

Biological Resources Study
Meredith Property
City of Ontario, San Bernardino County, California

Guasti, California, USGS 7.5-minute Topographic Quadrangle Map
Township 1 South, Range 7 West, Section 22
Assessor's Parcel Numbers 0110-311-26 and 0110-311-33

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SECTION 1: SUMMARY

A biological resources study was conducted to document the existing biological conditions within the Meredith Property hereafter referred to as project site or site, located in Ontario, San Bernardino County, California.

The project site is highly disturbed and dominated by non-native plants. The project site does not contain sensitive habitat and has a low potential for sensitive species to occur. No sensitive species were observed within the project site.

A focused survey for burrowing owls is recommended prior to development of the property.

The project site does not contain any wetlands or potentially jurisdictional drainages.

The project site does not contain any significant wildlife corridors.

SECTION 2: INTRODUCTION

At the request of SARES-REGIS Group, Michael Brandman Associates (MBA) conducted a biological resources study to document the existing conditions within the proposed 163.9-acre Meredith Property, hereafter referred to as project site or site, located in Ontario, San Bernardino County, California. This report provides a detailed description of biological existing conditions. The information contained herein is intended to provide a baseline for which subsequent evaluations can be made of potential biological resource impacts associated with future projects, based upon the environmental policies and regulations discussed in Appendix C, Regulatory Framework, including the Clean Water Act (CWA), the Federal Endangered Species Act (ESA), the California Endangered Species Act (CESA), and California Environmental Quality Act (CEQA). An approved project site plan was not completed prior to the preparation of this document; therefore, the report does not include a project specific impact analysis.

2.1 - Project Site Location

The project site is located north of Interstate (I) 10, east of State Route (SR) 83 (Exhibit 1). It is located on the Guasti, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle map, Section 22 of Township 1 South, Range 7 West (Exhibit 2). The site is specifically located at the southeast corner of Vineyard Avenue and 4th Street in the City of Ontario (Exhibit 3). The project site consists of two Assessor's Parcel Numbers: 0110-311-26 and 0110-311-33.

2.2 - Project Description

There is no proposed project at this time. This report has been prepared as due diligence to inventory biological resources at the project site and assesses potential impacts to the project site if it is developed in the future.

SECTION 3: METHODOLOGY

Analysis of the biological resources associated with the project site began with a thorough review of relevant literature followed by a reconnaissance-level field survey. The primary objective of the survey is to document existing site conditions and determine the potential presence of sensitive biological resources.

For the purpose of this report, sensitive species refers to all species formally listed as threatened and/or endangered under the ESA and CESA, California Species of Special Concern, designated as Fully Protected by California Department of Fish and Game (CDFG); given a status of 1A, 1B, or 2 by the California Native Plant Society (CNPS); or designated as sensitive by City, County, or other regional planning documents. Federal and State listed threatened and/or endangered species are legally protected under the ESA/CESA. The remaining species mentioned above have no direct legal protection, but they require a significance analysis under California Environmental Quality Act (CEQA) Guidelines.

3.1 - Literature Review

The literature review provides a baseline from which to evaluate the biological resources potentially occurring on the project site, as well as in the surrounding area.

3.1.1 - Existing Environmental Documentation

As part of the literature review, MBA examined existing environmental documentation for the project site and local vicinity. This documentation included biological studies for the area, literature pertaining to habitat requirements of special-status species potentially occurring in the vicinity of the site, as well as federal register listings, protocols, and species data provided by the United States Fish and Wildlife Service (USFWS) and CDFG. These and other documents are listed in Section 8, References.

3.1.2 - Topographic Maps and Aerial Photographs

MBA reviewed current USGS 7.5-minute topographic quadrangle map(s) and aerial photographs as a preliminary analysis of the existing conditions within the project site and immediate vicinity. Information obtained from the review of the topographic maps included elevation range, general watershed information, and potential drainage feature locations. Aerial photographs provide a perspective of the most current site conditions with regard to onsite and offsite land use, plant community locations, and potential locations of wildlife movement corridors.

3.1.3 - Soil Surveys

Many sensitive plant species have a limited distribution based exclusively on soil type. The United States Department of Agriculture (USDA) has published soil survey reports and maps that describe the soil series that occur within a particular area. A soil series is a group of soils with similar profiles.

These profiles include major horizons with similar thickness, arrangement, and other important characteristics. These series are further subdivided into soil mapping units, which provide specific information regarding soil characteristics. Pertinent USDA soil survey maps were reviewed to determine the existing soil mapping units within the project site and to establish if soil conditions onsite are suitable for any sensitive plant species.

3.1.4 - Sensitive Species Database Search

MBA compiled a list of threatened, endangered, and otherwise sensitive species previously recorded to occur near the project site. The list was based on a search of the CDFG's California Natural Diversity Database (CNDDDB), a sensitive species and plant community account database and the California Native Plant Society's (CNPS's) Electronic Inventory of Rare and Endangered Vascular Plants of California database for the USGS 7.5-minute topographic quadrangle maps containing the project site and immediate vicinity.

The CNDDDB GIS database along with ArcGIS software was used to determine the distance between known recorded occurrences of sensitive species and the project site.

3.2 - Reconnaissance-Level Field Survey

MBA biologist Dale Hameister conducted the reconnaissance-level field survey on May 7, 2012. Special attention was paid to sensitive habitats or those areas potentially supporting sensitive floral and faunal species.

The reconnaissance-level survey was conducted on foot during daylight hours. The object of the survey was not to extensively search for every species occurring within the project site, but to ascertain general site conditions and identify potentially suitable habitat areas for various sensitive plant and wildlife species.

3.2.1 - Plant Community Mapping

Plant communities were mapped using 7.5-minute USGS topographic base maps and recent aerial photography. Sensitive or unusual biological resources identified during the literature review were ground-truthed during the reconnaissance-level survey for mapping accuracy. The plant communities within the project site were classified according to Holland's Preliminary Descriptions of the Terrestrial Natural Communities of California (1986 and 1996 update) and cross-referenced with CDFG's List of Terrestrial Natural Communities (2003). Modifications were made by MBA's biologists where appropriate. Acreages for each plant community are included as part of the discussion's heading as well as in the discussion.

3.2.2 - Plant Species

Common plant species observed during the reconnaissance-level survey were identified by visual characteristics and morphology in the field and recorded in a field notebook. Uncommon and less

familiar plants were identified offsite using taxonomical guides. A list of all species observed on the project site was compiled from the survey data, shown in Appendix A. Taxonomic nomenclature used in this study follows Hickman (1993). Common plant names, when not available from Hickman (1993), were taken from other regionally specific references. In this report, scientific names are provided immediately following common names of plant species for the first reference only.

3.2.3 - Wildlife Species

Wildlife species detected during the reconnaissance-level survey by sight, calls, tracks, scat, or other signs were recorded in a field notebook. Notations were made regarding suitable habitat for those sensitive species determined to potentially occur within the project site. Appropriate field guides were used to assist with species identification during surveys. Common names of wildlife species are standard; however, scientific names are provided immediately following common names for the first reference only. Appendix A lists all wildlife species observed or detected on the site during the survey.

3.2.4 - Jurisdictional Waters and Wetlands

Prior to conducting the site visit, MBA's biologists reviewed USGS topographic maps and aerial photography to identify any potential natural drainage features and water bodies. In general, all surface drainage features indicated as blue-line streams on USGS maps and linear patches of vegetation expected to exhibit evidence of flows are considered potentially subject to state and federal regulatory authority as "waters of the US and/or state." The assessment was not intended as a formal delineation of waters of the US or State but rather to identify areas that may require a formal delineation.

3.2.5 - Wildlife Movement Corridors

Wildlife movement corridors link areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated "islands" of wildlife habitat, separating different populations of a single species. Corridors effectively act as links between these populations.

The project site was evaluated for evidence of a wildlife movement corridor. However, the scope of this biological resources study does not include a formal wildlife movement corridor study using track plates, camera stations, scent stations, or snares. The focus of this study is to determine if the alteration of current land use on the site will have significant impacts on the regional movement of wildlife. These conclusions are based on the information compiled from the literature review, including aerial photographs, USGS topographic maps, and resource maps for the vicinity; the field survey; and knowledge of desired topography and resource requirements for wildlife potentially utilizing the project site and vicinity.

3.3 - Problems and Limitations

The reconnaissance-level survey was conducted during the spring season, which is ideal to identify annual flowering plants. Many amphibians, reptiles, and mammals are secretive by nature and some are nocturnally active, making diurnal observations problematic. Observations of diagnostic sign may provide evidence of occurrence of these species. Otherwise, conclusions regarding potential occurrence are based on consideration of habitat suitability factors.

SECTION 4: EXISTING CONDITIONS

The reconnaissance-level field survey was conducted on May 7, 2012 between 1330 and 1700 hours. Weather conditions during the field survey included temperatures of 85 degrees Fahrenheit, with sunny skies and winds between 10 and 15 miles per hour.

4.1 - Environmental Setting

The project site is a disturbed area surrounded by development. The site consists of a disked, relatively flat area. The project site was previously used for agricultural uses as evidenced by aerial photography and the remnant grape and alfalfa plants observed onsite. The surrounding land use includes business and residential to the west and north, San Bernardino Flood Control facilities to the east, and I-10 south of the project area.

4.1.1 - Topographic Features

The project area consists of flat to slightly rolling hilly large grassy area that is bounded by development in all directions. The project site is generally uniform and does not contain topographical features. The project site has an elevation range of approximately 984 to 1,037 feet above sea level.

4.1.2 - Soils

Based on the USDA soils survey, the project site contains two distinct soil mapping units: Tujunga loamy sand and Tujunga gravely loamy sand (Exhibit 4). The Tujunga series consists of very deep, somewhat excessively drained soils formed in alluvium weathered mostly from granitic sources. Tujunga soils are on alluvial fans and flood plains.

4.2 - Plant Communities

The project area contains one plant community that occurs within the project site: non-native grassland (Exhibit 5). This vegetation community encompasses the entire site.

4.2.1 - Non-native Grassland (162.86 Acres)

The project area is dominated by non-native ruderal and grassland vegetation. Non-native grassland areas are characterized by disturbed areas that contain non-native grasses and non-native herbaceous annual species. The dominant species within the project area include wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), compact brome (*Bromus madritensis*), and leporinum barley (*Hordeum murinum* ssp. *leporinum*). Other herbaceous species include common ragweed (*Ambrosia artemisiifolia*), horseweed (*Conyza canadensis*), telegraphweed (*Heterotheca grandiflora*), short-podded mustard (*Hirschfeldia incana*), lamb's quarters (*Chenopodium album*), Russian thistle (*Salsola tragus*), and cheeseweed (*Malva parviflora*). There are some scattered low growing grape (*Vitis vinifera*) plants in the western section of the project site that are remnants from when the site was used for agriculture. A complete list of plant species observed within the site during the field survey is presented in Appendix A, Floral and Faunal Compendia.

4.2.2 - Disturbed (3.08 Acres)

Areas mapped as disturbed include dirt roads, an area that has been cleared for landing remote-control airplanes, and an erosional feature that drains water off 4th Street.

4.3 - Wildlife

The plant community discussed above provides habitat for a number of local wildlife species. The following are brief discussions of wildlife species observed within the project site during the field survey, separated into taxonomic groups. Each discussion contains representative examples of a particular taxonomic group either observed onsite or expected to occur. A complete list of wildlife species observed within the site during the field survey is presented in Appendix A, Floral and Faunal Compendia.

4.3.1 - Reptiles

Reptile species observed include side-blotched lizard (*Uta stansburiana*) and San Diego gopher snake (*Pituophis cantenifer annectens*). There is not a high diversity of habitat, and no large, rocky outcrop areas exist within the project site. Diversity of reptiles is expected to be low.

4.3.2 - Birds

There are no large trees or shrubs on the property, and so the majority of the bird species observed utilize the site for foraging, and do not nest onsite. Bird species observed include mourning dove (*Zenaida macroura*), turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), American kestrel (*Falco sparverius*), western kingbird (*Tyrannus verticalis*), northern rough-winged swallow (*Stelgidopteryx serripennis*), cliff swallow (*Petrochelidon pyrrhonota*), European starling (*Sturnus vulgaris*). Ground-nesting birds observed include killdeer (*Charadrius vociferus*) and western meadowlark (*Sturnella neglecta*).

4.3.3 - Mammals

The disturbed nature and isolated condition of the project area indicated that the diversity of the mammal species within the project area would be low. Mammal presence was deduced by diagnostic signs, such as track, scat, burrows, etc. California ground squirrel (*Spermophilus beecheyi*), coyote (*Canis latrans*), and Botta's pocket gopher (*Thomomys bottae*) were observed within the site. There were many California ground squirrel colonies within the project site.

SECTION 5: SENSITIVE BIOLOGICAL RESOURCES

Based on the results of the literature review and reconnaissance-level field survey, MBA documented existing site conditions and determined if sensitive biological resources occur or potentially occur within the project site.

5.1 - Sensitive Plant Communities

Plant communities are considered to be sensitive biological resources based on federal, State, or local laws regulating their development, limited distributions, and habitat requirements of sensitive plants or wildlife species that occur within them.

The project site contains no sensitive plant communities.

5.2 - Sensitive Plant Species

The Sensitive Plant Species table (Table 1) identifies the federal and state listed threatened, endangered plant species, and CNPS sensitive species that have a high, moderate, or low potential to occur within the project site. The table also includes the species' status and required habitat. It is important to note that all sensitive plant species that have been determined not likely to occur onsite, primarily based on the absence of suitable habitat and a recorded occurrence in the vicinity of the site, have been excluded from further analysis within this study.

Based on MBA's literature review, five seven sensitive plant species have been previously recorded within the vicinity of the site. No sensitive plant species were observed during the reconnaissance-level survey. The project site does not contain suitable habitat for sensitive plant species from the Table 1 list.

5.3 - Sensitive Wildlife Species

The Sensitive Wildlife Species table (Table 2) identifies the federal and state listed threatened, endangered wildlife species, and species of special concern that have a high, moderate, or low potential to occur within the project site. The table also includes the species' status and required habitat. It is important to note that all sensitive wildlife species that have been determined not likely to occur onsite, primarily based on the absence of suitable habitat and a recorded occurrence on the project site, have been excluded from further analysis within this study.

Based on MBA's literature review, ten sensitive wildlife species have been previously recorded within the vicinity of the site. No sensitive wildlife species were observed during the reconnaissance-level survey. The project site contains suitable habitat for burrowing owl only.

A discussion of each sensitive wildlife species recognized by the CNDDDB and MBA as potentially present on the site is presented in Table 2.

5.3.1 - Threatened or Endangered Species

No threatened or endangered species were determined to have a moderate or high potential to occur within the project site.

5.3.2 - California Species of Special Concern

Western Burrowing Owl (*Athene cunicularia*)

The method determining the presence of suitable burrowing owl (BUOW) habitat was by direct observations, presence of suitable burrows and foraging habitat and the presence of signs, including pellets, white wash, feathers, or prey remains.

Suitable habitat for BUOW consists of low vegetation cover that allows visibility and access to prey and the presence of suitable burrows for nesting. Although open areas with short vegetation are critical for nesting, there is some evidence that BUOW prefer a vegetation mosaic with nesting habitat interspersed within taller vegetation for hunting.

The BUOW is a California species of concern because of its decline in the State over the past 30 years. The BUOW is a small, buff-colored owl that is unique in its habit of nesting in subterranean burrows. It occurs in grasslands and other open habitats throughout the western United States. In California, the owl is most often found using burrows of larger rodents, particularly ground squirrels. However, it is an opportunist that will use burrows of tortoise, coyotes, and other burrowing animals as well as pipes or other suitable cavities. Suitable habitat must have evidence of burrows within the project site.

There were no BUOW observed inside the project site. Many suitable burrows were observed. There was no sign of BUOW observed on the project site. There is suitable habitat onsite for foraging and nesting within the project site.

Table 1: Sensitive Plant Species

Species		Status			Preferred Habitat	Blooming Period	Potential to Occur/ Known Occurrence/ Suitable Habitat
Scientific Name	Common Name	ESA	CESA	CNPS			
Herbaceous Annuals							
<i>Chorizanthe parryi</i> var. <i>parryi</i>	Parry's spineflower	—	—	1B.1	This species is known to occur in open spaces in chaparral and coastal sage scrub habitat.	April-Jul	Low. No suitable habitat within the project area.
<i>Dodecahema leptoceras</i>	slender-horned spineflower	FE	SE	1B.2	This species is known to inhabit chaparral, coastal scrub and occasionally alluvial fan sage scrub on flood deposited terraces and washes.	April-Jul	Low. No suitable habitat within the project area.
Herbaceous Perennials							
<i>Calochortus plummerae</i>	Plummer's mariposa-lily	—	—	1B.2	This species is known to occur within coastal scrub, chaparral, valley and foothill grassland, cismontane woodland and lower montane coniferous forests. It occurs on rocky and sandy sites, usually of granitic or alluvial material and can be very common after fire.	April-Jul	Low. No suitable habitat within the project area.
<i>Eriastrum densifolium</i> ssp. <i>sanctorum</i>	Santa Ana River woollystar	FE	SE	1B.2	This species occurs within coastal scrub and chaparral habitats specifically in sandy soils on river floodplains or terraced fluvial deposits.	April-Jul	Low. No suitable habitat within the project area.
Shrubs							
<i>Berberis nevinii</i>	Nevin's barberry	FE	SE	1B.1	Nevin's barberry occurs in chaparral, cismontane woodland, coastal scrub and riparian scrub, specifically on steep, north facing slopes or in low grade sandy washes.	Mar-Jun	Low. No suitable habitat within the project area.

Table 1 (cont.): Sensitive Plant Species

Species		Status			Preferred Habitat	Blooming Period	Potential to Occur/ Known Occurrence/ Suitable Habitat
Scientific Name	Common Name	ESA	CESA	CNPS			
ESA FE Federally listed endangered FT Federally listed threatened FPE Federally proposed endangered FPT Federally proposed threatened FC Federal candidate		CESA SE State listed endangered ST State listed threatened SR State listed rare			CNPS 1A Presumed extinct in California. 1B Rare, threatened, or endangered in California and elsewhere. 2 Rare, threatened, or endangered in California, but more common elsewhere.		
<p>Species Present - The species was observed on the project site at the time of the survey or during a previous biological survey.</p> <p>High Potential to Occur - There is both suitable habitat associated with the species and a historical record of the species on or in the immediate vicinity of the project site, within 3 miles.</p> <p>Moderate Potential to Occur - The diagnostic habitats associated with the species occur on or in the immediate vicinity of the project site, but there is not a recorded occurrence of the species within the immediate vicinity, within 3 miles. Some species that contain extremely limited distributions may be considered moderate, even if there is a recorded occurrence in the immediate vicinity.</p> <p>Low Potential to Occur - There is a historical record of the species in the vicinity of the project site and potentially suitable habitat onsite, but existing conditions, such as density of cover, prevalence of non-native species, evidence of disturbance, limited habitat area, isolation, substantially reduce the possibility that the species may occur. The site is above or below the recognized elevation limits for this species.</p>							

Table 2: Sensitive Wildlife Species

Species		Status			Preferred Habitat	Potential to Occur/ Known Occurrence/ Suitable Habitat
Scientific Name	Common Name	ESA	CESA	Other		
Reptiles						
<i>Anniella pulchra pulchra</i>	silvery legless lizard	—	—	DFG:SSC	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. Usually found along washes and in dunes. It prefers soils with high moisture content.	Low. No suitable habitat within the project area.
<i>Aspidoscelis hyperythra</i>	orangethroat whiptail	—	—	DFG:SSC	Low-elevation coastal sage scrub, chaparral, and valley and foothill hardwood habitats. Prefers washes and other sandy areas with patches of brush and rocks. Perennial plants necessary for its primary food source, termites.	Low. No suitable habitat within the project area.
<i>Phrynosoma blainvillii</i>	coast horned lizard	—	—	DFG:SSC	This lizard inhabits coastal sage scrub and chaparral in arid and semi-arid climate conditions. It prefers friable, rocky or shallow sandy soils.	Low. No suitable habitat within the project area.
Birds						
<i>Athene cunicularia</i>	burrowing owl	—	—	DFG:SSC	The burrowing owl is commonly found in open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. This species is a subterranean nester, dependent upon burrowing mammals, most notably the California ground squirrel	High. There is suitable habitat within the project area. There are many suitable burrows within the site. No sign of BUOW was observed.
<i>Dendroica petechia brewsteri</i>	yellow warbler	—	—	DFG:SSC	Riparian plant associations. The species prefers willows, cottonwoods, aspens, sycamores, and alders for nesting and foraging. It also nests in montane shrubbery in open conifer forests.	Low. No suitable habitat within the project area.

Table 2 (cont.): Sensitive Wildlife Species

Species		Status			Preferred Habitat	Potential to Occur/ Known Occurrence/ Suitable Habitat
Scientific Name	Common Name	ESA	CESA	Other		
<i>Polioptila californica californica</i>	coastal California gnatcatcher	FT	—	DFG:SSC	This species is an obligate, permanent resident of coastal sage scrub below 2,500 feet in Southern California. Specifically inhabits low, coastal sage scrub in arid washes, on mesa and slopes.	Low. No suitable habitat within the project area.
<i>Vireo bellii pusillus</i>	least Bell's vireo	FE	SE	—	LBV is a summer resident of Southern California inhabiting low riparian habitats in the vicinity of water or in dry river bottoms below 2,000 feet. Its nests are placed along margins of bushes or on twigs projecting into pathways, usually willow, baccharis and/or mesquite.	Low. No suitable habitat within the project area.
Mammals						
<i>Dipodomys merriami parvus</i>	San Bernardino kangaroo rat	FE	—	DFG:SSC	Occurs within alluvial scrub vegetation on sandy loam substrates characteristic of alluvial fans and flood plains. Requires early to intermediate seral stages.	Low. No suitable habitat within the project area. The project area is isolated by development from the know population within the Santa Ana River.
<i>Eumops perotis californicus</i>	western mastiff bat	—	—	DFG:SSC	This species is often found in many open, semi-arid to arid habitats, including conifer and deciduous woodlands, coastal scrub, grasslands, chaparral, etc. Roosts in crevices in cliff faces, high buildings, trees, and tunnels.	Low. No suitable habitat within the project area.
<i>Neotoma lepida intermedia</i>	San Diego desert woodrat	—	—	DFG:SSC	Occur in coastal scrub of Southern California from San Diego County to San Luis Obispo County. Moderate to dense canopies preferred. The species is particularly abundant in rock outcrops and rocky cliffs and slopes.	Low. No suitable habitat within the project area.

Table 2 (cont.): Sensitive Wildlife Species

Species		Status			Preferred Habitat	Potential to Occur/ Known Occurrence/ Suitable Habitat
Scientific Name	Common Name	ESA	CESA	Other		
ESA FE Federally listed endangered FT Federally listed threatened FPE Federally proposed endangered FPT Federally proposed threatened FC Federal candidate		CESA SE State listed endangered ST State listed threatened			Other CDFG:SSC California Species of Concern CDFG:FP Fully Protected Species CDFG:P Protected Species	
<p>Species Present - The species was observed on the project site at the time of the survey or during a previous biological survey.</p> <p>High Potential to Occur - There is both suitable habitat associated with the species and a historical record of the species on or in the immediate vicinity of the project site, within 3 miles.</p> <p>Moderate Potential to Occur - The diagnostic habitats associated with the species occur on or in the immediate vicinity of the project site, but there is not a recorded occurrence of the species within the immediate vicinity, within 3 miles. Some species that contain extremely limited distributions may be considered moderate, even if there is a recorded occurrence in the immediate vicinity.</p> <p>Low Potential to Occur - There is a historical record of the species in the vicinity of the project site and potentially suitable habitat onsite, but existing conditions, such as density of cover, prevalence of non-native species, evidence of disturbance, limited habitat area, isolation, substantially reduce the possibility that the species may occur. The site is above or below the recognized elevation limits for this species.</p>						

5.4 - Nesting Birds

The project site contains areas that provide suitable nesting habitat for a number of ground-nesting avian species. Killdeer and western meadowlark, which are both ground-nesting species, were observed within the project area.

5.5 - Wildlife Movement Corridors

The project site is surrounded by development. The adjacent development currently limits wildlife movement, and the site does not occur within a narrow corridor that links large areas of undeveloped open space. In addition, the habitat onsite that will be impacted is mostly low-quality, disturbed, former agricultural land. Therefore, the site is not currently located within a significant wildlife movement corridor. Common wildlife species such as coyotes, skunks, opossums, and raccoons can be expected to travel through the site and neighboring developed areas, but the site does not provide narrow connectivity between large areas of open space on a local or regional scale.

5.6 - Jurisdictional Waters and Wetlands

There are no jurisdictional drainages or wetlands within the project area. There is an erosional feature in the north central area of the project site. It appears to be formed by runoff from the residential neighborhoods north of 4th Street. The drainage does not show signs of ordinary high water marks (OHWM), hydrophytic vegetation, or hydric soils. The drainage ends in the grasslands of the project site and does not connect to any other drainages.

SECTION 6: RECOMMENDATIONS

This report was prepared to document the existing conditions within the project site and to provide a baseline to further analyze a proposed project under CEQA Guidelines. Once the location of all permanent and temporary impacts associated with the project design have been determined, a Biological Resources Impact Analysis can be completed. The recommendations below are necessary to prepare that report.

6.1 - Sensitive Wildlife Species

Focused surveys are typically recommended for sensitive wildlife species that are federally or state-listed as endangered or threatened and have moderate to high potential to occur on the project site. The site contains suitable habitat for one sensitive wildlife species.

6.1.1 - California Species of Special Concern

Burrowing Owl

The project site contains suitable foraging habitat for burrowing owl. No sign of burrowing owl was observed within the project site. To ensure there are no impacts to burrowing owl that may utilize the project area, a focused survey for BUOW is recommended prior to grading activities to determine presence or absence. If owls are found outside of the nesting season, passive relocation (i.e., use of one-way doors to ensure owls have been evacuated and then collapse of burrows) shall be used to ensure that no owls are directly injured or killed during construction. Active relocation shall not be employed unless approved by the CDFG prior to grading, and if passive relocation has been determined not to be practical. Active relocation would entail capture of the owls, relocation offsite, construction of an artificial burrow, and fencing and feeding to habituate the owls to the new burrow.

6.2 - Nesting Birds

A pre-construction nesting bird survey will be required prior to any vegetation removal or ground-disturbance activities. Any activity that may potentially cause a nest failure—including soil sampling and tree removal—requires a biological monitor.

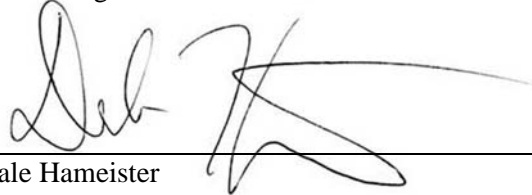
The project site contains suitable nesting habitat for several tree- and ground-dwelling avian species. Therefore, pursuant to the Migratory Bird Treaty Act and California Fish and Game (CFG) Code, removal of any trees, shrubs, or any other potential nesting habitat should be conducted outside the avian nesting season. The nesting season generally extends from early February through August, but can vary slightly from year to year based upon seasonal weather conditions.

If suitable nesting habitat must be removed during the nesting season, a qualified biologist should conduct a nesting bird survey to identify any potential nesting activity. If active nests are observed, construction activity must be prohibited within a buffer around the nest, as determined by a biologist, until the nestlings have fledged.

SECTION 7: CERTIFICATION

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

Date: May 21, 2012 Signed:



Dale Hameister
Michael Brandman Associates
San Bernardino, CA

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Appendix A: Floral and Faunal Compendia

Flora Compendia

Amaranthaceae		Amaranth Family
<i>Amaranthus</i>	<i>albus</i>	tumbling pigweed
Asteraceae		Sunflower Family
<i>Ambrosia</i>	<i>artemisiifolia</i>	common ragweed
<i>Conyza</i>	<i>canadensis</i>	horseweed
<i>Helianthus</i>	<i>annuus</i>	common sunflower
<i>Heterotheca</i>	<i>grandiflora</i>	telegraphweed
<i>Lactuca</i>	<i>serriola</i>	prickly lettuce
<i>Senecio</i>	<i>vulgaris</i>	common groundsel
Boraginaceae		Borage Family
<i>Amsinckia</i>	<i>menziesii var. intermedia</i>	common fiddleneck
<i>Cryptantha</i>	<i>intermedia</i>	clearwater cryptantha
Brassicaceae		Mustard Family
<i>Hirschfeldia</i>	<i>incana</i>	short-podded mustard
<i>Sisymbrium</i>	<i>irio</i>	London rocket
Chenopodiaceae		Goosefoot Family
<i>Chenopodium</i>	<i>album</i>	lamb's quarters
<i>Salsola</i>	<i>tragus</i>	Russian thistle
Euphorbiaceae		Spurge Family
<i>Croton</i>	<i>californicus</i>	California croton
<i>Croton</i>	<i>setigerus</i>	dove weed
Fabaceae		Legume Family
<i>Lotus</i>	<i>purshianus</i>	Spanish clover
<i>Lotus</i>	<i>scoparius</i>	common deerweed
<i>Lupinus</i>	<i>bicolor</i>	miniature lupine
<i>Medicago</i>	<i>polymorpha</i>	bur clover
<i>Medicago</i>	<i>sativa</i>	alfalfa
<i>Melilotus</i>	<i>officinalis</i>	yellow sweet clover
Geraniaceae		Geranium Family
<i>Erodium</i>	<i>cicutarium</i>	red-stemmed stork's bill
Lamiaceae		Mint Family
<i>Marrubium</i>	<i>vulgare</i>	horehound
Malvaceae		Mallow Family
<i>Malva</i>	<i>parviflora</i>	cheeseweed
Onagraceae		Evening Primrose Family
<i>Camissonia</i>	<i>californica</i>	California sun cup
<i>Camissonia</i>	<i>micrantha</i>	miniature sun cup
Polygonaceae		Buckwheat Family
<i>Eriogonum</i>	<i>fasciculatum</i>	California buckwheat

Flora Compendia

<i>Eriogonum</i>	<i>gracile</i>	slender woolly buckwheat
Solanaceae		Nightshade Family
<i>Datura</i>	<i>wrightii</i>	jimson weed
Vitaceae		Grape Family
<i>Vitis</i>	<i>vinifera</i>	wine grape
Zygophyllaceae		Caltrop Family
<i>Tribulus</i>	<i>terrestris</i>	puncture vine
Poaceae		Grass Family
<i>Avena</i>	<i>fatua</i>	wild oat
<i>Bromus</i>	<i>diandrus</i>	ripgut brome
<i>Bromus</i>	<i>hordeaceus</i>	soft brome
<i>Bromus</i>	<i>madritensis</i>	compact brome
<i>Hordeum</i>	<i>murinum ssp. leporinum</i>	leporinum barley
<i>Lamarckia</i>	<i>aurea</i>	golden top grass
<i>Pennisetum</i>	<i>setaceum</i>	crimson fountain grass
<i>Schismus</i>	<i>barbatus</i>	common Mediterranean grass

Fauna Compendia

Phrynosomatidae		Lizards
<i>Uta</i>	<i>stansburiana</i>	side-blotched lizard
Colubridae		Egg-laying snakes
<i>Pituophis</i>	<i>cantenifer annectens</i>	San Diego gopher snake
Cathartidae		Vultures
<i>Cathartes</i>	<i>aura</i>	turkey vulture
Accipitridae		Hawks
<i>Buteo</i>	<i>jamaicensis</i>	red-tailed hawk
Falconidae		Falcons
<i>Falco</i>	<i>sparverius</i>	American kestrel
Charadriidae		Plovers
<i>Charadrius</i>	<i>vociferus</i>	killdeer
Columbidae		Pigeons/Doves
<i>Zenaida</i>	<i>macroura</i>	mourning dove
Tyrannidae		Flycatchers
<i>Tyrannus</i>	<i>verticalis</i>	western kingbird
Hirundinidae		Swallows
<i>Stelgidopteryx</i>	<i>serripennis</i>	northern rough-winged swallow
<i>Petrochelidon</i>	<i>pyrrhonota</i>	cliff swallow
Sturnidae		Starlings
<i>Sturnus</i>	<i>vulgaris</i>	European starling
Icteridae		New world blackbirds
<i>Sturnella</i>	<i>neglecta</i>	western meadowlark
Sciuridae		Squirrels
<i>Spermophilus</i>	<i>beecheyi</i>	California ground squirrel
Geomyidae		Pocket Gophers
<i>Thomomys</i>	<i>bottae</i>	Botta's pocket gopher
Canidae		Wolves and Foxes
<i>Canis</i>	<i>latrans</i>	coyote

Appendix B: Site Photographs



Photograph 1: Looking south from 4th Street showing non-native grassland.



Photograph 2: Looking northwest from the southeast corner of the project area showing non-native grassland.

Source: Michael Brandman Associates, 2012



Michael Brandman Associates

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Appendix B Site Photographs

SARIS-REGIS • MEREDITH PROPERTY
BIOLOGICAL RESOURCE STUDY

Appendix C: Regulatory Framework

REGULATORY FRAMEWORK

Sensitive Plant and Wildlife Species

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

Federal Endangered Species Act

The United States Fish and Wildlife Service (USFWS) administers the Federal Endangered Species Act (ESA). The ESA provides a process for listing species as either threatened or endangered, and methods of protecting listed species. The ESA defines as “endangered” any plant or animal species that is in danger of extinction throughout all or a significant portion of its known geographic range. A “threatened” species is a species that is likely to become endangered. A “proposed” species is one that has been officially proposed by the USFWS for addition to the federal threatened and endangered species list.

Pursuant to § 9 of the ESA, “take” of threatened or endangered species is prohibited. The term “take” means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct. Take can include disturbance to habitats used by a threatened or endangered species during any portion of its life history. The presence of any federally threatened or endangered species in a project area generally imposes severe constraints on development, particularly if development would result in “take” of the species or its habitat. Under the regulations of the ESA, the USFWS may authorize “take” when it is incidental to, but not the purpose of, an otherwise lawful act.

California Endangered Species Act

The California Department of Fish and Game (CDFG) administers the California Endangered Species Act (CESA). The State of California considers an “endangered” species one whose prospects of survival and reproduction are in immediate jeopardy. A “threatened” species is one present in such small numbers throughout its range that it is likely to become an endangered species in the near future in the absence of special protection or management. A “rare” species is one present in such small numbers throughout its portion of its known geographic range that it may become endangered if its present environment worsens. The rare species designation applies to California native plants. State threatened and endangered species are fully protected against take, as defined above. The term “species of special concern” is an informal designation used by CDFG for some declining wildlife species that are not state candidates for listing. This designation does not provide legal protection, but signifies that these species are recognized as sensitive by CDFG.

California Native Plant Society

The California Native Plant Society (CNPS) is a California resource conservation organization that has developed an inventory of California's sensitive plant species. This inventory summarizes information on the distribution, rarity, and endangerment of California's vascular plants. The inventory is divided into four lists based on the rarity of the species. In addition, the CNPS provides an inventory of plant communities that are considered sensitive by the state and federal resource agencies, academic institutions, and various conservation groups. Determination of the level of sensitivity is based on the number and size of remaining occurrences as well as recognized threats.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act (MBTA) protects all common wild birds found in the United States (US) except the house sparrow, starling, feral pigeon, and resident game birds such as pheasant, grouse, quail, and wild turkey. Resident game birds are managed separately by each state. The MBTA makes it unlawful for anyone to kill, capture, collect, possess, buy, sell, trade, ship, import, or export any migratory bird including feathers, parts, nests, or eggs.

California Fish and Game Code - § 3503 and § 3511

The CDFG administers the CFG Code. There are particular sections of the CFG Code that are applicable to natural resource management. For example, § 3503 of the CFG Code states it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird that is protected under the MBTA. CFG Code § 3503.5 further protects all birds in the orders Falconiformes and Strigiformes—birds of prey such as hawks and owls—and their eggs and nests from any form of take. CFG Code § 3511 lists fully protected bird species where the CDFG is unable to authorize the issuance of permits or licenses to take these species.

Jurisdictional Waters and Wetlands

Impacts to natural drainage features and wetland areas are regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and CDFG based upon the policies and regulations discussed below.

United States Army Corp of Engineers Regulations

Federal Clean Water Act - § 404

The USACE administers § 404 of the federal Clean Water Act (CWA). This section regulates the discharge of dredge and fill material into waters of the US. USACE has established a series of nationwide permits that authorize certain activities in waters of the US, if a proposed activity can demonstrate compliance with standard conditions. Normally, USACE requires an individual permit for an activity that will affect an area equal to or in excess of 0.5 acre of waters of the US. Projects that result in impacts to less than 0.5 acre can normally be conducted pursuant to one of the nationwide permits, if consistent with the standard permit conditions. USACE also has discretionary

authority to require an Environmental Impact Statement for projects that result in impacts to an area between 0.1 and 0.5 acre. Use of any nationwide permit is contingent on the activities having no impacts to endangered species.

Waters of the United States

Waters of the US, as defined in the Code of Federal Regulations (CFR) § 328.3, include all waters or tributaries to waters such as lakes, rivers, intermittent and perennial streams, mudflats, sand-flats, natural ponds, wetlands, wet meadows, and other aquatic habitats. Frequently, waters of the US, with at least intermittently flowing water or tidal influences, are demarcated by an ordinary high water mark (OHWM). The OHWM is defined in CFR § 328.3(e) as the line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas. In this region, the OHWM is typically indicated by the presence of an incised streambed with defined bank shelving.

In June 2001, the USACE South Pacific Division issued “Guidelines for Jurisdictional Delineations for Waters of the United States in the Arid Southwest.” The purpose of this document was to provide background information concerning physical characteristics of dryland drainage systems. These guidelines were reviewed and used to identify jurisdictional drainage features within the Project Site.

Wetlands

According to the USACE Wetlands Delineation Manual, Technical Report, three criteria must be satisfied to classify an area as a jurisdictional wetland:

1. A predominance of plant life that is adapted to life in wet conditions (hydrophytic vegetation)
2. Soils that saturate, flood, or pond long enough during the growing season to develop anaerobic conditions in the upper part (hydric soils)
3. Permanent or periodic inundation or soils saturation, at least seasonally (wetland hydrology)

Wetland vegetation is characterized by vegetation in which more than 50 percent of the composition of dominant plant species are obligate wetland, facultative wetland, and/or facultative species that occur in wetlands. As a result of the 2001 Solid Waste Agency of North Cook County (SWANCC) case, a wetland must show connectivity to a stream course in order for such a feature to be considered jurisdictional. Although wetland criteria was used to identify if areas were considered wetlands, the exact limits of jurisdiction were not measured based on the standard wetland delineation protocol as described in the 1987 USACE manual.

United States Army Corp of Engineers Regulated Activities

The USACE regulates the discharge of dredged or fill material including, but not limited to, grading, placing of rip-rap for erosion control, pouring concrete, laying sod, and stockpiling excavated material. Activities that generally do not involve a regulated discharge, if performed specifically in a manner to avoid discharges, include driving pilings, drainage channel maintenance, temporary mining and farm/forest roads, and excavating without stockpiling.

Regional Water Quality Control Board Regulations

Clean Water Act - § 401

Pursuant to § 401 of the CWA, “any applicant for a Federal permit for activities that involve a discharge to waters of the State, shall provide the Federal permitting agency a certification from the State in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the Federal Clean Water Act.” Therefore, before the USACE will issue a § 404 permit, applicants must apply for and receive a § 401 water quality certification from the RWQCB.

Porter-Cologne Water Quality Act

The RWQCB regulates actions that would involve “discharging waste, or proposing to discharge waste, within any region that could affect the water of the state” (water code § 13260(a)), pursuant to provisions of the Porter-Cologne Water Quality Act. “Waters of the State” are defined as “any surface water or groundwater, including saline waters, within the boundaries of the state” (water code § 13050 (e)).

Regional Water Quality Control Board Regulated Activities

Under § 401 of the CWA, the RWQCB regulates all activities that are regulated by the USACE. Additionally, under the Porter-Cologne Water Quality Act, the RWQCB regulates all activities, including dredging, filling, or discharge of materials into waters of the state that are not regulated by the USACE due to a lack of connectivity with a navigable water body and/or lack of an OHWM.

California Department of Fish and Game Regulations

California Fish and Game Code - § 1600 to § 1603

The CFG Code mandates that “it is unlawful for any person to substantially divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream, or lake designated by the department, or use any material from the streambeds, without first notifying the department of such activity.” CDFG jurisdiction includes ephemeral, intermittent, and perennial watercourses, including dry washes, characterized by the presence of hydrophytic vegetation, the location of definable bed and banks, and the presence of existing fish or wildlife resources.

Furthermore, CDFG jurisdiction is often extended to habitats adjacent to watercourses, such as oak woodlands in canyon bottoms or willow woodlands that function as part of the riparian system. Historic court cases have further extended CDFG jurisdiction to include watercourses that seemingly

disappear, but re-emerge elsewhere. Under the CDFG definition, a watercourse need not exhibit evidence of an OHWM to be claimed as jurisdiction. However, CDFG does not regulate isolated wetlands; that is, those that are not associated with a river, stream, or lake.

California Department of Fish and Game Regulated Activities

The CDFG regulates activities that involve diversions, obstruction, or changes to the natural flow or bed, channel, or bank of any river, stream, or lake that supports fish or wildlife resources.