

GENERAL BIOLOGICAL RESOURCES ASSESSMENT

**GLEN HELEN, SAN BERNARDINO COUNTY, CALIFORNIA
(Township 2 North, Range 5 West, Section 34)
APN 0349-182-11**

Prepared for:

Geo-Cal, Inc.

Prepared by:

**RCA Associates, Inc.
15555 Main Street, #D4-235
Hesperia, California 92345
(760) 596-0017**

Principal Investigators:

**Ryan Hunter, Lead Environmental Scientist/Biologist
Brian Bunyi, Environmental Scientist/Wildlife Biologist
Jessica Hensley, Environmental Scientist/Biologist**



Project: #2022-85 BA

July 11, 2022

(Updated)

TITLE PAGE

Date Report Written: July 11, 2022 (Updated)

Date Field Work Completed: June 17, 2022

Report Title: General Biological Resources Assessment

Project Location: Glen Helen, California
APN 0349-182-11

Prepared for: Geo-Cal, Inc.

Principal Investigators: Ryan Hunter, Lead Environmental Scientist/Biologist
Brian Bunyi, Environmental Scientist/Wildlife Biologist
Jessica Hensley, Environmental Scientist/Biologist

Contact Information: Randall C. Arnold, Jr.
RCA Associates, Inc.
15555 Main Street, #D4-235
Hesperia, California 92345
(760) 596-0017
rarnold@rcaassociatesllc.com
www.rcaassociatesllc.com

Ryan D. Hunter
RCA Associates, Inc.
15555 Main Street, #D4-235
Hesperia, CA 92345
(760) 998-9165
rhunter@rcaassociatesllc.com
www.rcaassociatesllc.com

Table of Contents

1.0	INTRODUCTION AND SUMMARY	1
2.0	EXISTING CONDITIONS.....	2
3.0	METHODOLOGIES	3
4.0	LITERATURE SEARCH	4
5.0	RESULTS	8
5.1	General Biological Resources	8
5.2	Federal and State Listed Species.....	9
5.3	Species of Special Concern.....	10
5.4	Jurisdictional Waters and Riparian Habitat.....	10
6.0	IMPACTS AND MITIGATION MEASURES	11
6.1	General Biological Resources	11
6.2	Federal and State Listed and Species of Special Concern	11
7.0	CONCLUSIONS AND CONSIDERATIONS	13
8.0	BIBLIOGRAPHY	14
	CERTIFICATION	16

Appendix A – Tables and Figures
REGULATORY CONTEXT

1.0 INTRODUCTION AND SUMMARY

Biological surveys were conducted on a 1.57-acre parcel (Approximate), located southeast from the intersection of Devore Rd. and Cajon Blvd. in the City of Glen Helen, California (Township 2 North, Range 5 West, Section 33, USGS Devore, California Quadrangle, 1956) (Figures 1 and 2).

As part of the environmental process, California Department of Fish and Wildlife (CDFW) and U.S. Fish and Wildlife Service (USFWS) data sources were reviewed. Following the data review, surveys were performed on the site on June 17, 2022, during which the biological resources on the site and in the surrounding areas were documented by biologists from RCA Associates, Inc. As part of the surveys, the property and adjoining areas were evaluated for the presence of native habitats which may support populations of sensitive wildlife species. The property was also evaluated for the presence of sensitive habitats including wetlands, vernal pools, riparian habitats, and jurisdictional areas.

Habitat assessments were also conducted for the burrowing owl and San Bernardino kangaroo rat. Based on data from USFWS, CDFW, and a search of the California Natural Diversity Database (CNDDB, 2022). Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2016) and Whitaker (1980).

2.0 EXISTING CONDITIONS

The property is approximately 1.57-acres and is located southeast of the intersection of BDevore Rd. and Cajon Blvd. in the City of Glen Helen, California. The site is located in Section 33, Township 2 North, Range 5 West (USGS Devore, CA 7.5-minute quadrangle) (Figures 1 and 2). The property is surrounded by vacant land in the north and east. To the south and west of the site are commercial properties which include a FedEx shipping warehouse and SB truck and repair.

The site is approximately 621 meters above sea level and is mostly level. The soil consists of mainly of Soboba Stony Loamy Sand which has two to nine percent of slope has a low water supply and is excessively well draining. The vegetation community present on site supports a ruderal plant habitat encompassing mainly native plants and some non-native grasses. The site has been previously graded and hosts a variety of vegetation including California sagebrush (*Artemisia californica*), California croton (*Croton californicus*), brittlebrush (*Encelia farinosa*), asian mustard (*Brassica tournefortii*), shortpod mustard (*Hirschfeldia incana*), purple three awn (*Aristida purpurea*) and cheatgrass (*Bromus tectorum*). Section 5.0 provides a more detailed discussion of the various plant species observed during the surveys.

The site supports a variety of wildlife, with many of them being birds. Although not seen, coyote signs were also observed on site including scat throughout the property. Other species of wildlife that were observed on site include the California ground squirrel (*Otospermophilus beecheyi*).

Birds observed included common ravens (*Corvus corax*), cassin's kingbird (*Tyrannus vociferans*), white throated swift (*Aeronautes saxatalis*) and Cooper's hawk (*A. cooperii*). Section 5.0 provides a more detailed discussion of the various species observed during the surveys.

Reptiles were observed during the field investigation which include the common side blotched lizard (*Uta stansburiana*), species that were not observed, but are common in the area include the western fence lizard (*S. occidentalis*). Table 2 provides a compendium of wildlife species.

In addition, no sensitive habitats (e.g., sensitive species, critical habitats, etc.) have been documented in the immediate area according to the CNDDDB (2022) and none were observed during the field investigations.

3.0 METHODOLOGIES

General biological surveys were conducted on June 17, 2022, during which biologists from RCA Associates, Inc. initially walked meandering transects throughout the property. During the surveys, data was collected on the plant and animal species present on the site. All plants and animals detected during the surveys were recorded and are provided in Tables 1 & 2 (Appendix A). The property was also evaluated for the presence of habitats which might support sensitive species. Scientific nomenclature for this report is based on the following references: Hickman (1993), Munz (1974), Stebbins (2003), Sibley (2016) and Whitaker (1980). Following completion of the initial reconnaissance survey, habitat assessments were conducted for the burrowing owl and San Bernardino kangaroo rat. Weather conditions consisted of wind speeds of 5 to 10 mph, temperatures in the mid to high 70's (°F) (AM), and 25% cloud cover. The applicable methodologies are summarized below.

General Plant and Animal Surveys: Meandering transects were walked on the site and in surrounding areas (i.e., the zone of influence) where accessible at a pace that allowed for careful documentation of the plant and animal species present on the site. All plants observed were identified in the field or sampled and brought back for further identification. Wildlife was identified through visual observations and/or by vocalizations. Habitat assessments were conducted for the burrowing owl and San Bernardino Kangaroo rat. Tables 1 and 2 (Appendix A) provides a comprehensive compendium of the various plant and animal; species observed during the field investigations.

4.0 LITERATURE SEARCH

As part of the environmental process, a search of the California Natural Diversity Database (CNDDB) search was performed. Based on this review, it was determined that 12 special status plant species and 16 wildlife and insect species have been documented within the Devore quad of the property. The following tables provide data on each special status species which has been documented in the area.

Table 4-1: Federal and State Listed Species and State Species of Special Concern.

E = Endangered; T = Threatened; WL = Watchlist; SSC = Species of special concern; CNPS = California Native Plant Society; CNDDB = California Natural Diversity Data Base; CDFW = California Department of Fish and Wildlife

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
Plant Species			
Within Devore Quadrangle			
Plummer's mariposa-lily (<i>Calochortus plummerae</i>)	Federal: None State: None CNPS: 4.2	Coast and inland hills.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
white-bracted spineflower (<i>Chorizanthe xanti</i> var. <i>leucotheca</i>)	Federal: None State: None CNPS:1B.1	Creosote bush scrub	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Mesa horkelia (<i>Horkelia cuneata</i> var. <i>puberula</i>)	Federal: None State: None CNPS:1B.1	Chaparral, cismontane woodland, coastal scrub.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Lemon lily (<i>Lilium parryi</i>)	Federal: None State: None CNPS:1B.2	Lower montane coniferous forest, meadows and seeps, riparian forest, upper montane coniferous forest.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Parish's desert thorn (<i>Lycium parishii</i>)	Federal: None State: None CNPS:2B.3	Coastal sage scrub and creosote bush scrub.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Santa Ana River woollystar (<i>Eriastrum densifolium</i> ssp. Sanctorum)	Federal: E State: E CNPS:1B.1	Alluvial fans within the Santa Ana river system.	Site does not support suitable habitat for the species; and no thrashers were observed during the field survey.

Short-joint beavertail (<i>Opuntia basilaris</i> var. <i>brachyclada</i>)	Federal: None State: None CNPS: 1B.2	Desert scrub and Joshua tree woodland.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Parry's spineflower (<i>Chorizanthe parryi</i> var. <i>parryi</i>)	Federal: None State: None CNPS: 1B.1	Coastal Sage Scrub and Chaparral.	The site does not support suitable habitat for the species; however, none were present during the survey.
slender-horned spineflower (<i>Dodecahema leptoceras</i>)	Federal: E State: E CNPS: 1B.1	Alluvial-fans.	No suitable habitat for the species and none were seen on the field survey.
Parish's bush-mallow (<i>Malacothamnus parishii</i>)	Federal: None State: None CNPS: 1A	Coastal Sage Scrub and chaparral.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Singlewhorl burrobrush (<i>Ambrosia monogyra</i>)	Federal: None State: None CNPS: 2B.2	Deserts, adjacent mountains and dry valleys.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
Laguna mountains jewelflower	Federal: None State: None CNPS: 4.3	Yellow Pine Forest and chaparral.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.

Table 4-2: Special status wildlife and insects documented in the region (Source: CNDDDB, 2022).

NAME	STATUS	HABITAT REQUIREMENTS	PRESENCE/ ABSENCE ON PROPERTY
Wildlife Species			
Within Devore Quadrangle			
Burrowing owl (<i>Athene cunicularia</i>)	Federal: None State: None CDFW: SSC	Grasslands and desert habitats	The site does not support suitable minimal habitat for the species; no owls or owl sign, or suitable burrows, were observed during field surveys.
California glossy snake (<i>Arizona elegans occidentalis</i>)	Federal: None State: T CDFW: SSC	Inhabits arid scrub, rocky washes, grasslands, chaparral	Site does support minimal suitable habitat for the species; and none were observed during the field survey.
San Diego black-tailed jackrabbit (<i>Lepus californicus bennettii</i>)	Federal: None State: None CDFW: SSC	Preferred habitats include open grasslands, agricultural fields, and sparse coastal scrub.	Site does not support minimal suitable habitat for the species; however, none were observed during the field survey.
Coast horned lizard (<i>Phrynosoma blainvillii</i>)	Federal: None State: None CDFW: SSC	Found in grasslands, coniferous forests, woodlands, and chaparral, with open areas and patches of loose soil.	Site does support minimal suitable habitat for the species; and none were observed during the field survey.
Northwestern San Diego pocket mouse (<i>Chaetodipus fallax fallax</i>)	Federal: None State: None CDFW: SSC	Desert scrub habitats.	Site does not support suitable habitat for the species; and no pocket mouse were observed during the field survey.
pallid San Diego pocket mouse (<i>Chaetodipus fallax pallidus</i>)	Federal: None State: None CDFW: SSC	Desert wash Pinon & juniper woodlands Sonoran desert scrub	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.
San Bernardino kangaroo rat (<i>Dipodomys merriami parvus</i>)	Federal: E Candidate State: T CDFW: SSC	Foothills, scrublands and alluvial plains containing sand and loam.	Site does not support minimal suitable habitat for the species, none were observed during the field survey.
coastal California gnatcatcher (<i>Polioptila californica californica</i>)	Federal: T State: None CDFW: SSC	Coastal sage scrub habitat.	Site does not support minimal suitable habitat for the species; however, none were observed during the field survey.
least Bell's vireo (<i>Vireo bellii pusillus</i>)	Federal: E State: E	Riverine scrub, coastal chaparral, scrub oak, mottes (isolated patches) of shrubs and trees in prairies	Site does support minimal suitable habitat for the species, none were observed during the field survey
Southern California legless lizard (<i>Anniella stebbinsi</i>)	Federal: None State: None CDFW: SSC	Coastal sand dunes and a variety of interior habitats.	Site does not support suitable habitat for the species; and the species is not expected to occur on the site
Pocketed free-tailed bat (<i>Nyctinomops femorosaccus</i>)	Federal: None State: None CDFW: SSC	Rugged cliffs, high rocky outcrops and slopes	Site does not support suitable habitat for the species; and none were observed during the field survey.
Los Angeles pocket mouse (<i>Perognathus longimembris brevinasus</i>)	Federal: None State: None CDFW: SSC	Lowland grasslands.	Site does support minimal suitable habitat for the kangaroo rat however; none were seen on the field survey.
Southern mountain yellow-legged frog (<i>Rana muscosa</i>)	Federal: E State: E CDFW: WL	Found in higher elevations riparian habitats within rivers and streams.	Site does not support suitable habitat for the species; and none were observed during the field survey.

Santa Ana speckled dace (<i>Rhinichthys osculus ssp. 8</i>)	Federal: None State: None CDFW: SSC	Tributaries, rivers and streams	Site does not support suitable habitat for the species; and none were observed during the field survey.
Bell's sage sparrow (<i>Artemisiospiza belli belli</i>)	Federal: None State: None CDFW: WL	Coastal sagebrush, chaparral, and other open, scrub habitats.	Site does support minimal suitable habitat for the species; and no sage sparrow's were observed during the field survey.
San Gabriel slender salamander (<i>Batrachoseps gabrieli</i>)	Federal: None State: None	Known only from the San Gabriel Mtns. Found under rocks, wood, and fern fronds, and on soil at the base of talus slopes.	Site does not support minimal suitable habitat for the species; and none were observed during the field survey.

5.0 RESULTS

5.1 General Biological Resources

The site supports a mostly ruderal habitat with very few trees (Figure 3). Species present on the site included kelch grass (*Schismus barbatus*), pacific poison oak (*Toxicodendron diversilobum*), Asian mustard (*Brassica tournefortii*), yerba santa (*Eriodictyon californicum*), western jimson weed (*Datura wrightii*), California croton (*Croton californicus*), and California buckwheat (*Eriogonum fasciculatum*). Table 1 provides a compendium of all plants occurring on the site and/or in the immediate surrounding area.

Birds observed included Cooper's hawk (*A. cooperii*), ravens (*Corvus corax*), Cassin's kingbird (*Tyrannus vociferans*) and white throated swift (*Aeronautes saxatalis*). Table 2 provides a complete compendium of wildlife species occurring on site or in the surrounding area.

Mammals that were observed on site include California Ground squirrel (*Otospermophilus beecheyi*). Coyote (*Canis latrans*) scat and tracks were observed during the field investigations and the species is expected to traverse the site during hunting activities. Other wildlife species that may occur on site include brush rabbit (*Sylvilagus bachmani*) and cottontail rabbit (*Sylvilagus*) may also occur on the site given their wide-spread distribution in the region. Tables 1 and 2 (Appendix A) provides a compendium of the various plant and animal species identified during the field investigations and those common to the area. No distinct wildlife corridors were identified on the site or in the immediate area. The only reptiles that were observed on site during the June 2022 field investigations was the common side blotched lizard (*Uta stansburiana*). However, some reptiles that may inhabit the site include the western fence lizard (*S. occidentalis*), and the Western Whiptail Lizard (*Cnemidophorus tigris*).

No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

The following sections 5.2 and 5.3 are the federally and state listed and special status species that have the ability to occur on the project site. It is not a comprehensive list of all the species in the quad. This information has been taken from the California Natural Diversity Database and is using the most current version.

5.2 Federal and State Listed Species

There are seven Federal and/or State listed species which have been documented in the Devore quadrangle. Of these seven listed species, only three of the seven species have the possibility to occur on site due to the habitat located on the property. The three species include:

California Glossy Snake: The California glossy snake is a medium sized snake characterized by its glossy scales, faded appearance and short tail. The snake prefers a grassland habitat however, it is the opinion of RCA Associates Inc. that the snake will not inhabit the site in the future due to the size of the property and its last known occurrence within the quad over six years ago (CNDDDB 2022). No California glossy snakes were observed during the field survey.

San Bernardino Kangaroo Rat: The San Bernardino Kangaroo Rat is a large headed rodent with large hind feet. The Kangaroo Rat prefers a scrub habitat near alluvial fans or dried riverbeds that contain loamy sand. Although site does not contain habitat for the San Bernardino Kangaroo Rat it is mentioned here due to it being a species of interest within the region. While suitable habitat occurs offsite within the sandy washes located just west of the property, San Bernardino Kangaroo rats are not expected to inhabit the site due to developments and roadways discouraging entry. No San Bernardino kangaroo rats were seen on the June 2022 field survey. The two closest occurrences within the Devore quad are 400 yards to the SW within the Cajon Canyon wash and 800 yards to the NE within vacant land across the 215 Freeway (CNDDDB 2022).

Least bell's vireo: The least bell's vireo are grayish above, whitish below, with faint pale "spectacles" around the eyes and pale wingbars. Least Bell's vireos winter in southern Baja California, Mexico, where they occupy a variety of habitats, including mesquite scrub within arroyos, palm groves, and hedgerows bordering agricultural and residential areas. The last known occurrence within the Devore quad for the bird was reported in 2007 (CNDDDB 2022). No least bells vireo was seen during the June 2022 field surveys.

5.3 Species of Special Concern

There are nine wildlife species of special concern which have been documented in the Devore quadrangle. Of these nine listed species, only four of the species have the possibility to occur on site due to the habitat located on the property. The four species include:

Burrowing Owl: The site is located within documented burrowing owl habitat according to CNDDDB (2022). No owls were seen on the property during the survey, and minimal suitable habitat was observed. Burrowing owls are not expected to occur on the site due to lack of suitable vegetation and burrows.

Coast Horned Lizard: The Coast horned lizard is a small but wide flattened lizard that has spiked scales on its rounded body. It frequents a wide variety of different habitats but prefers lowlands along sandy washes with scattered low bushes. The site does contain minimal suitable habitat for the species and its last known occurrence within the quad was over 13 years ago. The coast horned lizard was not observed during the June 2022 field surveys.

Bells sage sparrow: The bells sage sparrow is an avian species that nests in chaparral dominated by fairly dense stands of chamise. The site does not contain prime habitat for the avian species due to lack of suitable vegetation. The last known occurrence within the Devore quad was in 1997 and there were none observed during the June 2022 field investigations.

Los Angeles Pocket Mouse: The Los Angeles pocket mouse is a small brown rodent with a grizzly pattern that inhabits lowland grasslands. Although the site contains minimal suitable habitat for the pocket mouse, there has been no reported occurrence in the Devore quad (CNDDDB 2022). No Los Angeles pocket mouse were seen on or in the surrounding area of the property.

5.4 Jurisdictional Waters and Riparian Habitat

The following sources were reviewed to determine the potential presence or absence of jurisdictional streams/drainages, wetlands, and their location within the watersheds associated with the Project site, and other features that might contribute to federal or state jurisdictional authority located within watersheds associated with the Project site:

- National Wetlands Inventory (NWI) maps (USFWS 2018b). The NWI database indicates potential wetland areas based on changes in vegetation patterns as observed from satellite

imagery. This database is used as a preliminary indicator of wetland habitats because the satellite data are not precise;

- USGS National Hydrography Dataset (NHD) provides the locations of “blue-line” streams as mapped on 7.5-Minute Topographic Map coverage;
- Aerial Imagery (Google Earth) (Google 2022);
- USGS 7.5-Minute Topographic Maps; and
- Natural Resources Conservation Service (NRCS) Soil Survey.

Based on the field investigations no potential jurisdictional were located within the project site. It is the opinion of RCA Associates, Inc. that additional surveys will not be necessary.

6.0 IMPACTS AND MITIGATION MEASURES

6.1 General Biological Resources

Future development of the site will impact the general biological resources present on site, because most if not all of the vegetation will be removed during future construction activities. The site is expected to support very few wildlife species which will be impacted by development activities. Those species with limited mobility (i.e., small mammals and reptiles) will experience increases in mortality during the construction phase. However, more mobile species (i.e., birds, large mammals) will be displaced into adjacent areas and will likely experience minimal impacts. Therefore, loss of about 1.57-acres of a relatively disturbed grassland habitat is not expected to have a significant cumulative impact on the overall biological resources in the region given the presence of similar habitat throughout the surrounding area. No sensitive habitats (e.g., wetlands, vernal pools, critical habitats for sensitive species, etc.) were observed on the site during the field investigations.

6.2 Federal and State Listed and Species of Special Concern

No federal or State-listed species were observed on the site during the field investigations. In addition, there are no documented observations of these species either on the site or in the immediate area. The site is not expected to support populations of the Burrowing owl or San Bernardino Kangaroo rat based on the absence of habitat, suitable burrows, or signs.

A pre-construction burrowing owl survey may be required by CDFW to determine if any owls have moved on to the site since June 17, 2022 surveys. As stated in CDFW's *Staff Report on Burrowing Owl Mitigation*, the most effective method of completing a pre-construction survey (take avoidance survey) should be performed within 30 days of ground disturbance, followed by a final pre-construction survey within 24 hours of breaking ground.

7.0 CONCLUSIONS AND CONSIDERATIONS

Future development activities include the grading and removal of all vegetation from the 1.57-acre parcel; however, cumulative impacts to the general biological resources (plants and animals) in the surrounding area are expected to be negligible. This assumption is based on the habitat containing scarce vegetation of non-native species. As discussed above, the site does not support any burrowing owls or San Bernardino Kangaroo Rat due to the lack of suitable habitat and potential burrows. Some mitigation measures that may be considered are:

1. Pre-construction surveys for burrowing owls and nesting birds protected under the Migratory Bird Treaty Act and Section 3503 of the California Fish and Wildlife Code shall be conducted prior to the commencement of Project-related ground disturbance.
 - a. Appropriate survey methods and timeframes shall be established, to ensure that chances of detecting the target species are maximized. If nesting birds are detected, avoidance measures shall be implemented to ensure that nests are not disturbed until after young have fledged.
 - b. Pre-construction surveys shall encompass all areas within the potential footprint of disturbance for the project, as well as a reasonable buffer around these areas.
2. Focused plant surveys for all special status plant species that have the potential to occur on the site may be considered during the blooming season (April - June) (if warranted by CDFW) to determine the potential environmental effects of the proposed projects on special status plants and sensitive natural communities following recommended protocols by the Department of Fish and Wildlife.

If any sensitive species are observed on the property during future activities, CDFW and USFWS (as applicable) should be contacted to discuss specific mitigation measures which may be required for the individual species. CDFW and USFWS are the only agencies which can grant authorization for the “take” of any sensitive species and can approve the implementation of any applicable mitigation measures.

8.0 BIBLIOGRAPHY

California Burrowing Owl Consortium

1993. Burrowing Owl Survey Protocol and Mitigation Guidelines.

California Department of Fish and Game

1990. California Wildlife: Volume 1 (Amphibians and Reptiles), Volume II (Birds), and Volume III (Mammals).

California Department of Fish and Game

2014. Rarefind 3 Natural Diversity Database. Habitat and Data Analysis Branch. Sacramento, CA.

California Department of Fish and Game

March 7, 2013. Staff Report on Burrowing Owl Mitigation. 34 pp.

California Native Plant Society

2001. Inventory of Rare and Endangered Plants of California (sixth edition). Rare Plant Scientific Advisory Committee, David P. Tibor, Convening Editor. California Native Plant Society. Sacramento, CA x + 388 pp.

Ehrlich, P., Dobkin., Wheye, D.

Birder's Handbook. A Field Guide to the Natural History of North American Birds. Simon & Schuster Building Rockefeller Center 1230 Avenue of the Americas. New York, New York 10020.

Hickman, James C.

The Jepson Manual Higher Plants of California. University of California Press. Berkeley, CA. 3rd Edition. 1996.

Jaeger, Edmund C.

1969. Desert Wild Flowers. Stanford University Press, Stanford, California. 321 pp.

Kays, R. W. & Wilson, D. E.

Mammals of North America. Princeton University Press, Princeton, New Jersey. 2002.

Munz, Philip A.

1974. A Flora of Southern California. University of California Press, Berkeley, California. 1086 pp.

Sibley, David Allen.

Sibley Birds West: Field Guide to Birds of Western North America. Knopf. 2016

Stebbins, Robert C.

A Field Guide to Western Reptiles and Amphibians. Houghton Mifflin Company. 2003.

Whitaker, John O.

The Audubon Society Field Guide to North American Mammals. Alfred A Knopf, Inc.
1980.

CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits, presents the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief. Fieldwork conducted for this assessment was performed by Ryan Hunter, Jessica Hensley, and Brian Bunyi. I certify that I have not signed a non-disclosure or consultant confidentiality agreement with the project applicant or applicant's representative and that I have no financial interest in the project.

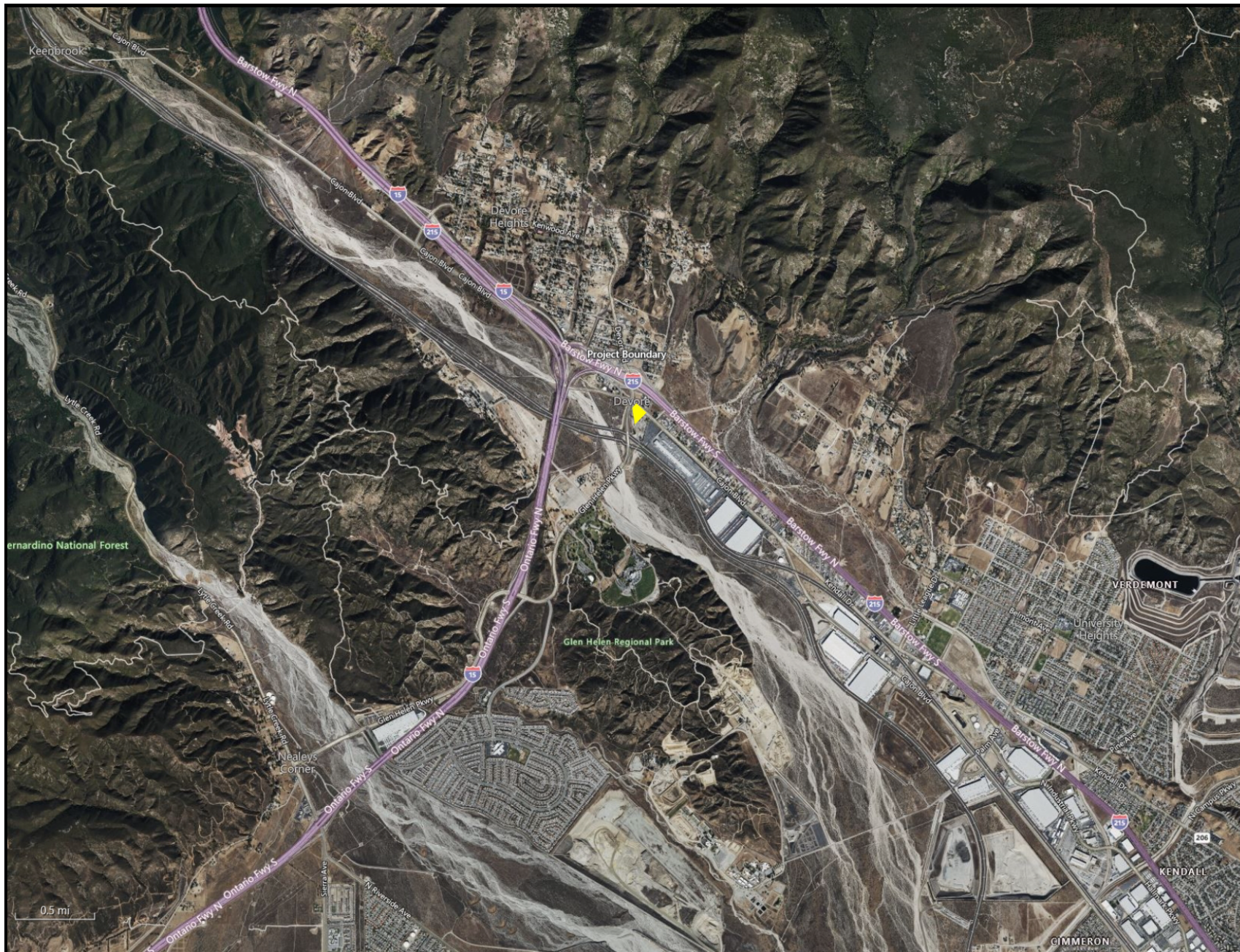
Date: 07/11/2022 Signed: *Ryan Hunter*
Jessica Hensley
Brian Bunyi

Field Work Performed By: Ryan Hunter
Lead Environmental Scientist/Biologist

Field Work Prepared By: Jessica Hensley
Environmental Scientist/Biologist

Field Work Performed By: Brian Bunyi
Environmental Scientist/Wildlife Biologist

Appendix A
Tables and Figures



Legend


 Project Boundary



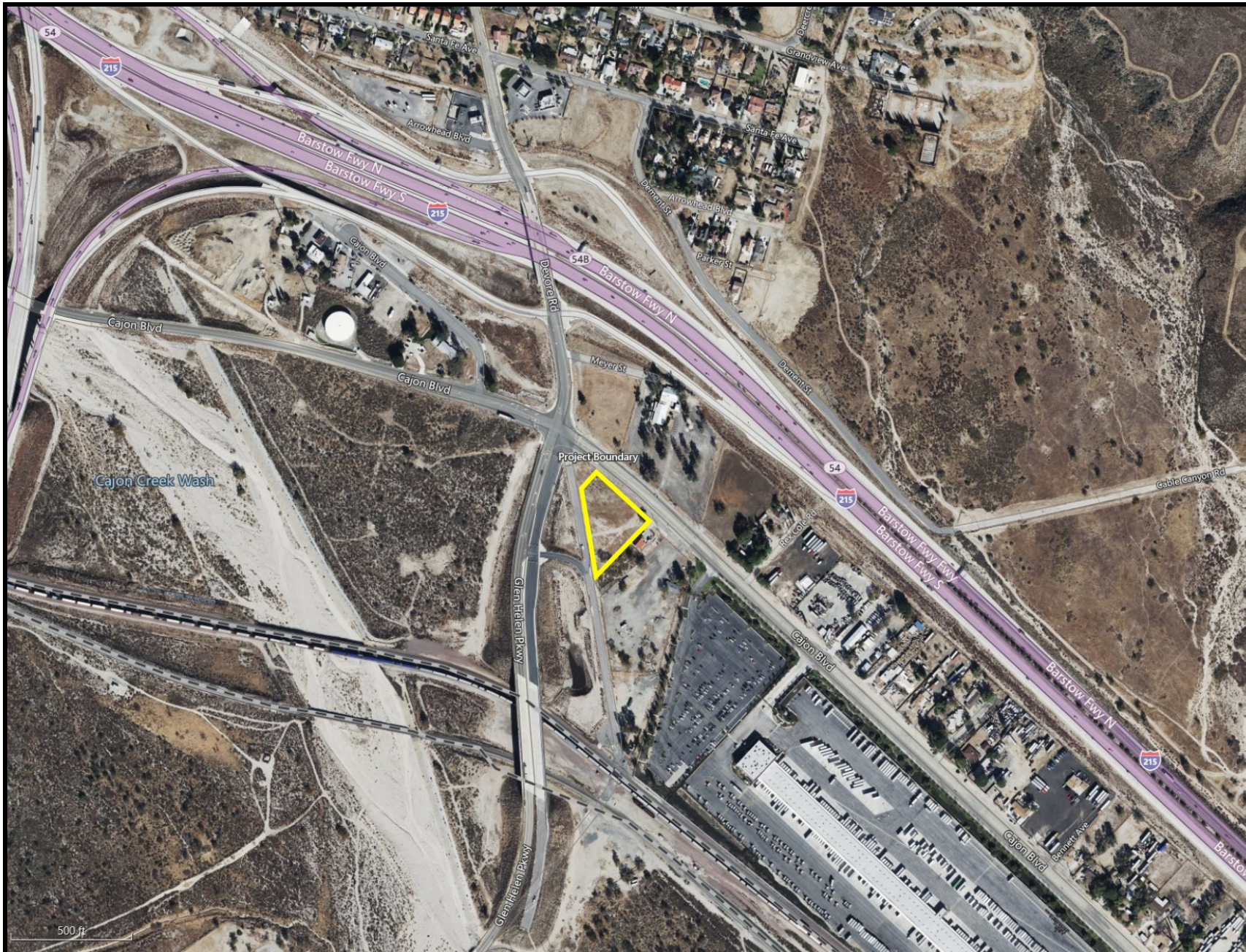
Figure 1: Regional Exhibit

Produced By: RCA Associates, Inc.

SE of the Intersection of Devore Rd. and Cajon Blvd.

Date	Uinta Software
Acreage:	1.57 Acres (Approximately)
Project #:	2022-85





Legend


 Project Boundary



Figure 2: Vicinity Exhibit

Produced By: RCA Associates, Inc.

SE of the Intersection of Devore Rd. and Cajon Blvd.

Date	Uinta Software
Acreage:	1.57 Acres (Approximately)
Project #:	2022-85



CENTER OF SITE LOOKING NORTH



CENTER OF SITE LOOKING EAST



FIGURE 3: PHOTOGRAPHS OF SITE

CENTER OF SITE LOOKING SOUTH



CENTER OF SITE LOOKING WEST



FIGURE 3, cont: PHOTOGRAPHS OF SITE

Figure 4: Site Plans

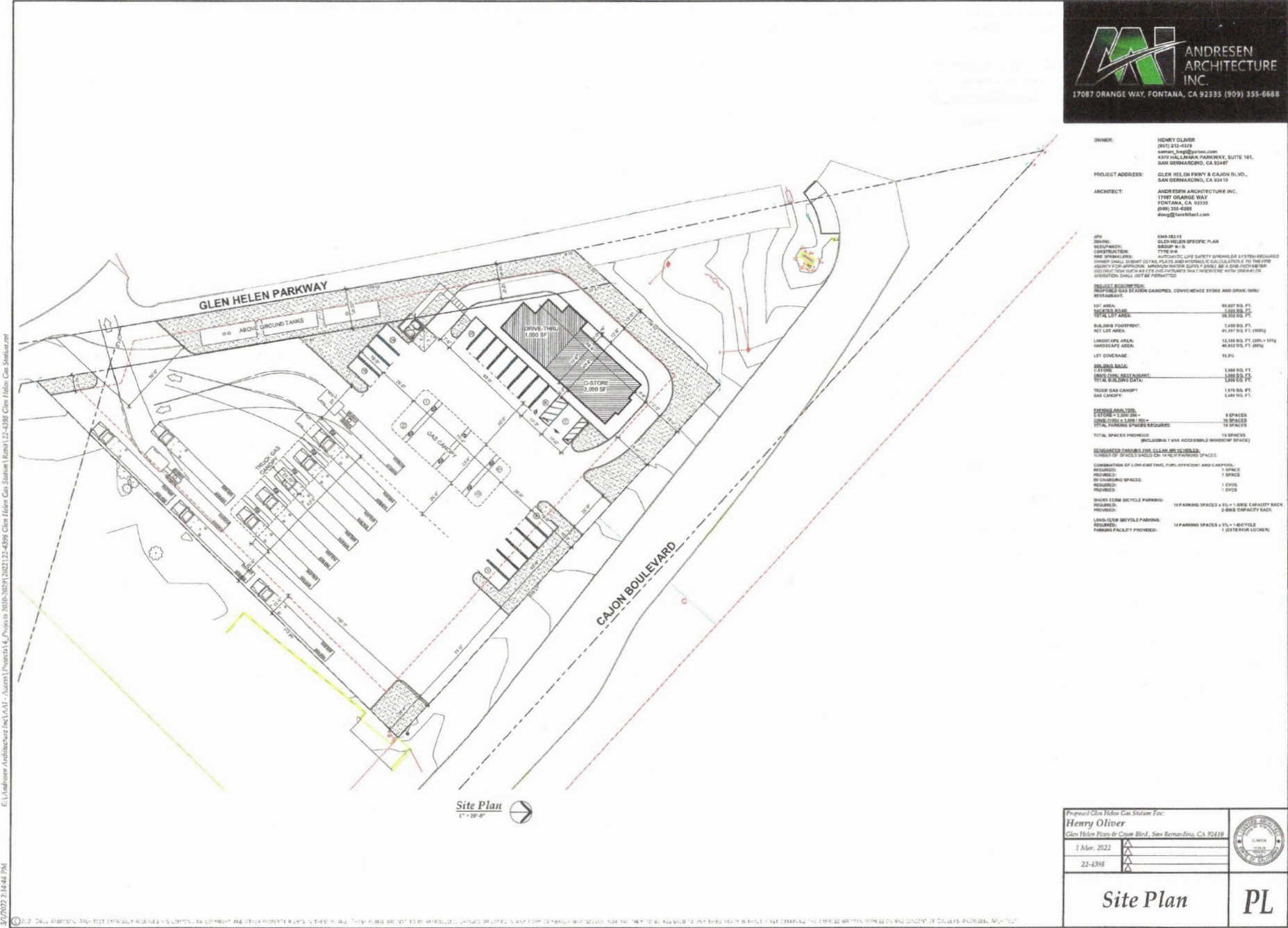


Table 1 - Plants observed on the site and known to occur in the immediate surrounding area.

Common Name	Scientific Name	Location
Asian mustard	<i>Brassica tournefortii</i>	On Site and in the surrounding area.
Redstem stork's bill	<i>Erodium cicutarium</i>	“
Purple three awn	<i>Aristida purpurea</i>	“
Western jimsonweed	<i>Datura wrightii</i>	“
Red brome	<i>Bromus rubens L.</i>	“
Western sycamore	<i>Platanus racemosa</i>	“
Russian thistle	<i>Kali tragus</i>	“
Prairie sunflower	<i>Helianthus pauciflorus</i>	“
Slender wild oat	<i>Avena barbata</i>	“
Telegraph weed	<i>Heterotheca grandiflora</i>	“
London rocket	<i>Sisymbrium irio</i>	“
California broomsage	<i>Lepidospartum squamatum</i>	“
Stinknet	<i>Oncosiphon pilulifer</i>	“
Compact brome	<i>Brome spp.</i>	“
California sage brush	<i>Artemisia californica</i>	“
Rattlesnake weed	<i>Euphorbia albomarginata</i>	“
Cheatgrass	<i>Bromus tectorum</i>	“
Brittle brush	<i>Encelia farinosa</i>	“
Shortpod mustard	<i>Hirschfeldia incana</i>	“
Western tansymustard	<i>Descurainia pinnata</i>	“

California croton	<i>Croton californicus</i>	“
Alfalfa	<i>M. sativa</i>	“
Menzies fiddleneck	<i>Amsinckia menziesii</i>	“
Pacific poison oak	<i>Toxicodendron diversilobum</i>	“
California buckwheat	<i>Eriogonum fasciculatum</i>	“
Kelch grass	<i>Schismus barbatus</i>	“
Coastal prickly pear	<i>Opuntia littoralis</i>	Offsite

Note: The above list is not intended to be a comprehensive list of every plant which may occur on the site or in the zone of influence.

Table 2 - Wildlife observed on the site during the field investigations.

Common Name	Scientific Name	Location
Common raven	<i>Corvus corax</i>	On-site and in the surrounding area.
Cassin's kingbird	<i>Tyrannus vociferans</i>	"
White throated swift	<i>Aeronautes saxatalis</i>	"
Common side blotched lizard	<i>Uta stansburiana</i>	"
California ground squirrel	<i>Otospermophilus beecheyi</i>	"
Coyote (Scat)	<i>Canis Latrans</i>	"

Note: The above Table is not a comprehensive list of every animal species which may occur in the area, but is a list of those common species which were identified on the site or which have been observed in the region by biologists from RCA Associates, Inc.

REGULATORY CONTEXT

The following provides a summary of federal and state regulatory jurisdiction over biological and wetland resources. Although most of these regulations do not directly apply to the site, given the general lack of sensitive resources, they provide important background information.

Federal Endangered Species Act

The USFWS has jurisdiction over federally listed threatened and endangered plant and animal species. The federal Endangered Species Act (ESA) and its implementing regulations prohibit the take of any fish or wildlife species that is federally listed as threatened or endangered without prior approval pursuant to either Section 7 or Section 10 of the ESA. ESA defines "take" as "harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct." Federal regulation 50CFR17.3 defines the term "harass" as an intentional or negligent

act that creates the likelihood of injuring wildlife by annoying it to such an extent as to significantly disrupt normal behavior patterns such as breeding, feeding, or sheltering (50CFR17.3). Furthermore, federal regulation 50CFR17.3 defines “harm” as an act that either kills or injures a listed species. By definition, “harm” includes habitat modification or degradation that actually kills or injures a listed species by significantly impairing essential behavior patterns such as breeding, spawning, rearing, migrating, feeding, or sheltering (50CFR217.12).

Section 10(a) of the ESA establishes a process for obtaining an incidental take permit that authorizes non federal entities to incidentally take federally listed wildlife or fish. Incidental take is defined by ESA as take that is “incidental to, and not the purpose of, the carrying out of another wise lawful activity.” Preparation of a habitat conservation plan, generally referred to as an HCP, is required for all Section 10(a) permit applications. The USFWS and National Oceanic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries Service) have joint authority under the ESA for administering the incidental take program. NOAA Fisheries Service has jurisdiction over anadromous fish species and USFWS has jurisdiction over all other fish and wildlife species.

Section 7 of the ESA requires all federal agencies to ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of any species listed under the ESA, or result in the destruction or adverse modification of its habitat. Federal agencies are also required to minimize impacts to all listed species resulting from their actions, including issuance or permits or funding. Section 7 requires consideration of the indirect effects of a project, effects on federally listed plants, and effects on critical habitat (ESA requires that the USFWS identify critical habitat to the maximum extent that it is prudent and determinable when a species is listed as threatened or endangered). This consultation results in a Biological Opinion prepared by the USFWS stating whether implementation of the HCP will result in jeopardy to any HCP Covered Species or will adversely modify critical habitat and the measures necessary to avoid or minimize effects to listed species.

Although federally listed animals are legally protected from harm no matter where they occur, section 9 of the ESA provides protection for endangered plants by prohibiting the malicious

destruction on federal land and other “take” that violates State law. Protection for plants not living on federal lands is provided by the California Endangered Species Act.

California Endangered Species Act

CDFW has jurisdiction over species listed as threatened or endangered under Section 2080 of the California Fish and Wildlife Code. Section 2080 prohibits the take of a species listed by CDFW as threatened or endangered. The state definition of take is similar to the federal definition, except that Section 2080 does not prohibit indirect harm to listed species by way of habitat modification. To qualify as take under the state ESA, an action must have direct, demonstrable detrimental effect on individuals of the species. Impacts on habitat that may ultimately result in effects on individuals are not considered take under the state ESA but can be considered take under the federal ESA.

Proponents of a project affecting a state-listed species must consult with CDFW and enter into a management agreement and take permit under Section 2081. The state ESA consultation process is similar to the federal process. California ESA does not require preparation of a state biological assessment; the federal biological assessment and the CEQA analysis or any other relevant information can provide the basis for consultation. California ESA requires that CDFW coordinate consultation for joint federally listed and state-listed species to the extent possible; generally, the state opinion for the listed species is brief and references provisions under the federal opinion.

Clean Water Act, Section 404

The COE and the U.S. Environmental Protection Agency regulate the placement of dredged or fill material into “Waters of the United States” under Section 404 of the Clean Water Act. Waters of the United States include lakes, rivers, streams, and their tributaries, and wetlands. Wetlands are defined for regulatory purposes as “areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 Code of Federal Regulations [CFR] 328.3, 40 CFR 230.3).

The COE may issue either individual permits on a case-by-case basis or general permits on a program level. General permits are pre-authorized and are issued to cover similar activities that

are expected to cause only minimal adverse environmental effects. Nationwide permits (NWP's) are general permits issued to cover particular fill activities. All NWP's have general conditions that must be met for the permits to apply to a particular project, as well as specific conditions that apply to each NWP.

Clean Water Act, Section 401

Section 401 of the Clean Water Act requires water quality certification and authorization of placement of dredged or fill material in wetlands and Other Waters of the United States. In accordance with Section 401 of the Clean Water Act, criteria for allowable discharges into surface waters have been developed by the State Water Resources Control Board, Division of Water Quality. As such, proponents of any new project which may impair water quality as a result of the project are required to create a post construction stormwater management plan to ensure offsite water quality is not degraded. The resulting requirements are used as criteria in granting National Pollution Discharge Elimination System (NPDES) permits or waivers, which are obtained through the Central Valley Regional Water Quality Control Board (RWQCB). Any activity or facility that will discharge waste (such as soils from construction) into surface waters, or from which waste may be discharged, must obtain an NPDES permit or waiver from the RWQCB. The RWQCB evaluates an NPDES permit application to determine whether the proposed discharge is consistent with the adopted water quality objectives of the basin plan.

California Fish and Wildlife Code, Sections 1600-1616

Under the California Fish and Wildlife Code, Sections 1600-1616 CDFW regulates projects that divert, obstruct, or change the natural flow or bed, channel, or bank of any river, stream, or lake. Proponents of such projects must notify CDFW and enter into a streambed alteration agreement with them.

Section 1602 of the California Fish and Wildlife Code requires a state or local government agency, public utility, or private entity to notify CDFW before it begins a construction project that will: (1) divert, obstruct, or change the natural flow or the bed, bank, channel, or bank of any river, stream, or lake; (2) use materials from a streambed; or (3) result in the disposal or deposition of debris, waste, or other material containing crumbled, flaked, or ground pavement where it can pass into

any river, stream, or lake. Once the notification is filed and determined to be complete, CDFW issues a streambed alteration agreement that contains conditions for construction and operations of the proposed project.

California Fish and Wildlife Code, Section 3503.5

Under the California Fish and Wildlife Code, Section 3503.5, it is unlawful to take, possess, or destroy any birds in the order Falconiformes (hawks, eagles, and falcons) or Strigiformes (owls). Take would include the disturbance of an active nest resulting in the abandonment or loss of young.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits the taking, hunting, killing, selling, purchasing, etc. of migratory birds, parts of migratory birds, or their eggs and nests. As used in the MBTA, the term “take” is defined as “to pursue, hunt, shoot, capture, collect, kill, or attempt to pursue, hunt, shoot, capture, collect, or kill, unless the context otherwise requires.” Most bird species native to North America are covered by this act.

Sensitive Natural Communities

The California Office of Planning and Research and the Office of Permit Assistance (1986) define project effects that substantially diminish habitat for fish, wildlife, or plants, or that disrupt or divide the physical arrangement of an established community as significant impacts under CEQA. This definition applies to certain natural communities because of their scarcity and ecological values and because the remaining occurrences are vulnerable to elimination. For this study, the term “sensitive natural community” includes those communities that, if eliminated or substantially degraded, would sustain a significant adverse impact as defined under CEQA. Sensitive natural communities are important ecologically because their degradation and destruction could threaten populations of dependent plant and wildlife species and significantly reduce the regional distribution and viability of the community. If the number and extent of sensitive natural communities continue to diminish, the status of rare, threatened, or endangered species could become more precarious, and populations of common species (i.e., not special status species) could become less viable. Loss of sensitive natural communities also can eliminate or reduce important

ecosystem functions, such as water filtration by wetlands and bank stabilization by riparian woodlands for example.

Protected Plants

The California Desert Native Plant Act was passed in 1981 to protect non-listed California desert native plants from unlawful harvesting on both public and privately-owned lands. Harvest, transport, sale, or possession of specific native desert plants is prohibited unless a person has a valid permit. The following plants are under the protection of the California Desert Native Plants Act:

- Dalea spinosa (smoketree)
- All species of the genus Prosopis (mesquites)
- All species of the family Agavaceae (century plants, nolas, yuccas)
- All species of Cactus
- Creosote Rings, ten feet in diameter or greater

The project would be required to comply with the County of San Bernardino Desert Native Plant Protection Ordinance. The removal of any trees listed under Section 88.01.060 would be required to comply with Section 88.01.050, which requires the project applicant to apply for a Tree or Plant Removal Permit prior to removal from the project site.