



October 31, 2017

Bill Goltermann  
Real Estate Development Associates (REDA)  
4100 MacArthur Boulevard, Ste. 120  
Newport Beach, CA 92660

**SUBJECT:      *Biological Information Review Status, ±134.5-acre West Ontario Commerce Center Specific Plan, City of Ontario, San Bernardino County, California***

Dear Bill:

This letter is intended to be forwarded to the City of Ontario as it relates to the most recent surveys conducted by Ecological Sciences, Inc. in support of the West Ontario Commerce Center Site. Non-breeding season focused burrowing owl (*Athene cunicularia*-BUOW) surveys have been initiated on the site as of September 30, 2017. Subsequent surveys include October 23, 2017. Additional surveys will be completed in November and December 2017. During the course of the current 2017 surveys, it was noted that the site has not changed in terms of routine agricultural operations since the original surveys conducted in 2015 and 2016. No BUOW or other potentially occurring special-status biological resources were recorded.

Existing site conditions are the direct consequence of long-standing agricultural and other anthropogenic activities resulting in low biological diversity, absence of special-status plant communities, and overall low potential for special-status species to utilize or reside on the site. Accordingly, expected impacts associated with development of the site would not alter conclusions and/or recommendations reached in our 2015, 2016, and current 2017 reports. Additional surveys will be completed following CDFW protocol for non-breeding season BUOW surveys.

Please don't hesitate to contact me should you have questions or comments.

Sincerely,

Ecological Sciences, Inc.

Scott D. Cameron  
Principal Biologist



## ***Focused Western Burrowing Owl Surveys***

### ***±134.5-acre West Ontario Commerce Center Specific Plan***

***Site Location:***

City of Ontario  
San Bernardino County, California  
Corona North 7.5-minute Quadrangle Map  
Township 2 South, Range 7 West, Section 22

***Prepared for:***

Bill Goltermann  
Real Estate Development Associates (REDA)  
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***Prepared by:***

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December 27, 2017



December 27, 2017

Bill Goltermann  
Real Estate Development Associates (REDA)  
4100 MacArthur Boulevard, Ste. 120  
Newport Beach, CA 92660

**SUBJECT:     *Results of a Focused Burrowing Owl Survey, ±134.5-acre Site, City of Ontario, San Bernardino County, California***

Dear Bill:

This letter report presents results of focused surveys conducted to evaluate the presence/absence of the special-status burrowing owl (*Athene cunicularia*-BUOW) on a ±134.5-acre site.

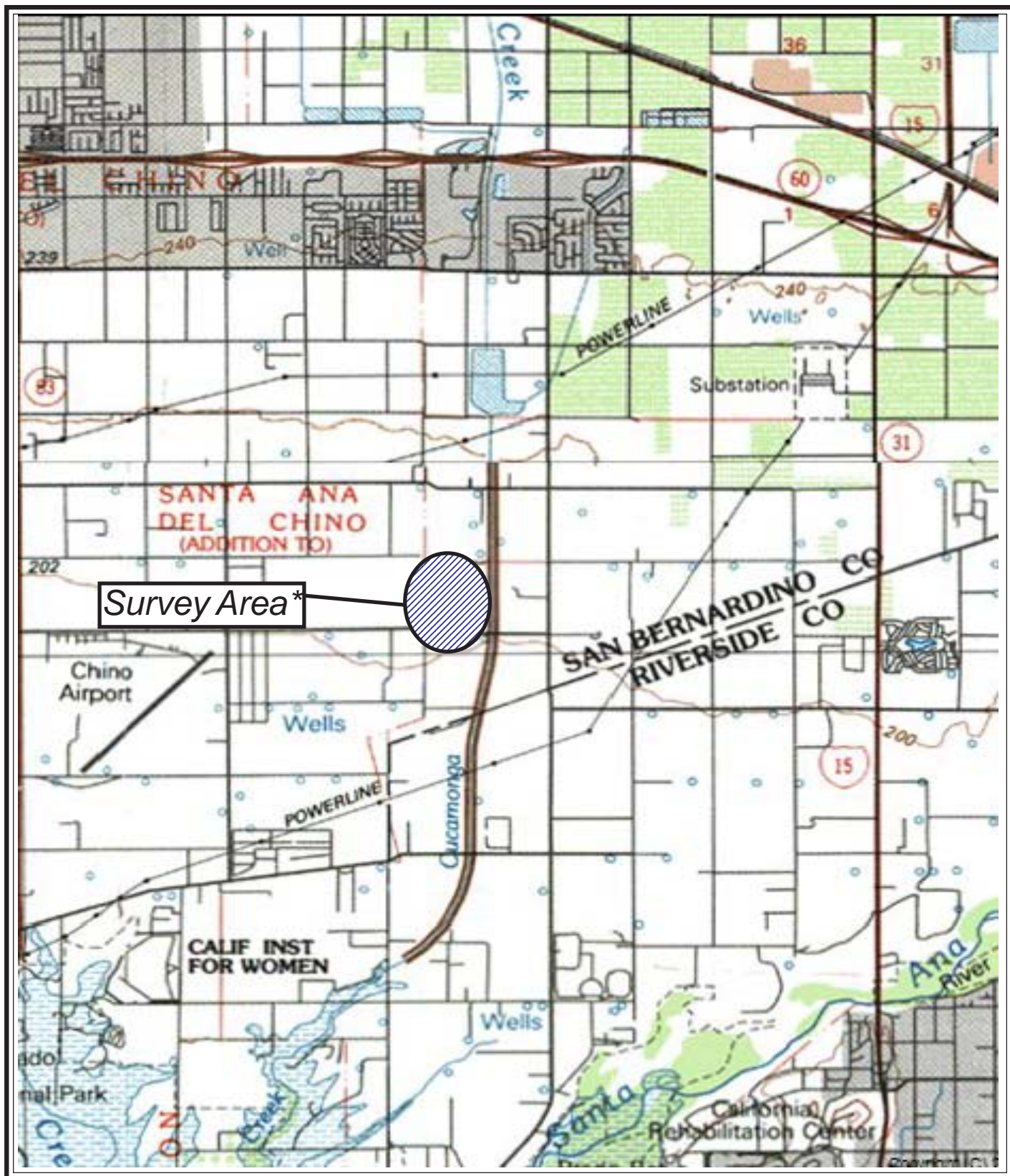
## ***Introduction***

The project site is located in San Bernardino County, California (**Plate 1**). Specifically, the site is located in the City of Ontario north of Merrill Avenue, south of Eucalyptus Avenue, east of Carpenter Avenue, and west of Archibald Avenue. The site occurs on the "Corona North" California USGS 7.5-minute quadrangle map, Township 2 South, Range 7 West, Section 22 (**Plate 2**).

Projects proposed in the area that contain potentially suitable habitat to support sensitive biological resources must demonstrate to reviewing agencies [e.g., U.S. Fish and Wildlife Service (FWS), California Department of Fish and Game (CDFG-more recently Department of Fish and Wildlife or CDFW), County of San Bernardino (County), City of Ontario (City)] that potential project-related impacts to sensitive biological resources are adequately addressed and mitigated pursuant to the California Environmental Quality Act (CEQA) and other environmental regulations as part of project approval. For the purposes of this report, both the 1995 CDFG Staff Report on Burrowing Owl Mitigation and the 2012 CDFG Staff Report on Burrowing Owl Mitigation are referenced to provide background information.

## ***Selected Species Overview / Regulatory Background***

The **western burrowing owl** is considered a California Species of Special Concern, Federal Species of Concern, Partners in Flight Priority Bird Species, and Fish and Wildlife Service Species of Management Concern because of declines of suitable habitat, as well as localized and statewide population declines (CDFG 1995, 2012). Burrowing owls range across most of western North America. In coastal southern California, they occur in annual and perennial grasslands, agricultural areas, and coastal dunes. Habitat characteristics also include deserts and arid scrublands that contain low-growing vegetation (Zarn 1974). It is believed that burrowing owls may potentially occur wherever there are ground squirrel (e.g., *Spermophilus beecheyi*) colonies as this owl uses ground squirrel burrows throughout the year. Burrows are the essential component of burrowing owl habitat (CDFG 1995), however, burrowing owls are also known to use artificial burrows under certain circumstances such as abandoned concrete structures and debris piles. The BUOW generally prefers moderately to heavily grazed grasslands for nesting and roosting and avoids recently cultivated/disc'd fields. BUOW may utilize multiple burrows/sites throughout the year (e.g., small seasonal migrations), although in central and southern California, owls are predominantly non-migratory (CBOC 2000).



\*includes approximate visual survey area outside project boundary

plate 1



June 2017

## Regional Site Location

West Ontario Commerce Center





While this special-status species is not protected by state or federal endangered species acts, take, possession or destruction of individual burrowing owls, their nests and eggs is prohibited under CDFG code sections 3503, 3503.5 and 3513, as well as the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711). Under CEQA, goals would consist of measures that would avoid, minimize and mitigate impacts to a less than significant level. For individual projects, mitigation must be roughly proportional to the level of impacts, including cumulative impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). If it were later determined that active nests would be lost as a result of site-preparation, it would be in conflict with these regulations, and could also be considered a significant impact under CEQA without mitigation. In order to avoid violation of the MBTA and CDFG Code requirements, CDFG guidelines (1995, 2012) suggest that project-related disturbances at active nesting territories be reduced or eliminated during the BUOW nesting/breeding cycle (typically February 1 to August 31). Accordingly, construction should take place, as much as possible, outside of the breeding season for BUOW (i.e., construction between September 1 to January 31) to avoid or reduce potential impacts to this species. However, BUOW nesting activity is variable, and as such the time frame should be adjusted accordingly based on specific site information.

Owl survival can be adversely affected by disturbance (e.g., foraging habitat loss) even when impacts to individual birds and nest/burrows are avoided (CDFG 1995). Recommended restricted activity dates and setback distances by level of disturbance for burrowing owls (Scobie and Faminow 2000 in 03/7/12 CDFG BUOW Staff Report are provided below in Table 1.

**Table 1- CDFG Recommended Restricted Activity Dates and Setback Distances by Level of Disturbance for BUOW**

<b>Location</b>	<b>Time of Year</b>	<b>Level of Disturbance</b>		
		<b>Low</b>	<b>Medium</b>	<b>High</b>
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

\* meters (m). Table and text excerpted directly from 2012 CDFG BUOW Staff Report

Note: Based on existing vegetation, human development, and land uses in an area, resource managers may decide to allow human development or resource extraction closer to these area/sites than recommended above. However, if it is decided to allow activities closer than the setback distances recommended, a broad-scale, long-term, scientifically-rigorous monitoring program ensures that burrowing owls are not detrimentally affected by alternative approaches.

Mitigation measures detailed in the CDFG 1995 staff report include: (1) preservation of habitat, (2) artificial burrow construction, and (3) provide funding for long-term management and monitoring of protected mitigation lands. Mitigation measures successfully implemented for this species also include giving the Service/CDFW right of first refusal for actively relocating any BUOW present. Currently occupied receiving sites may be available where this species has a greater chance of successful long-term relocation. Other minimization measures include eliminating actions that reduce burrowing owl forage and burrowing surrogates (e.g. ground squirrel), or introduce/facilitate burrowing owl predators. Actions that could influence these factors include reducing livestock grazing rates and/or changing the timing or duration of grazing or vegetation management that could result in less suitable habitat (CDFG 2012).

Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where project activities would occur. The development of avoidance and minimization approaches would be developed by monitoring. BUOW may re-colonize a site after only a few days. Time lapses (i.e. construction delays) between project activities would trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance (CDFG 2012). Should eggs or fledglings be discovered in any owl burrow or native nest, these resources

cannot be disturbed (pursuant to CDFW guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Take of active nests should always be avoided. If owls must be moved away from the disturbance area, passive relocation techniques (where applicable outside of the breeding season before breeding behavior is exhibited and after the burrow is confirmed empty by site surveillance) should be used rather than trapping (CDFG 2012). If burrow exclusion and/or burrow closure is implemented, BUOWs should not be excluded from burrows unless or until: (1) a Burrowing Owl Exclusion Plan is developed and approved by the applicable local CDFG office; and (2) permanent loss of occupied burrow(s) and habitat is mitigated in accordance with the Mitigating Impacts (CDFG 2012).

## ***Methodology***

### ***Review of Existing Information***

Existing documentation pertinent to the distribution and habitat requirements of the burrowing owl was reviewed and analyzed. This included a review of: (1) the California Natural Diversity Data Base (CNDDB 2017), (2) both the 1995 CDFG Staff Report on Burrowing Owl Mitigation and the 2012 CDFG Staff Report on Burrowing Owl Mitigation, and (3) other literature pertaining to habitat requirements of the BUOW as referenced herein.

### ***2017 Focused BUOW Survey***

Ecological Sciences' Principal Biologist, Scott Cameron, initiated the first of four total focused BUOW surveys on September 29, 2017. Mr. Cameron has extensive experience conducting habitat assessments and focused burrowing owl surveys over the past 25 years, and has recorded numerous BUOW over the course of 100+ surveys throughout southern California. Mr. Cameron has also conducted passive relocation activities, used burrow probes, and conducted burrow closing procedures for multiple projects. Subsequent surveys were conducted on October 21, 2017, November 17, 2017, and December 9, 2017. The BUOW surveys were conducted in accordance with the March 7, 2012 CDFG Staff Report on Burrowing Owl Mitigation. These guidelines include searches for BUOW, burrows (natural and artificial), and BUOW sign by walking parallel transects through suitable habitat over the entire survey area [i.e., the project site and within a 150 meter (500 feet) buffer area where feasible or at least by visual means]. Upon arrival at the survey area and prior to initiating the walking surveys, the biologist used binoculars and/or spotting scope to scan suitable habitat.

Per the Staff Report, non-breeding season (1 September to 31 January) surveys may provide information on burrowing owl occupancy, but may not substitute for subsequent breeding season surveys because results are sometimes inconclusive. BUOW are more difficult to detect during the non-breeding season and their seasonal residency status is difficult to ascertain. Burrowing owls detected during non-breeding season surveys may be year-round residents, young from the previous breeding season, pre-breeding territorial adults, winter residents, dispersing juveniles, migrants, transients or new colonizers. In addition, the numbers of owls and their pattern of distribution may differ during winter and breeding seasons. However, on rare occasions, non-breeding season surveys may be warranted (i.e., if the site is believed to be a wintering site only based on negative breeding season results). When conducting non-breeding season surveys, follow the methods described for breeding season surveys, but conduct at least four (4) visits, spread evenly, throughout the non-breeding season.

Focused BUOW surveys were conducted to determine if the BUOW was foraging on or adjacent to the site. Transects were spaced to allow 100 percent visual coverage of the ground surface. The distance between transect center lines was no more than 20 meters ( $\pm 65$  feet) and were reduced (as necessary) to account for differences in terrain, vegetation density, and ground surface visibility. Periodic stops along each transect (generally at 100 meter intervals) and at the end of each transect were implemented to scan the site for BUOW with binoculars. Suitable burrows were examined for sign of BUOW use such as the presence of owl pellets, prey remains, or feathers at burrow entrances. Suitable burrows (burrows that

are open and wide enough for owl use), regardless if owl sign was recorded, were noted. Burrows (where present) were inspected with the aid of a mirror to better view burrow interiors. Per protocol, surveys were conducted during weather that was conducive to observing owls outside their burrows and detecting BUOW sign. Focused surveys were conducted two hours before sunset until evening civil twilight (highest detection probabilities). Weather conditions through the survey period included clear skies, scattered clouds, and partly cloudy (<50% cover), 1-9 mph variable breezes, and air temperatures ranging between 66-91 °F. Accordingly, weather conditions were conducive for above-ground BUOW activity.

## **Existing Biological Environment**

The subject site is characterized primarily as an active dairy operation. The site contains a single-family residence, multiple dairy-related structures (sheds, corrals, etc.), feeding preparation areas, numerous waste ponds/basins, cultivated/disc'd areas, manure spreading areas, debris dumping areas, and an abandoned dairy area. The peripheral ruderal/disturbed areas support mostly invasive, non-native annual species. Manure, associated with the ongoing dairy operation, is present throughout most of the site. Cattle feeding areas were barren ground covered in manure and mud. Surrounding land uses include agricultural areas similar to the subject site. **Plate 3** schematically illustrates site features.

### **Vegetation**

Ruderal plants recorded on site included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis* spp. *rubens*), ripgut grass (*Bromus diandrus*), Bermuda grass (*Cynodon dactylon*), Mediterranean grass (*Schismus barbatus*), filaree (*Erodium* sp.), Lamb's quarter's (*Chenopodium album*), milk thistle (*Silybum marianum*), Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), black mustard (*Brassica nigra*), cheeseweed (*Malva parviflora*), nettle (*Urtica* sp.), tree tobacco (*Nicotiana glauca*), and gum (*Eucalyptus* sp.).

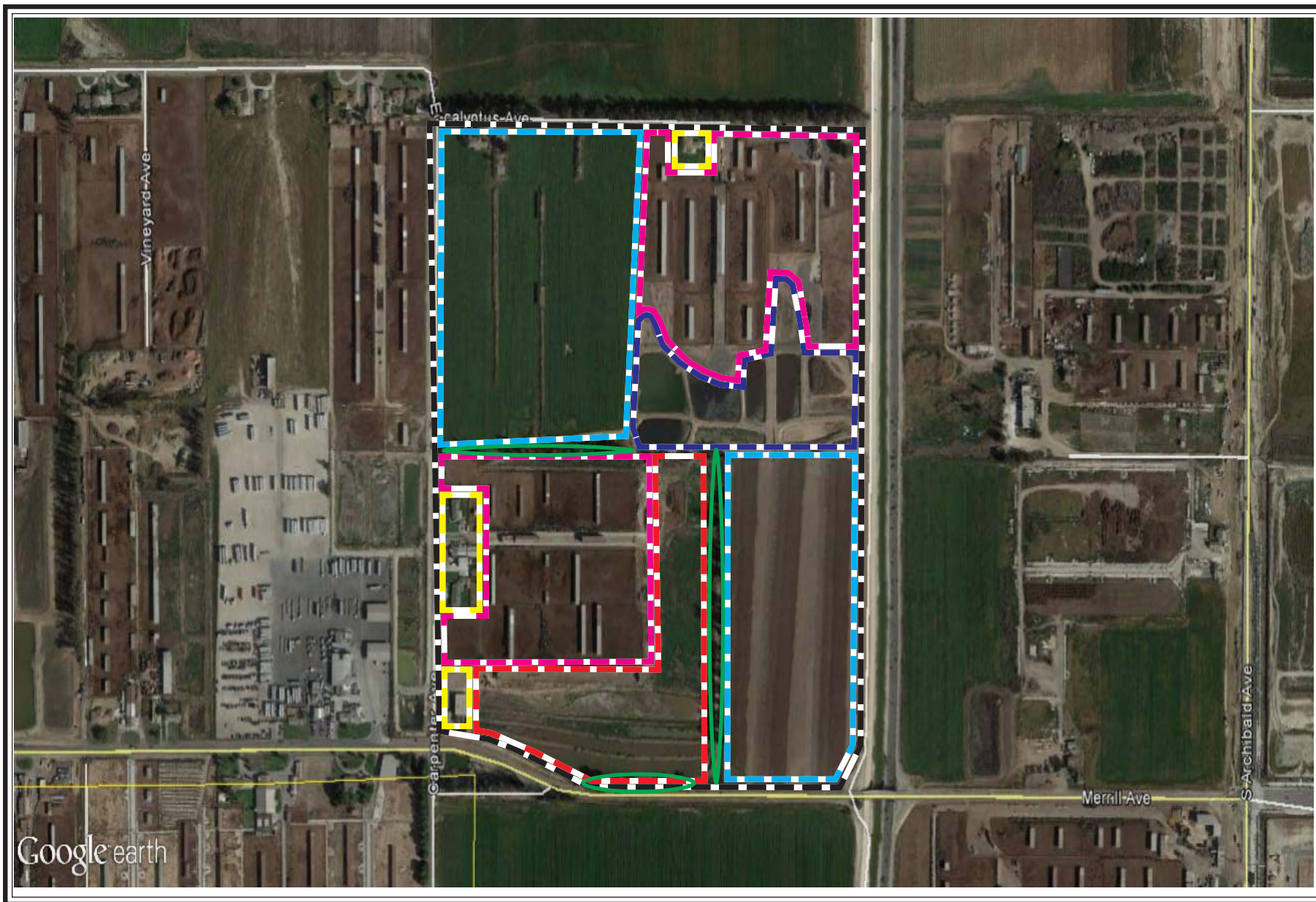
## **Survey Results**

No direct BUOW observations were recorded during the September-December 2017 focused BUOW winter season surveys. None of the potential burrows inspected during the survey were determined to be currently occupied by BUOW based on absence of BUOW observations and sign (feathers, pellets, fecal material, prey remains, etc.) at or near burrow entrances/aprons. BUOW were also not observed utilizing the site for foraging purposes on or adjacent to the site (adjacent areas viewed by binocular only).

Avian species observed on site included turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), killdeer (*Charadrius vociferus*), European starling (*Sturnus vulgaris*), rock pigeon (*Columba livia*), mourning dove (*Zenaidura macroura*), northern mockingbird (*Mimus polyglottos*), Brewer's blackbird (*Euphagus cyanocephalus*), western meadowlark (*Sturnella neglecta*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Mammal species directly observed, or of which sign was detected, included California ground squirrel (*Spermophilus beecheyi*), desert cottontail (*Sylvilagus auduboni*), and pocket gopher (*Thomomys bottae*).

Despite that fact that the site has been exposed to long-standing disturbances, BUOW often occur in less than optimal and/or disturbed conditions. If it were later determined that active nests of BUOW would be lost as a result of site-preparation, it could result in CEQA significant adverse impacts and would be in conflict with CDFW code sections. Although no BUOW were recorded on site, it is recommended by CDFW to complete an initial take avoidance survey no less than 14 days prior to initiating ground disturbance activities. Implementation of avoidance and minimization measures would be triggered by positive owl presence on the site where project activities would occur. The development of avoidance and minimization approaches would be evaluated by monitoring burrowing owls (if present on site). BUOW may re-colonize a site after only a few days. Time lapses between project activities





June 2017

- = Study Area
- = Residence/structure
- = Cultivation area
- = Spreading area (ruderal)
- = Detention basin area
- = Feed area
- = Gum tree row

plate 3

## Site Features Schematic

West Ontario Commerce Center

trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance (CDFW 2012).

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

Sincerely,

Ecological Sciences, Inc.



Scott D. Cameron  
Principal Biologist

## References

California Burrowing Owl Consortium. 1993. Burrowing Owl Survey Protocol and Mitigation Guidelines. April 1993. 12 pp.

California Burrowing Owl Consortium and The Santa Cruz Predatory Bird Research Group. [online]. Burrowing Owl Consortium Survey Protocol. Available: [www2.ucsc.edu/~scpborg](http://www2.ucsc.edu/~scpborg). (2000) May.

California Department of Fish and Game. 1995. Staff Report on Burrowing Owl Mitigation. C. F. Raysbrook Interim Director. October 17, 1995. 7 pp.

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Hickman, James C., ed. 1993. *The Jepson Manual*. University of California Press, Berkeley and Los Angeles, California. 1400 pp.

Zarn, M. 1974. Burrowing owl. U.S. Department of Interior, Bureau of Land Management. Technical Note T-N 250. Denver, Colorado. 25 pp. in California Department of Fish and Game (1995), Staff Report on Burrowing Owl Mitigation. C. F. Raysbrook Interim Director. October 17, 1995. 7 pp.



## ***General Habitat Assessment***

### ***±134.5-acre West Ontario Commerce Center Specific Plan***

***Site Location:***

City of Ontario  
San Bernardino County, California  
Corona North 7.5-minute Quadrangle Map  
Township 2 South, Range 7 West, Section 22

***Prepared for:***

Bill Goltermann  
Real Estate Development Associates (REDA)  
4100 MacArthur Boulevard, Ste. 120  
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***Prepared by:***

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Valencia, CA 91355  
scameron@ecosciencesinc.com  
805.921.0583

***Surveys Conducted by:***

Scott Cameron

***Surveys Conducted On:***

February 14, 2015, December 5, 2015  
Additional Surveys Initiated September 2017

***Combined Report Date:***

October 3, 2017





October 3, 2017

Bill Goltermann  
Real Estate Development Associates (REDA)  
4100 MacArthur Boulevard, Ste. 120  
Newport Beach, CA 92660

**SUBJECT:**     ***Results of a General Habitat Assessment; ±134.5-acre West Ontario Commerce Center Specific Plan, City of Ontario, San Bernardino County, California***

Dear Bill:

This letter report presents findings of a field survey conducted to generally evaluate the suitability of a ±134.5-acre project site to support sensitive biological resources. Results of this habitat assessment are intended to provide the applicant and resource agencies with preliminary biological information required for planning and permitting decisions concerning the proposed project.

### ***Introduction***

The project site is located in San Bernardino County, California (**Plate 1**). Specifically, the site is located in the City of Ontario north of Merrill Avenue, south of Eucalyptus Avenue, east of Carpenter Avenue, and west of Archibald Avenue. The site occurs on the "Corona North" California USGS 7.5-minute quadrangle map, Township 2 South, Range 7 West, Section 22 (**Plate 2**). Projects proposed in this area that contain potentially suitable habitat to support sensitive biological resources must demonstrate to reviewing agencies that potential project-related impacts to sensitive biological resources are adequately addressed and mitigated pursuant to the California Environmental Quality Act (CEQA) California Endangered Species Act (CESA), and the federal Endangered Species Act (Act) of 1973, as amended. Biological resources within the project site may fall under the jurisdiction of several federal and state agencies, including, but not necessarily limited to, California Department of Fish and Wildlife (CDFW/CDFG), U.S. Fish and Wildlife Service (FWS), County of San Bernardino (County), City of Ontario (City), Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE).

Due to the inherent limitations of unseasonal or habitat-based data, definitive conclusions regarding the actual presence or absence of certain sensitive biological resources cannot necessarily be made in this report. Therefore, conclusions relative to potential presence or absence of selected sensitive biological resources are based solely on the nature of habitat present. This general analysis of biological resources is based on information compiled through field reconnaissance, literature review, and by applicable reference materials. No focused surveys were conducted as part of this analysis.

### ***Investigative Methods***

#### ***Information Review***

Documentation pertinent to the biological resources in the vicinity of the site was reviewed and analyzed. Primary data sources reviewed to evaluate the occurrence potential of special-status resources on the subject site, included, but were not necessarily limited to: (1) California Natural Diversity Data Base

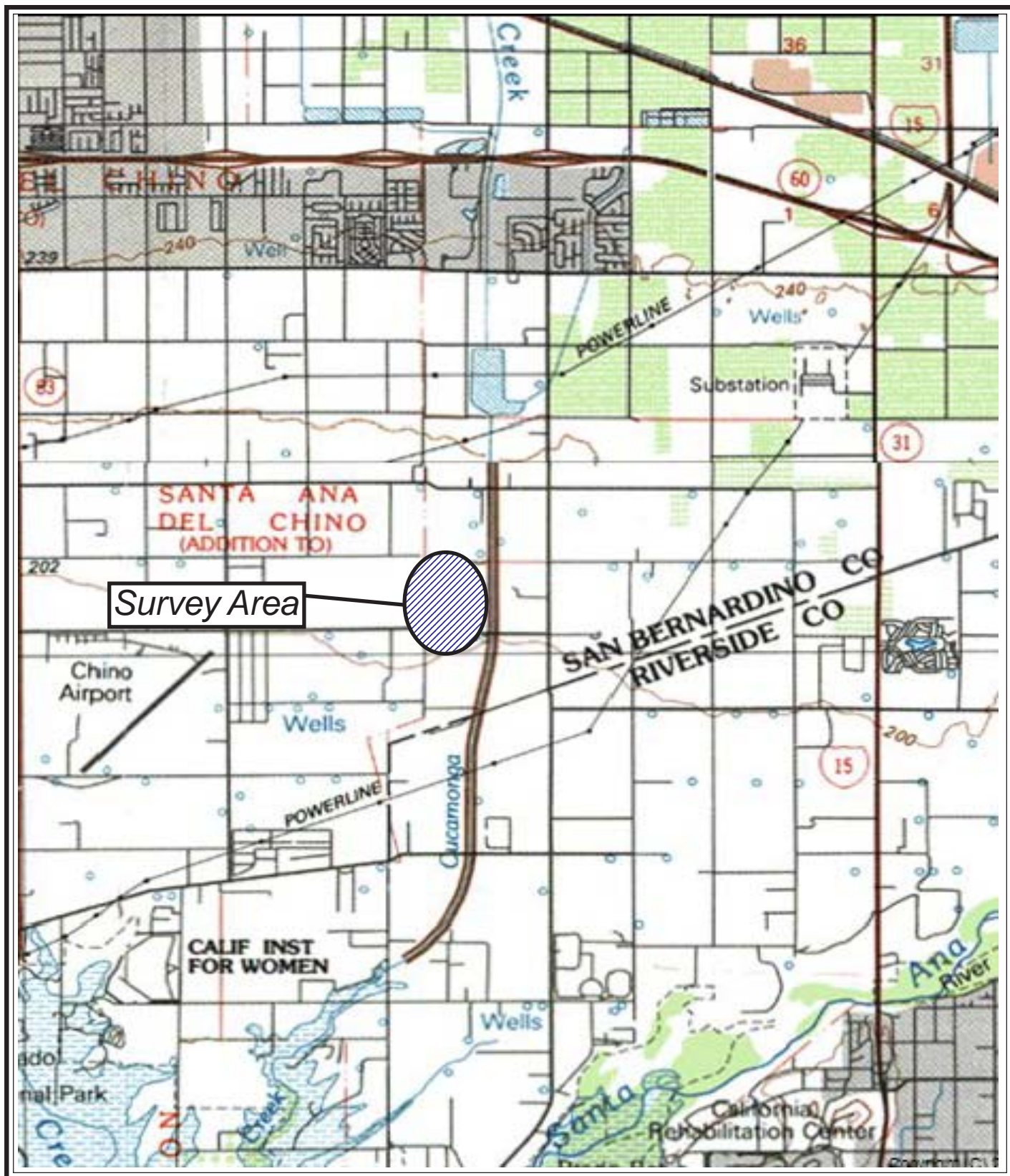


plate 1

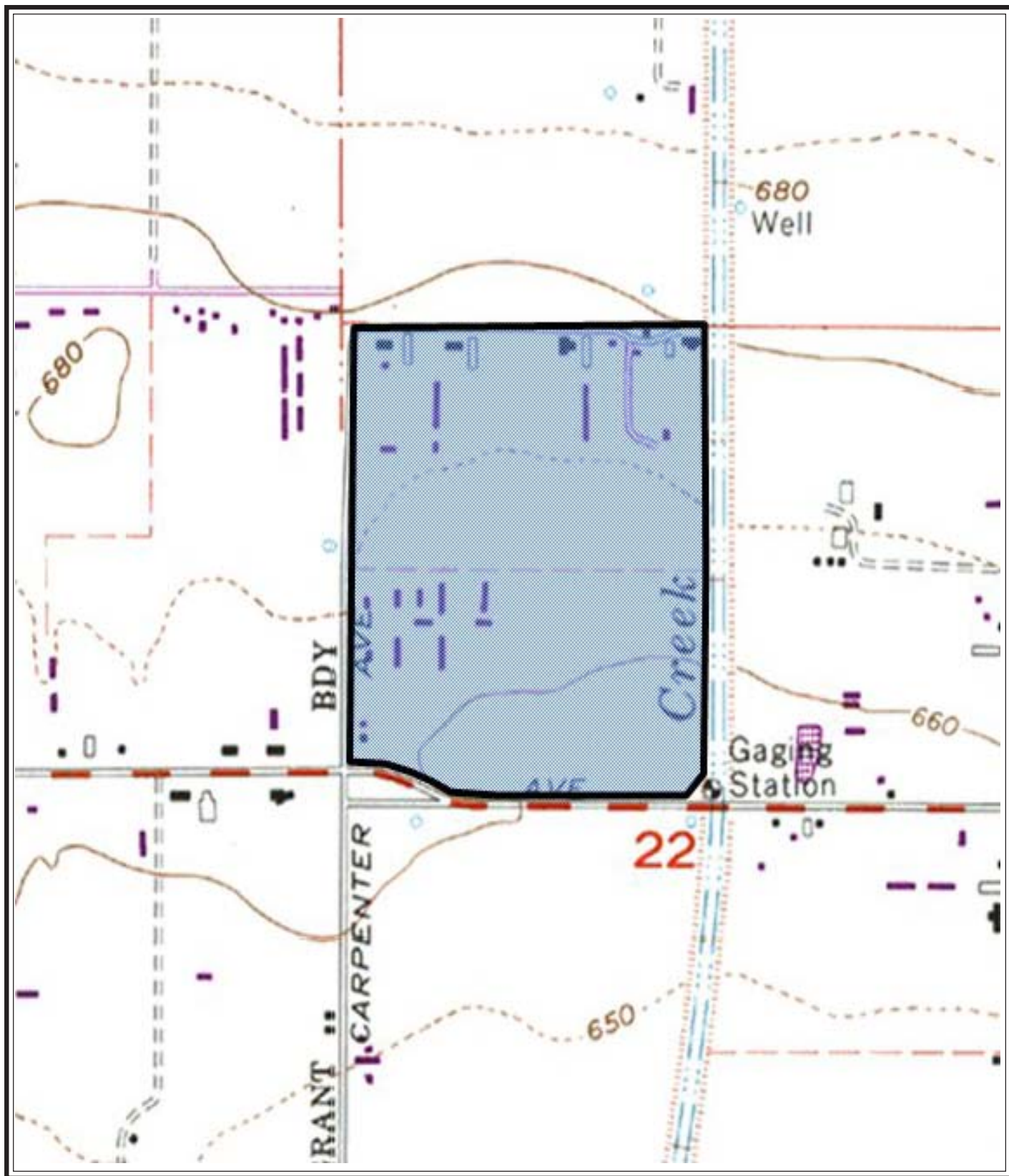
## Regional Site Location

West Ontario Commerce Center



June 2017





June 2017

 = Study Area Boundary

plate 2

**USGS Topographic Vicinity Map**

West Ontario Commerce Center

(CNDDDB 2017) and (2) California Native Plant Society (CNPS 2017) online inventory for the "Corona North" California USGS 7.5-minute quadrangle maps covering  $\pm 5$  miles or more from the project site; (3) available literature pertaining to habitat requirements of special-status species potentially occurring in the project site; (4) 2017 USFWS Information, Planning, and Conservation System Database (IPaC); and (5) historic distributional data contained in Hall (1981); Grinnell and Miller (1944); Garrett and Dunn (1981); Holland (1986); Stebbins (1985); Hickman (1993); and CNPS (2001).

### **2015 and 2017 Field Surveys**

Ecological Sciences Principal Biologist, Scott Cameron, conducted reconnaissance-level field surveys February 14, 2015 and December 5, 2015 to characterize on-site habitats and to evaluate their potential to support sensitive biological resources. Plant species and vegetation communities were primarily identified by walking transects throughout the site. All direct observations of wildlife were recorded, as was wildlife sign. In addition to species actually detected, expected use of the site by other wildlife was evaluated from habitat analysis of the site, combined with known habitat preferences of locally occurring wildlife species. The site was also evaluated for the potential presence of plant, animal, or habitats considered rare, threatened, sensitive, endangered, or otherwise unique by regulatory or resource agencies. Weather conditions during the February 2015 survey were clear and calm with air temperatures of approximately 78-85 °F. Weather conditions during the December 2015 survey were clear and calm with air temperatures of approximately 66-75 °F. Non-breeding focused BUOW surveys have been initiated on the site as of September 30, 2017. Completion date is expected in December 2017. Results would be presented in an addendum to this report.

### **Existing Biological Environment**

The subject site is characterized primarily as an active dairy operation. The site contains a single-family residence, multiple dairy-related structures (sheds, corrals, etc.), feeding preparation areas, numerous waste ponds/basins, cultivated/disc'd areas, manure spreading areas, debris dumping areas, and an abandoned dairy area. The peripheral ruderal/disturbed areas support mostly invasive, non-native annual species. Manure, associated with the ongoing dairy operation, is present throughout most of the site. Cattle feeding areas were barren ground covered in manure and mud. Surrounding land uses include agricultural areas similar to the subject site. **Plate 3** schematically illustrates site features. **Plates 4a-4d** photographically illustrate existing conditions. Site conditions present in 2015 had not significantly changed in 2017.

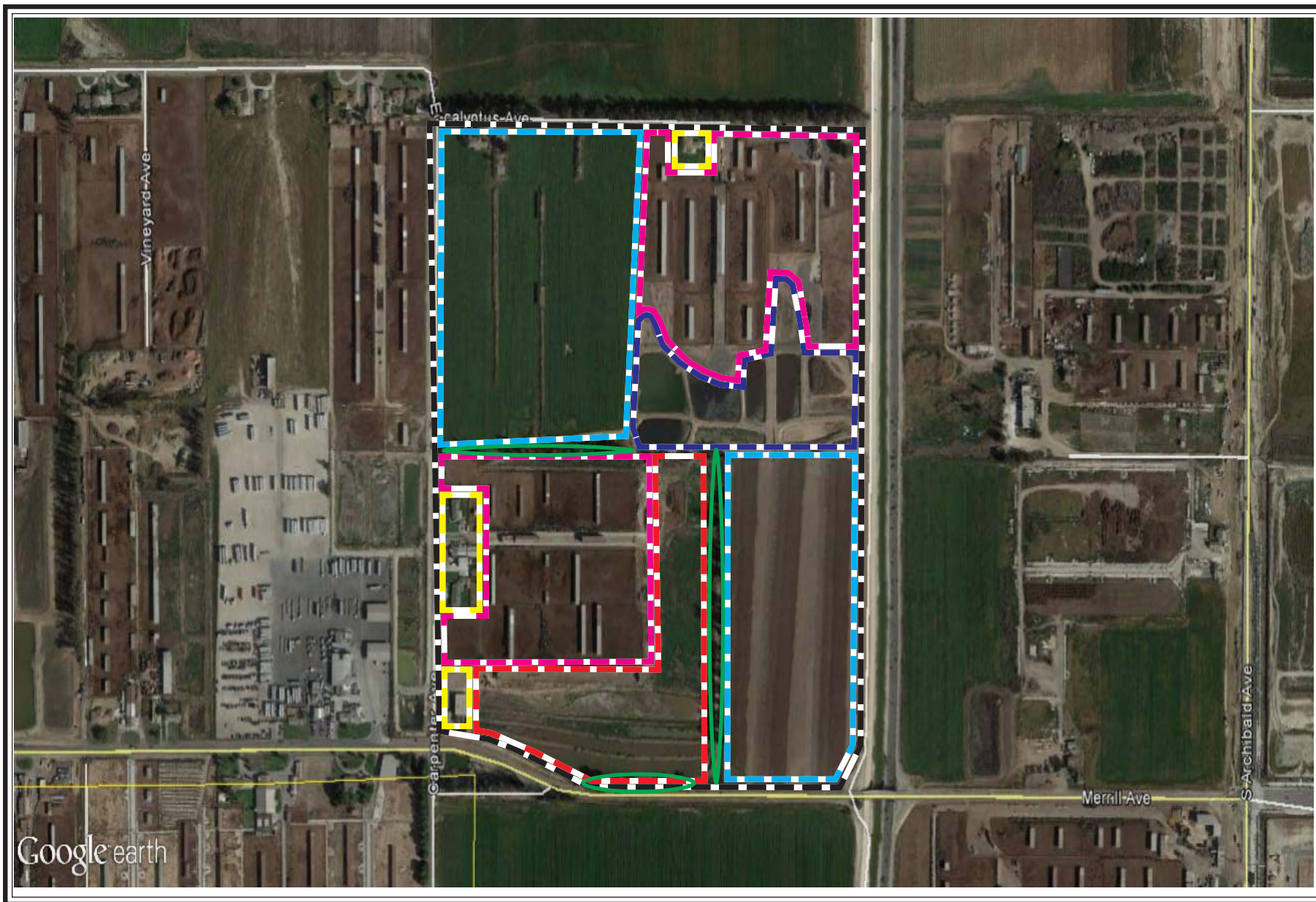
### **Vegetation**

Ruderal plants recorded on site included various non-native grasses and weedy species such as foxtail chess (*Bromus madritensis* spp. *rubens*), ripgut grass (*Bromus diandrus*), Bermuda grass (*Cynodon dactylon*), Mediterranean grass (*Schismus barbatus*), filaree (*Erodium* sp.), Lamb's quarter's (*Chenopodium album*), milk thistle (*Silybum marianum*), Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), black mustard (*Brassica nigra*), cheeseweed (*Malva parviflora*), nettle (*Urtica* sp.), tree tobacco (*Nicotiana glauca*), and gum (*Eucalyptus* sp.).

### **Wildlife**

Reptile species recorded on site included western fence lizard (*Sceloporus occidentalis*). Birds observed included those species that are accustomed to nearby human presence such as turkey vulture (*Cathartes aura*), red-tailed hawk (*Buteo jamaicensis*), common raven (*Corvus corax*), American crow (*Corvus brachyrhynchos*), Brewer's blackbird (*Euphagus cyanocephalus*), European starling (*Sturnus vulgaris*), rock dove (*Columba livia*), mourning dove (*Zenaida macroura*), house finch (*Carpodacus mexicanus*), and house sparrow (*Passer domesticus*). Common small mammals observed, or of which sign was detected, included California ground squirrel (*Spermophilus beecheyi*) and desert cottontail (*Sylvilagus auduboni*).





June 2017

- = Study Area
- = Residence/structure
- = Cultivation area
- = Spreading area (ruderal)
- = Detention basin area
- = Feed area
- = Gum tree row

plate 3

## Site Features Schematic

West Ontario Commerce Center



View to north



View to west





View to south



View to east



View to south



View to east



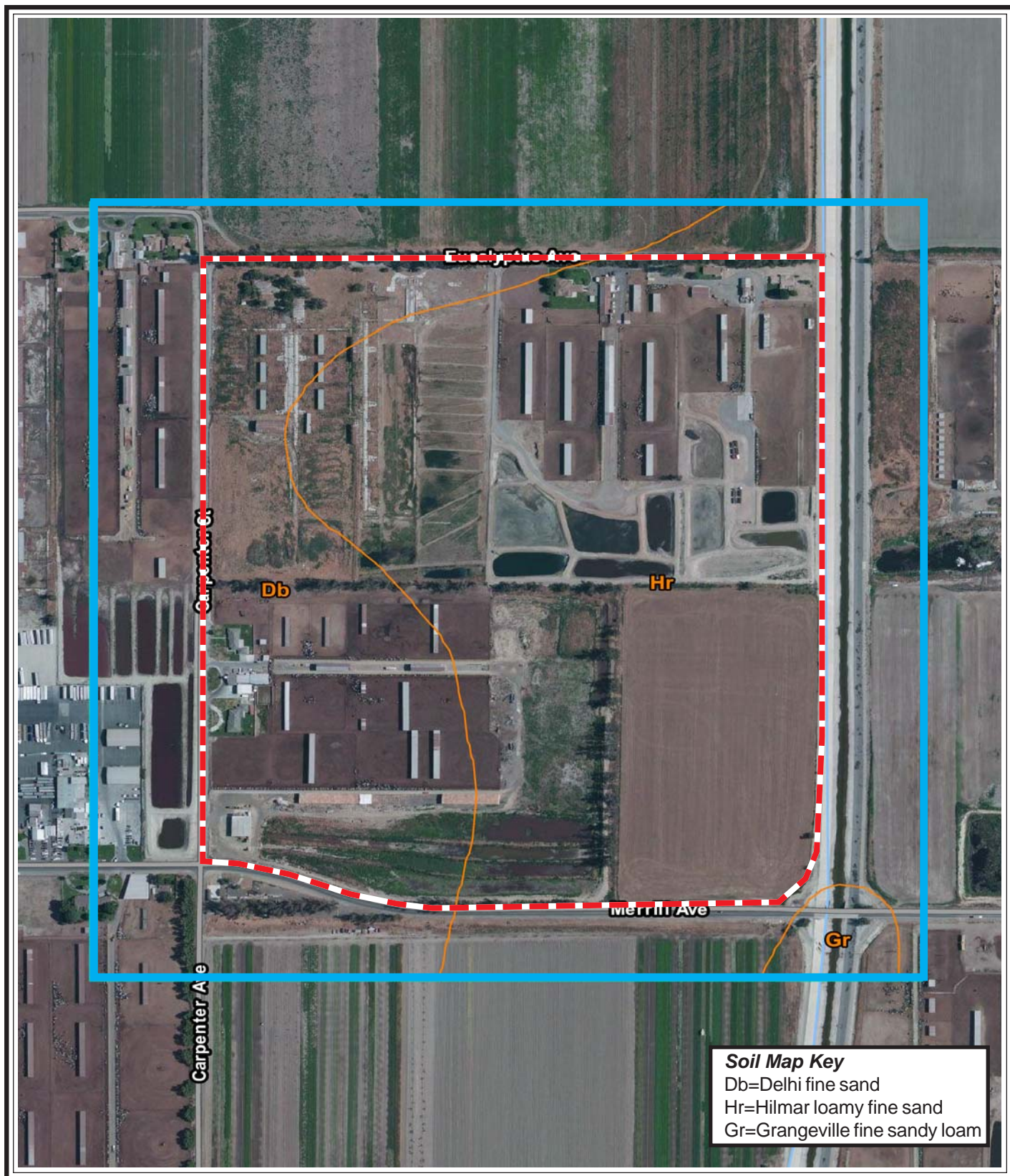


View to north



View to northwest





Source: Natural Resources Conservation Service (NRCS-website accessed December 2015)



June 2017

--- = Study Area Boundary  
 — = Extent of Soil Analysis

plate 5

## Project Area Soils

West Ontario Commerce Center

## General Soils Analysis / Soil Conservation Map Review

A review of soil maps prepared for the area by the Natural Resource Conservation Service (NRCS 2015) indicate that the subject site is located within an area mapped as containing Delhi fine sand (Db) and Hilmar loamy fine sand (Hr). However, recurring and long-standing anthropogenic site disturbances have significantly altered the site's mapped surface soil characteristics. A general soils analysis was conducted due to the close association of Db soils and Delhi sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*-DSFF), a federally-listed endangered species. No characteristic Db soils associated with potential DSFF habitat were recorded on site. **Plate 5** (previous) illustrates mapped soils.

## Sensitive Biological Resources Evaluation

Discussed in this section are plant and wildlife species potentially present in the study area that have been afforded special recognition by federal or state agencies. The focus of this discussion is on those species that would potentially pose considerable constraints on the proposed project because of their high sensitivity status (listed or proposed for listing as rare, threatened, or endangered) with state and/or federal resource agencies. In addition, plants included on Lists 1, 2, 3, or 4 of the CNPS inventory are also considered of special-status. Vegetation communities that are unique, of relatively limited distribution, or of particular value to wildlife and considered sensitive by state and/or federal resource agencies are also generally discussed.

In general, those species presented in **Tables 1 and 2** that are "not expected" or that have a "low occurrence potential" generally correspond to "less than significant" under CEQA. The occurrence potential of special-status plant and wildlife species is primarily based on habitat types present, occurrence records of sensitive species from the site vicinity, and results of the on-site reconnaissance surveys. No focused wildlife or botanical surveys were conducted.

### Special-Status Plant Species

No special-status plant species were detected on site during the reconnaissance survey and none are expected due to lack of suitable habitat. Special-status plant species known from the region that potentially occur within the project site are summarized below in **Table 1**.

**Table 1**

### Special-Status Plant Species Potentially Occurring in the Site Vicinity<sup>1</sup>

Common Name Scientific Name	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
Paniculate tarplant <i>Deinandra paniculata</i>	--	--	4	Valley grassland	<b>Low Potential:</b> marginally suitable habitat present
Coulter's saltbush <i>Atriplex coulteri</i>	--	--	1B	Coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grassland; sometimes associated with alkaline low places and clay soil.	<b>Not Expected:</b> suitable habitat not present
South Coast saltscale <i>Atriplex pacifica</i>	FSC	--	1B	Coastal bluff scrub, playas, chenopod scrub	<b>Not Expected:</b> suitable habitat not present
Long-spined spineflower <i>Chorizanthe polygonoides</i> var. <i>longispina</i>	FSC	--	1B	Chaparral, sage scrub, grasslands, often with clay soils	<b>Not Expected:</b> suitable habitat not present
California spineflower <i>Mucronea californica</i>	--	--	4	Chaparral, cismontane woodland, coastal dunes, coastal scrub, grasslands with sandy soils	<b>Not Expected:</b> suitable habitat not present

**Table 1-continued**

**Special-Status Plant Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name <i>Scientific Name</i>	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
Palmer's grapplinghook <i>Harpagonella palmeri</i>	FSC	--	2	Chaparral, grasslands, sage scrub with clay soils	<b>Not Expected:</b> suitable habitat not present
Round-leaved filaree <i>Erodium macrophyllum</i>	--	--	2	Cismontane woodland, valley and foothill grassland with clay soils	<b>Not Expected:</b> suitable habitat not present
California muhly <i>Muhlenbergia californica</i>	--	--	4	Chaparral, coastal scrub, lower montane coniferous forest; moist conditions	<b>Not Expected:</b> suitable habitat not present
Plummer's mariposa lily <i>Calochortus plummerae</i>	FSC	--	1B	Chaparral, cismontane woodlands, coastal scrub, Lower coniferous forests, and grasslands; associated with granitic soils.	<b>Not Expected:</b> suitable habitat not present
Intermediate mariposa lily <i>Calochortus weedii</i> var. <i>intermedius</i>	FSC	--	1B	Chaparral, coastal scrub, grasslands; often associated with dry, rocky, open slopes.	<b>Not Expected:</b> suitable habitat not present
Parry's spineflower <i>Chorizanthe parryi</i> ssp. <i>parryi</i>	FSC	--	3	Chaparral and coastal scrub; associated with sandy or rocky openings.	<b>Not Expected:</b> suitable habitat not present
Many-stemmed dudleya <i>Dudleya multicaulis</i>	FSC	--	1B	Chaparral, coastal scrub, and grasslands; often associated with clay soils.	<b>Not Expected:</b> suitable habitat not present
Santa Ana River woollystar <i>Eriastrum densifolium</i> ssp. <i>sanctorum</i>	FE	CE	1B	Coastal scrub, chaparral, and alluvial scrub; associated with sandy soil in river floodplains or terraced fluvial deposits.	<b>Not Expected:</b> suitable habitat not present
Smooth tarplant <i>Centromadia pungens</i> ssp. <i>laevis</i>	FSC	--	1B	Chenopod scrub, meadows, playas, riparian woodland, and valley and foothill grasslands; associated with alkaline areas.	<b>Not Expected:</b> suitable habitat not present
San Diego ambrosia <i>Ambrosia pumila</i>	FE	--	1B	Chaparral, coastal scrub, grasslands, vernal pools with sandy loam or clay soils (20-415M)	<b>Not Expected:</b> suitable habitat not present
Slender-horned spineflower <i>Dodecahema leptoceras</i>	FE	CE	1B	Chaparral, alluvial fan sage scrub; terraces and washes	<b>Not Expected:</b> suitable habitat not present
Many-stemmed dudleya <i>Dudleya multicaulis</i>	--	--	1B	Chaparral, coastal scrub, valley and foothill grassland/ often clay soils	<b>Not Expected:</b> suitable habitat not present
Coulter's goldfields <i>Lasthenia glabrata</i> ssp. <i>coulteri</i>	FSC	--	1B	Playas, vernal pools	<b>Not Expected:</b> suitable habitat not present
Heart-leaved pitcher sage <i>Lepechinia cardiophylla</i>	--	--	1B	Closed cone coniferous forest, chaparral, cismontane woodland	<b>Not Expected:</b> suitable habitat not present
Payson's jewel-flower <i>Caulanthus simulans</i>	--	--	4	Chaparral, coastal sage; burned areas; streambed; rocky slopes	<b>Not Expected:</b> suitable habitat not present
California saw-grass <i>Cladium californicum</i>	--	--	2	Freshwater and alkali marshes; seeps	<b>Not Expected:</b> suitable habitat not present
Mesa horkelia <i>Horkelia cuneata</i> ssp. <i>puberula</i>	--	--	1B	Chaparral, cismontane woodland, coastal scrub; sandy or gravelly	<b>Not Expected:</b> suitable habitat not present
Prostrate vernal pool navarretia <i>Navarretia prostrata</i>	--	--	1B	Valley and foothill grassland, coastal scrub, vernal pools	<b>Not Expected:</b> suitable habitat not present



**Table 1-continued**

**Special-Status Plant Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name <i>Scientific Name</i>	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
Santiago Peak phacelia <i>Phacelia suaveolens</i> ssp. <i>keckii</i>	--	--	1B	Closed cone coniferous forests and chaparral; sometimes along creeks	<b>Not Expected:</b> suitable habitat not present
San Bernardino aster <i>Symphotrichum defoliatum</i>	--	--	1B	Meadows and seeps, marshes and swamps; coastal scrub, woodlands; mesic grassland; ditches	<b>Not Expected:</b> suitable habitat not present
Robinson's pepper-grass <i>Lepidium virginicum</i> var. <i>robinsonii</i>	--	--	1B	Chaparral and coastal scrub; associated with dry soils; known to occur on roadsides.	<b>Not Expected:</b> suitable habitat not present
Chaparral sand verbena <i>Abronia villosa</i> var. <i>aurita</i>	--	--	1B	Chaparral, coastal scrub with sandy soils	<b>Not Expected:</b> suitable habitat not present
Salt spring checkerbloom <i>Sidalcea neomexicana</i>	--	--	2	Chaparral, coastal scrub, lower montane coniferous forest, Mohavean desert scrub, coastal brackish marsh, and alkali playas, seeps, and marshes; associated with moist, alkaline soils.	<b>Not Expected:</b> suitable habitat not present
Vernal barley <i>Hordeum intercedans</i>	--	--	3	Coastal dunes, coastal scrub, grasslands (saline flats and depressions)	<b>Not Expected:</b> suitable habitat not present
Southern California black walnut <i>Juglans californica</i> var. <i>californica</i>	--	--	4	Chaparral, cismontane woodland, coastal sage scrub	<b>Not Expected:</b> suitable habitat not present
Tecate cypress <i>Cupressus forbesii</i>	--	--	1B	Closed-cone coniferous forest; chaparral	<b>Not Expected:</b> suitable habitat not present

**TABLE 1 KEY:** <sup>1</sup>Based primarily on review of 2017 CNDDDB, 2017 CNPS online database, and 2017 USFWS IPaC; additional locality information derived from internal unpublished data, technical reports from the region, and other informal grey literature

**Status**

<b><u>Federal-USFWS</u></b>		<b><u>CNPS-California Native Plant Society</u></b>	
FE:	Federally Endangered	List 1A:	Plants presumed extinct in California.
FT:	Federally Threatened Species	List 1B:	Plants rare and endangered in California and elsewhere
FPE:	Federally Proposed Endangered	List 2:	Plants rare and endangered in California, but more common elsewhere
FPT:	Federally Proposed Threatened	List 3:	Taxa about which more information is needed
FC:	Federal Candidate Species (USFWS 1996)	List 4:	Plants of limited distribution
<b><u>State-CDFW</u></b>			
CE:	State Endangered		
CT:	State Threatened		
CR:	State Rare		

**Special-Status Wildlife Species**

No special-status wildlife species was directly observed on site. However, several species not observed during the survey may have a moderate or moderate-high occurrence potential (primarily as foragers). Most remaining potentially occurring sensitive wildlife species are not expected to occur on site due to lack of suitable habitat. Sensitive wildlife species potentially occurring on the project site are summarized below in **Table 2**.

Table 2

**Special-Status Wildlife Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name <i>Scientific Name</i>	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
INVERTEBRATES				
Delhi Sands flower-loving fly <i>Rhaphiomidas terminatus abdominalis</i>	FE	--	Open, sandy (Delhi) dune areas commonly supporting buckwheat, croton, telegraph weed, <i>Camissonia</i> and <i>Oenothera</i>	<b>Not Expected:</b> no suitable habitat present
Riverside fairy shrimp <i>Streptocephalus wootoni</i>	FE	--	Swales, vernal pools, and basins within grasslands and sage scrub habitats	<b>Not Expected;</b> suitable habitat not present
Vernal pool fairy shrimp <i>Branchinecta lynchi</i>	FT	--	Vernal pools or alkali vernal pools	<b>Not Expected;</b> suitable habitat not present
California linderiella <i>Linderiella occidentalis</i>	--	--	Vernal pools	<b>Not Expected;</b> suitable habitat not present
FISHES				
Santa Ana sucker <i>Catostomus santaanae</i>	FT	CSC	Small to medium-sized perennial streams	<b>Not Expected:</b> suitable habitat not present
Arroyo chub <i>Gila orcutti</i>	FSC	CSC	Slow moving or backwater sections of streams with sandy or mud substrates	<b>Not Expected:</b> suitable habitat not present
Santa Ana speckled dace <i>Rhinichthys osculus</i> spp. 3	--	CSC	Headwaters of Santa Ana and San Gabriel rivers with permanent flowing streams	<b>Not Expected:</b> suitable habitat not present
REPTILES AND AMPHIBIANS				
Arroyo toad <i>Anaxyrus californicus</i>	FE	CSC	Rivers with sandy banks and loose gravelly areas, open canopy	<b>Not Expected:</b> suitable habitat not present
Western spadefoot toad <i>Spea hammondi</i>	--	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil	<b>Not Expected:</b> suitable habitat not present
San Diego banded gecko <i>Coleonyx variegatus abbotti</i>	--	--	Coastal and cismontane southern California; granite or rocky outcrops in coastal scrub and chaparral	<b>Not Expected:</b> suitable habitat not present
San Diego horned lizard <i>Phrynosoma coronatum blainvillii</i>	FSC	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil.	<b>Not Expected:</b> suitable habitat not present
Coast horned lizard <i>Phrynosoma blainvillii</i>	--	CSC	Lowlands along sandy washes; scattered low shrubs; loose soil; abundant supply of ants	<b>Not Expected:</b> suitable habitat not present
Silvery legless lizard <i>Anniella pulchra pulchra</i>	FSC	CSC	Stabilized dunes, beaches, dry washes, pine, oak, and riparian woodlands, and chaparral; associated with sparse vegetation with sandy or loose, loamy soils.	<b>Not Expected:</b> suitable habitat present
Orange-throated whiptail <i>Aspidoscelis hyperythrus</i>	--	--	Relatively open grasslands, scrublands, and woodlands with fine, loose soil	<b>Not Expected:</b> suitable habitat not present
Coastal western whiptail <i>Aspidoscelis tigris multiscutatus</i>	--	◆	Sage scrub, chaparral, grassland	<b>Not Expected:</b> suitable habitat not present
Northern red diamond rattlesnake <i>Crotalus ruber ruber</i>	--	CSC	Sage scrub, chaparral, grasslands	<b>Not Expected:</b> suitable habitat not present
Southwestern pond turtle <i>Clemmys marmorata pallida</i>	--	CSC	Permanent or nearly permanent bodies of water with basking sites	<b>Not Expected:</b> suitable habitat not present
San Diego mountain kingsnake <i>Lampropeltis zonata pulchra</i>	FSC	CSC	Forests and shrublands	<b>Not Expected:</b> suitable habitat not present
Two-striped garter snake <i>Thamnophis hammondi</i>	--	CSC	Highly aquatic, near permanent fresh water; streams with rocky beds, riparian	<b>Not Expected:</b> suitable habitat not present
San Bernardino ringneck snake <i>Diadophis punctatus modestus</i>	FSC	--	Woodlands, grassland, chaparral, and scrub habitats; often found in mesic areas under rocks, logs, and debris.	<b>Not Expected:</b> no suitable habitat present

Table 2-continued

**Special-Status Wildlife Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name <i>Scientific Name</i>	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
BIRDS				
White-tailed kite <i>Elanus leucurus</i>	MNBMC	CFP	Open vegetation and uses dense woodlands for cover.	<b>Low Potential:</b> possibly forages over the site; no suitable nesting habitat present
Northern harrier <i>Circus cyaneus</i>	--	CSC	Coastal salt marsh, freshwater marsh, grasslands, and agricultural fields.	<b>Low-Moderate Potential:</b> possibly forages over the site; no suitable nesting habitat present
Sharp-shinned hawk <i>Accipiter striatus</i>	--	CSC	Woodlands and forages over dense chaparral and scrublands.	<b>Low Potential:</b> possibly forages over the site as seasonal winter migrant; no suitable nesting habitat present
Cooper's hawk <i>Accipiter cooperi</i>	--	CSC	Dense stands of live oaks and riparian woodlands.	<b>Low-Moderate Potential:</b> possibly forages over the site; no suitable nesting habitat present
Ferruginous hawk <i>Buteo regalis</i>	FSC, MNBMC	CSC	Grasslands, agricultural fields, and open scrublands.	<b>Low-Moderate Potential:</b> possibly forages over the site as seasonal migrant; does not breed in area
Golden eagle <i>Aquila chrysaetos</i>	--	CSC, CFP	Mountains, deserts, and open country.	<b>Low Potential:</b> species known from project vicinity and may forage over the site; no suitable nesting habitat present
Prairie falcon <i>Falco mexicanus</i>	--	CSC	Grasslands, savannas, rangeland, agricultural fields, and desert scrub; requires sheltered cliff faces for shelter.	<b>Low-Moderate Potential:</b> may forage over the site in winter; no suitable nesting habitat present
Western burrowing owl <i>Athene cunicularia hypugea</i>	FSC, MNBMC	CSC	Grasslands and open scrub.	<b>Moderate Potential:</b> potentially suitable habitat present.
California horned lark <i>Eremophila alpestris actia</i>	--	CSC	Grasslands, disturbed areas, agriculture fields, and beach areas.	<b>Moderate-High Potential:</b> potentially suitable foraging habitat present
Loggerhead shrike <i>Lanius ludovicianus</i>	FSC, MNBMC	CSC	Grasslands with scattered shrubs, trees, fences or other perches.	<b>Moderate-High Potential:</b> suitable habitat present
California coastal gnatcatcher <i>Polioptila californica</i>	FT	CSC	Coastal sage scrub in areas of flat or gently sloping terrain	<b>Not Expected:</b> suitable habitat not present
Least Bell's vireo <i>Vireo bellii pusillus</i>	FE	CE	Willow dominated riparian habitat with dense understory	<b>Not expected;</b> suitable habitat not present
Southwestern willow flycatcher <i>Empidonax traillii eximus</i>	FE	--	Riparian habitats along rivers, streams, or other wetlands usually with standing water	<b>Not expected;</b> suitable habitat not present
Western yellow-billed cuckoo <i>Coccyzus americanus occidentalis</i>	--	CE	Riparian forest nester, lower flood-bottoms of larger river systems	<b>Not Expected:</b> suitable habitat not present
Yellow warbler <i>Dendroica petechia</i>	--	CSC	Riparian thickets and woodlands	<b>Not Expected:</b> suitable habitat not present
Yellow-breasted chat <i>Icteria virens</i>	--	CSC	Riparian thickets and riparian woodlands with dense understory	<b>Not Expected:</b> suitable habitat not present
Mountain plover <i>Charadrius montanus</i>	PT	CSC	Agricultural areas, fallow fields, grasslands, prairies	<b>Not Expected:</b> suitable habitat not present

Table 2-continued

**Special-Status Wildlife Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
Coastal cactus wren <i>Campylorhynchus brunneicapillus couesi</i>	--	CSC	Desert succulent scrub, desert wash, scrub and chaparral habitats with cactus	<b>Not Expected:</b> suitable habitat not present
S. California rufous-crowned sparrow <i>Aimophila ruficeps canescens</i>	--	CSC	Coastal sage scrub, grasslands	<b>Not Expected:</b> suitable habitat not present
Grasshopper sparrow <i>Ammodramus savannarum</i>	MNBMC	--	Coastal sage scrub, grassland	<b>Not Expected:</b> suitable habitat not present
Bell's sage sparrow <i>Amphispiza belli belli</i>	MNBMC	CSC	Coastal sage scrub, chaparral	<b>Not Expected:</b> suitable habitat not present
Tricolored blackbird <i>Agelaius tricolor</i>	--	CSC, CCE	Marshes for nesting; forages in fields and scrub habitats	<b>Low Potential:</b> marginally suitable foraging habitat present
<b>MAMMALS</b>				
Long-eared myotis <i>Myotis evotis</i>	FSC	--	Found in nearly all brush, woodland, and forest habitats from sea level to at least 9,000 ft.	<b>Low Potential:</b> limited foraging and roosting habitat present
Small-footed myotis <i>Myotis ciliolabrum</i>	FSC	--	Arid wooded and brushy uplands near water from sea level to at least 9,000 ft.	<b>Low Potential:</b> limited foraging and roosting habitat present
Fringed myotis <i>Myotis thysanodes</i>	FSC	--	Utilizes open habitats and early successional stages, streams, lakes, and ponds from sea level to at least 9,350 ft.	<b>Low Potential:</b> limited foraging and roosting habitat present
Long-legged myotis <i>Myotis volans</i>	FSC	--	Found in nearly all brush, woodland, and forested habitats from sea level to around 9,000 ft.; a bat primarily of coniferous forests	<b>Low Potential:</b> limited foraging and roosting habitat present
Yuma myotis <i>Myotis yumanensis</i>	FSC	CSC	Found in a variety of habitats; optimal habitats are open forests and woodlands with sources of water over within to feed	<b>Low Potential:</b> limited foraging and roosting habitat present
Spotted bat <i>Euderma maculata</i>	FSC	CSC	Deserts, scrublands, chaparral, and coniferous woodlands; highly associated with prominent rock features	<b>Low Potential:</b> limited foraging and roosting habitat present
Pale big-eared bat <i>Corynorhinus townsendii pallescens</i>	FSC Full Species	CSC Full Sp.	Utilizes a variety of communities, including conifer and oak woodlands and forests, arid grasslands and deserts, and high-elevation forests and meadows	<b>Low Potential:</b> limited foraging and roosting habitat present
Pallid bat <i>Antrozous pallidus</i>	--	CSC	Arid habitats, including grasslands, shrublands, woodlands, and forests; prefers rocky outcrops, cliffs, and crevices with access to open habitats for foraging	<b>Low Potential:</b> limited foraging and roosting habitat present
Western mastiff bat <i>Eumops perotis</i>	FSC (ssp. <i>californicus</i> )	CSC	Primarily arid lowlands and coastal basins with rugged, rocky terrain, along with suitable crevices for day-roosts; primarily a cliff-dweller	<b>Low Potential:</b> limited foraging and roosting habitat present
Pocketed free-tailed bat <i>Nyctinomops femorosaccus</i>	--	CSC	Pine juniper woodlands, desert scrub, palm oasis, desert wash, desert riparian; rocky areas with high cliffs	<b>Not Expected:</b> suitable habitat not present
Big free-tailed bat <i>Nyctinomops macrotis</i>	--	--	Low lying arid areas in California; needs high cliffs or rocky outcrops for roosting	<b>Not Expected:</b> suitable habitat not present
Western yellow bat <i>Lasurus xanthinus</i>	--	CSC	Valley foothill riparian, desert riparian, palm oasis	<b>Not Expected:</b> suitable habitat not present
San Diego desert woodrat <i>Neotoma lepida intermedia</i>	--	CSC	Moderate to dense sage scrub; rocky outcrops	<b>Not Expected:</b> suitable habitat not present



**Table 2-continued**

**Special-Status Wildlife Species Potentially Occurring in the Site Vicinity<sup>1</sup>**

Common Name Scientific Name	Status		Habitat Requirements	Occurrence Potential
	Federal	State		
San Diego black-tailed jackrabbit <i>Lepus californicus bennettii</i>	FSC	CSC	Chaparral, coastal scrub, grasslands	<b>Low Potential:</b> marginally suitable habitat present
Northwestern San Diego pocket mouse <i>Chaetodipus fallax fallax</i>	--	CSC	Open shrublands, sandy areas	<b>Not Expected:</b> suitable habitat not present
Los Angeles pocket mouse <i>Perognathus longimembris brevinasus</i>	FSC	CSC	Grasslands and coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	<b>Not Expected:</b> suitable habitat not present
San Bernardino kangaroo rat <i>Dipodomys merriami parvus</i>	FE	CSC	Coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	<b>Not Expected:</b> suitable habitat not present
Stephens' kangaroo rat <i>Dipodomys stephensi</i>	FE	CE	Grasslands, open sage scrub	<b>Not Expected:</b> no suitable habitat present

**TABLE 2 KEY:** <sup>1</sup>Based primarily on review of 2017 CNDDDB and 2017 USFWS IPaC; additional locality information derived from internal unpublished data, technical reports from the region, and other informal grey literature regarding species accounts

**Status:**

<u>Federal-USFWS</u>	<u>State-CDFW</u>
FE: Federally Endangered	CE: California Endangered
FT: Federally Threatened	CT: California Threatened
FPE: Federally Proposed Endangered	CCE: California Candidate (Endangered)
FPT: Federally Proposed Threatened	CCT: California Candidate (Threatened)
FC: Federal Candidate for listing as threatened or endangered	CFP: California Fully Protected
FSC: Federal Species of Concern- no formal protection is granted to this designation-former federal candidate species USFWS (1996)	CP: California Fully Protected
MNBMC: Migratory Nongame Birds of Management Concern	CSC: California Species of Special Concern
	♦: CDFG Special Animal

**Special-Status Habitats**

Special-status habitat types are vegetation communities that support concentrations of sensitive plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife. Although sensitive habitats are not necessarily afforded legal protection unless they support protected species, potential impacts to them may increase concerns and mitigation suggestions by resources agencies. Sensitive habitat types known from the site vicinity include Riversidean Alluvial Fan Sage Scrub, Southern California Arroyo Chub/Santa Ana Sucker Stream, Southern Coast Live Oak Forest, Southern Cottonwood Willow Riparian Forest, Southern Interior Cypress Forest, Southern Riparian Forest, Southern Sycamore Alder Riparian Woodland, and Southern Willow Scrub. None of these native or special-status habitats were recorded on site.

**Jurisdictional Resources**

Based on the field investigation conducted by Ecological Sciences, USACE “waters of the United States” per Sections 401 and 404 of the Federal Clean Water Act and “streambeds” per Section 1600-1603 of the CDFW Code were not observed on the property. The on-site detention basins were listed in the FWS National Wetlands Inventory (IPaC 2017) as freshwater ponds. However, these basins would not

be subject to federal wetland regulatory requirements and would not be considered freshwater ponds. These ponds are isolated from and lack connectivity to adjacent jurisdictional resource such as the Cucamonga Creek Flood Control Channel located to the east of the site with no significant nexus.

### **Wildlife Movement Corridors**

The project site is essentially surrounded by existing development, and therefore, it is highly unlikely that the subject site occupies an important location relative to regional wildlife movement. As such, project implementation would not be expected to have any substantial effect on local or regional wildlife movement.

### **Discussion**

The level of constraint that a sensitive biological resource would pose to potential development typically depends on the following criteria: (1) the relative value of that resource; (2) the amount or degree of impact to the resource; (3) whether or not impacts to the resource would be in violation of state and/or federal regulations or laws; (4) whether or not impacts to the resource would require permitting by resource agencies; and (5) the degree to which impacts on the resource would otherwise be considered “significant” under CEQA. On-site habitats have been assigned a relatively low biological constraint rating based on the degree in which expected impacts to on-site resources would meet the criteria discussed above. This designation is primarily due to the generally high level of site disturbances (associated with recurring and historic anthropogenic dairy/agricultural disturbances) resulting in low biological diversity (i.e., replacement and exclusion of many native species with fewer non-native species) and an overall low potential for special-status species to utilize or reside within areas proposed for development (due to absence of suitable habitat).

No **special-status plant species** are expected on site due to lack of suitable habitat. The intent of the botanical survey was to generally evaluate the potential of the site to support sensitive plant species based on existing site conditions and habitat types present. Long-standing weed abatement/fire break discing and other anthropogenic disturbances have likely altered soil chemistry and other substrate characteristics such that on-site soils may not currently be capable of supporting those sensitive plant species known from the site vicinity. Site development would not eliminate significant amounts of habitat for potentially occurring special-status plant species, nor reduce population size of sensitive plant species below self-sustaining levels on a local or regional basis (if present). No CEQA significant impacts are expected.

No **special-status wildlife species** were directly recorded on site, however, the California horned lark and loggerhead shrike have moderate-high occurrence potential because they are well known to utilize agricultural areas. However, these species were deemed by FWS to be too widespread and common to warrant listing as threatened or endangered, and as such, were removed from formal sensitive species status. Impacts to agricultural-related habitats could amount to an incremental reduction of potential foraging habitat for certain species that may be considered locally adverse. However, site development would not eliminate significant amounts of habitat for these species, nor reduce population size below self-sustaining levels on a local or regional basis. No CEQA significant impacts to these species would be expected.

No direct observations or **western burrowing owl (BUOW)** sign (feathers, pellets, fecal material, prey remains, etc.) were recorded during the reconnaissance-level survey. However, several California ground squirrel burrows potentially suitable to accommodate BUOW were recorded on site. None of the potential burrows inspected during the survey effort were determined to be currently occupied or recently used by BUOW based on the lack of owl observations and absence of sign around burrow entrances. Despite that fact that the site has been exposed to long-standing disturbances, the BUOW (moderate occurrence potential) often occur in less than optimal and/or disturbed conditions. While this species is not protected by state or federal endangered species acts, burrowing owls (and other native avian species)

are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and CDFW Code sections 3503, 3503.5, and 3800 which prohibits take, possession, or destruction of birds, their nests or eggs (in particular raptor species such as BUOW). If it were later determined that active nests of BUOW (or other native species) would be lost as a result of site-preparation, it could result in CEQA significant adverse impacts and would be in conflict with these regulations.

Specific burrowing owl survey protocol and mitigation guidelines were developed and described in the 2012 CDFG Staff Report on Burrowing Owl Mitigation in order to reduce project-related impacts to burrowing owls. If site preparation activities occur within potential BUOW habitat, a ***pre-construction burrowing owl / Initial Take Avoidance Survey*** conducted no less than 14 days prior to initiating ground disturbance activities using the recommended methods described in the 2012 Staff Report is required by CDFG to determine if active nests of species protected by the MBTA and/or CDFG codes are present in the construction zone for CEQA compliance and to subsequently evaluate appropriate measures that may reduce potential adverse project-related impacts.

Implementation of avoidance and minimization measures would be triggered by positive BUOW presence on the site where project activities would occur. The development of avoidance and minimization approaches would be developed by monitoring the BUOW. BUOW may re-colonize a site after only a few days. Time lapses (i.e. construction delays) between project activities would trigger subsequent take avoidance surveys including but not limited to a final survey conducted within 24 hours prior to ground disturbance (CDFG 2012). Should eggs or fledglings be discovered in any owl burrow or native nest, these resources cannot be disturbed (pursuant to CDFG guidelines) until the young have hatched and fledged (matured to a stage that they can leave the nest on their own). Take of active nests should always be avoided. If owls must be moved away from the disturbance area, *passive* relocation techniques (where applicable outside of the breeding season before breeding behavior is exhibited and after the burrow is confirmed empty by site surveillance) should be used rather than trapping (2012 CDFG Staff Report). If burrow exclusion and/or burrow closure is implemented, BUOWs should not be excluded from burrows unless or until: (1) a Burrowing Owl Exclusion Plan is developed and approved by the applicable local CDFW office; and (2) permanent loss of occupied burrow(s) and habitat is mitigated in accordance with the Mitigating Impacts (CDFG 2012).

Development of the proposed project would remove disturbed/ruderal, cultivated, and disced fields potentially suitable for foraging by several species of ***special-status raptors*** during winter or migration periods. Because most potentially occurring raptor species are very widespread and roam over large areas of foraging territory, these losses would amount to an incremental reduction of seasonal foraging habitat and occasional use areas that could be considered locally adverse. Impacts to raptors that may forage occasionally onsite would be incremental in nature, related to the cumulative regional loss of foraging habitat. The contribution of the proposed project in this regard would be not significant. However, site development would not likely eliminate significant amounts of foraging habitat for these special-status species, nor reduce population size below self-sustaining levels on a regional basis.

No nesting birds were incidentally observed during surveys conducted on the subject site in February or December 2015. Although many ***native bird species*** are not protected by state or federal/state endangered species acts, most are protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and CDFG Code sections 3503, 3503.5, and 3800 which prohibits take, possession, or destruction of birds, their nests or eggs. If it were later determined that active nests of any of special-status or native species would be lost or indirectly impacted as a result of site-preparation, it could result in adverse impacts and would be in conflict with these regulations. If construction activities (e.g., tree removal) are proposed during the nesting season, a nesting bird survey may be required prior to development. Development activities performed outside of the avian breeding season (generally September 1 to December 31) usually eliminates the need to conduct pre-activity nesting surveys for most native species known from the site vicinity, and ensure that there were no constraints to construction relative to the MBTA/CDFG code. Compliance with the MBTA and CDFG codes would be necessary prior to development; however no special permit or approval is typically required in most instances where owls are not present. Development activities performed outside of the avian breeding



season would generally eliminate the need to conduct pre-activity nesting surveys for most common native species (other than BUOW) known from the site vicinity, and likely ensure that there were no constraints to construction relative to the MBTA/CDFG codes.

Although not expected on site due to absence of preferred nesting habitat, the **tricolored blackbird** would need to be considered under CESA due to its current status as endangered. According to Grinnell and Miller (1944), tricolored blackbird habitat in the nesting season was found in the “vicinity of fresh water, especially marshy areas. The most favored sites for colonies are heavy growths of cattails and tules, but even when these are available, other vegetation may be resorted to for nesting: sedges, nettles, willows, thistles, mustard, blackberry, wild rose, foxtail grass, barley, etc.” Meese *et al.* 2014 summarized tricolored blackbird breeding habitat requirements as a nesting substrate that is relatively impenetrable or is flooded, is adjacent to water, and is within a few kilometers of foraging areas such as rangeland, alfalfa or cut hay, or irrigated pasture, with adequate insect prey. Meese *et al.* (2014) wrote that the tricolored blackbird’s preferred winter roosting sites included “cattail and bulrush marshes near suitable foraging areas in pasturelands, recently cultivated croplands, and livestock feedstores” (in Report to the Fish and Game Commission, Evaluation of the Petition from the Center for Biological Diversity to List Tricolored Blackbird (*Agelaius tricolor*), CDFW March 2015).

Hamilton (2003) stated that “Tricolored blackbird colony sites require nesting substrates offering protection from predation. These include emergent marsh vegetation (cattails, *Typha latifolia*, less frequently *T. angustifolia*), bulrushes (*Schoenoplectus californicus*, *S. acutus*) and Himalayan blackberries (*Rubus discolor*) thickets, thistle, and nettles. Tricolored blackbirds do not settle in grain, hay, silage, or cut-feed fields before grain forms seed awns or spiny or prickly weeds develop in them. We assume that grain fields are identified as spiny vegetation by tricolors” (in CDFW 2015). Based on this general habitat analysis, absence of breeding habitat, and that no known colony sites are present in the site vicinity, no significant impacts are expected either to potential breeding or foraging habitat under CESA or CEQA.

Because many North American **bat species** tend to congregate at preferred roosting sites or at isolated water sources, several field methods are available to identify species and broad habitat associations (e.g., tree cavities, exfoliating bark, bark fissures, crevices, cliff faces, and/or dense foliage). Acoustic surveys convert the ultrasonic echolocation signals of bats into audible electronic signals, which can be recorded and processed to assist in identification of the species. If construction activities (e.g., tree removal) are proposed during the breeding season, acoustic bat surveys may be required prior to development to determine current roosting status and species present. The breeding season of native bat species in California is generally from April 1 through August 31. CDFW shall be notified of any active maternity roosts within the construction zone. If non-maternity day roosts or hibernacula are found in trees scheduled to be removed, in crevices or man-made structures within the grading footprint, the individuals will be safely evicted following approved CDFW guidelines developed specifically for the species and location. No special-status bat species are expected to occur on site due to absence of preferred habitat.

Large trees, especially those with loose bark and cavities, should be considered potential bat roosting habitat. If large trees must be removed, and have been determined not to support a maternity roost, each tree should be removed using a two-step process and monitored by a qualified biologist. During the first step, branches and foliage of the tree are removed using a chainsaw. This step should be conducted as close to dusk as possible. Chainsaws create noise and vibration and physically alter the tree, thereby encouraging bats to abandon the roost. The second step is removal of the remainder of the tree, which should take place the day after removal of branches and foliage, as close to dusk as possible. Existing trees in adjacent areas may be adequate mitigation or artificial roosts sites could be constructed in consultation with CDFW to ensure suitable roosting habitat is made available to compensate for the loss of the roosting site within the study area to a less than significant level under CEQA. Results of bats surveys would determine specific measures if applicable.

Habitat present within the project site does not represent critical optimal habitat for sensitive plant or

wildlife species, and the site does not occupy an important or strategic position as a wildlife corridor. At this time, the losses resulting from the project could be, for the most part, important on a local rather than regional level. When viewed individually, it may be possible for projects in the site vicinity (which contribute to the cumulative loss of habitat) to mitigate potential project-specific significant impacts through the implementation of appropriate mitigation.

## **Conclusion**

Results of the general habitat assessment conducted in February and December 2015, and preliminary results from focused non-breeding season BUOW surveys initiated in September 2017, indicate that habitats located within the  $\pm 134.5$ -acre site generally represent low biological resource values based on the degree in which expected impacts to on-site resources would meet CEQA criteria discussed above and the context in which they occur (e.g., highly disturbed site conditions present in a predominantly degraded and isolated environment). The existing degraded condition of the site is the direct consequence of long-standing and historic dairy/agricultural uses resulting in low biological diversity (e.g., dominance of non-native species), absence of special-status plant communities, and overall low potential for most special-status species to utilize or reside on site. Construction activities would not be expected to directly impact federal- or state-listed threatened or endangered species, jeopardize the continued existence of listed species (or special-status species), nor directly impact designated critical habitat. Site development would also not be expected to substantially alter the diversity of plants or wildlife in the area because of current degraded site conditions. The loss of these habitats would not be expected to substantially affect special-status resources or cause a population of sensitive plant or wildlife species to drop below self-sustaining levels.

Although no native habitat types are present, and no listed species (currently protected by state or federal endangered species acts) are expected to occur due to absence of suitable habitat, the potential presence of certain special-status species (e.g., nesting birds/roosting bats) may impose some degree of constraint to development depending upon the nature of both direct and indirect impacts on these resources, as well as on the particular species and seasonal timing of construction activities. During permitting procedures, certain measures (detailed above) to avoid or further reduce project-related impacts to potentially occurring sensitive biological resources may be necessary pursuant to CEQA. Expected impacts associated with development of the site would not alter conclusions and/or recommendations reached in our 2015 reports, as existing site conditions were determined to have not been significantly changed or modified in 2017.

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

Sincerely,

Ecological Sciences, Inc.



Scott D. Cameron  
Principal Biologist

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