.

BIO-MM1 Tree Preservation Ordinance

As previously stated, a specimen tree preservation analysis was conducted throughout the Project Site by Dudek, certified arborist (Dudek 2018). A total of 65 trees were documented onsite, three (3) of which were classified as specimen trees, as defined by the City of Anaheim's Tree Preservation Ordinance. Table 2, *Specimen Tree Required*

Mitigation, provides a summary of required tree removal mitigation. In total, 9 replacement trees (minimum 24-inch box size) are required for the removal of the 3 specimen trees. Prior to any specimen tree removal, a Specimen Tree Removal Permit shall be acquired. As stated in the City of Anaheim's Tree Preservation Ordinance (18.18.040).

> "*Applications for authority to destroy Specimen Trees shall be filed with the Planning and Building Department on forms provided for such purpose, together with a filing fee as established by resolution of the City Council. The following Specimen Trees may be destroyed lawfully; provided that, prior to such destruction, a report obtained from the City Arborist, or an arborist certified by the International Society of Arboriculture and authorized to do business within the City, is submitted along with an application. Any Specimen Trees that are removed before a report is reviewed and approved by the City must obtain a Discretionary Specimen Tree Removal Permit as identified in Section*" (City of Anaheim 2018)

Implementation of BIO-MM1 will ensure compliance with the City of Anaheim's Tree Preservation Ordinance and reduce impacts to less than significant.

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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".*

Author:_____ Date: January 16th, 2019

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