



47 1st Street, Suite 1  
Redlands, CA 92373-4601  
(909) 915-5900

May 22, 2019

Jeremy Langley  
Chief Operations Officer  
Wilhite Langley, Inc.  
21800 Barton Road, Ste 102  
Grand Terrace, Ca 92313

RE: Biological Resources Assessment, Jurisdictional Waters Delineation  
Glen Helen/Devore parcel - APN: 0261-161-17, Devore, CA

Dear Mr. Langley:

Jericho Systems, Inc. (Jericho) is pleased to provide this letter report that details the results of a general Biological Resources Assessment (BRA) that includes habitat suitability assessments for nesting birds, Burrowing owl (*Athene cunicularia*) [BUOW] and a Jurisdictional Waters Delineation (JD) for the proposed Glen Helen/Devore parcel (Project) located within Assessor's Parcel Number (APN) #0261-161-17 in the community of Devore, CA (Attachment B: Figures 1 and 2).

This report is designed to address potential effects of the proposed Project to designated Critical Habitats and/or any species currently listed or formally proposed for listing as endangered or threatened under the federal Endangered Species Act (ESA) and the California Endangered Species Act (CESA), or species designated as sensitive by the California Department of Fish and Wildlife (CDFW), or the California Native Plant Society (CNPS). Attention was focused on sensitive species known to occur locally. This report also addresses resources protected under the Migratory Bird Treaty Act, federal Clean Water Act (CWA) regulated by the U.S. Army Corps of Engineers (USACE) and Regional Water Quality Control Board (RWQCB) respectively; and Section 1602 of the California Fish and Game Code (FCG) administered by the CDFW.

## **SITE LOCATION**

The approximately 1-acre parcel (APN: 0261-161-17) is located north of Kendall Drive just north of the intersection with N. Little League Dr., and lies mostly with the *San Bernardino North* USGS Quad, although the lower portion of the site lies within the *Devore* USGS Quad. The Project site lies just the northwest and outside the city limits of San Bernardino, sandwiched between historic Route 66 and Cajon wash to the southwest and I-215 to the northeast.

## **ENVIRONMENTAL SETTING**

The City of Rialto sits at the base of the Cajon Pass, where high winds are common meteorological events within the region. The climate in the region is typically characterized as Mediterranean. Typical rainfall averages approximately 17 inches per year. Hydrologically, the Project site is within the Colton Hydrologic Sub-Area (HSA 801.44) which comprises a 17,765-acre drainage area within the larger Middle Santa Ana River Watershed (HUC 180702030804).

The subject parcel is situated in a developing area of the Inland Valleys ecoregion. Vegetation in the parcel consists of barren ground, and exotic grasses and the soils at the Site (Attachment B: Figure 3) are predominantly tujunga gravelly loamy sand with 0-9 percent slopes.

## METHODS

As stated above, the objective of this document is to determine whether the Project area supports special status or otherwise sensitive species and/ or their habitat, and to address the potential effects associated with the Proposed project on those resources. The species and habitats addressed in this document are based on database information and field investigation.

Prior to conducting the field study, species and habitat information was gathered from the reports related to the specific project and relevant databases for the *Devore* and *San Bernardino North* USGS 7.5' quadrangle maps to determine which species and/or habitats would be expected to occur on site. These sources include:

- U.S. Fish and Wildlife (USFWS) threatened and endangered species occurrence GIS overlay;
- USFWS Information for Planning and Consultation System (IPaC);
- California Natural Diversity Database (CNDDDB) *Rarefind 5*);
- CNDDDB Biogeographic Information and Observation System (BIOS);
- California Native Plant Society Electronic Inventory (CNPSEI) database;
- Calflora Database;
- USDA Natural Resources Conservation Service (NRCS) Web Soil Survey;
- USFWS National Wetland Inventory;
- Environmental Protection Agency (EPA) Water Program “My Waters” data layers
- The Status and Known Distribution of the San Bernardino Kangaroo Rat (*Dipodomys merriami parvus*): Field surveys conducted between 1987 and 1996. McKernan 1997.
- Endangered and Threatened Wildlife and Plants; Proposed Rule to List the San Bernardino Kangaroo Rat as Endangered; and Notice of Public Hearing, U.S. Fish and Wildlife Service, 1998C.
- USFWS Designated SBKR Critical Habitat Maps

We also reviewed other available technical information on the biological resources of the site, including previous trapping surveys and discussed recent findings with researchers in the field.

Jericho biologist Todd White conducted a general biological resources assessment on May 13, 2019, with an emphasis on special-status species known to occur in the area. Mr. White has an advanced degree and many years of experience surveying biological resources within Southern California. Mr. White conducted the systematic and comprehensive survey during calm weather, between the hours of 3 p.m. and 7 p.m. Weather conditions during the survey consisted of partly cloudy skies with temperatures ranging from 78 degrees Fahrenheit (° F) to 72° F and light wind <5 mph.

Wildlife species were detected during field surveys by sight, calls, tracks, scat, or other sign. In addition to species observed, expected wildlife usage of the site was determined per known habitat preferences of regional wildlife species and knowledge of their relative distributions in the area.

The site was also evaluated for the presence of jurisdictional waters, i.e. waters of the U.S. as regulated by the USACE and RWQCB, and/or streambed and associated riparian habitat as regulated by the CDFW. Evaluation of potential federal jurisdiction followed the regulations set forth in 33CFR part 328 and the USACE guidance

documents and evaluation of potential State jurisdiction followed guidance in the Fish and Game Code and A Review of Stream Processes and Forms in Dryland Watersheds (CDFW, 2010).

## RESULTS

The database searches identified 57 sensitive species (24 plant, 30 animal, 31 invertebrate) and 3 sensitive habitat within the *Devore* and *San Bernardino North* USGS 7.5-minute series quadrangles (Attachment B: Figure 4 and Figure 5). A full summary of these results is outlined in Attachment A. The database searches did not indicate the presence of State- and/or federally-listed threatened or endangered species or USFWS-designated Critical Habitats on the Project site. However, USFWS-designated Critical Habitat for SBKR is located within 0.1 mile of the project site. The California glossy snake (*Arizona elegans occidentalis*) has the closest documented occurrence at ~0.1 miles west of the project site.

The site is an active trucking yard and has been graded and paved with concrete (front 30% off of Kendall Dr.), recycled asphalt and gravel road base. The property is elongated and is approximately 450 feet in length (NE to SW) and 100 feet in width and has cinderblock walls along the site perimeter on the north and south sides. The northeast end fronting the southernmost alignment of the I-215 is chain-link fence with silt fencing along the bottom and completely covered in advertising banners. The southwestern end is enclosed with a cinderblock wall and gate. A wooden pallet and trucking storage yard sits adjacent to the south and an industrial business lies directly adjacent to the north. There is no vegetation on site with the exception of a few individual weedy species growing along the base of the cinderblock walls.

No faunal species observed or otherwise detected on site during the surveys with the exception of a domestic cat.

### *Burrowing owl (BUOW)*

BUOW are known to occur locally within suitable habitat areas. BUOW is a ground-dwelling owl typically found in arid prairies, fields, and open areas where vegetation is sparse and low to the ground. The BUOW depends on the presence of mammal burrows, i.e. ground squirrel burrows to provide shelter from predators, inclement weather and to provide a nesting place. They are also known to make use of human-created structures, such as cement culverts and pipes, for burrows. They feed primarily on insects but will also take small rodents, birds, and reptiles. They are active during the day and night, generally observed in the early morning hours or at twilight. The breeding season for BUOW is February 1 through August 31. The BUOW is not listed under the State or Federal Endangered Species Act but is considered both a State and federal SSC. The BUOW is protected by the international treaty under the Migratory Bird Treaty Act of 1918 and by State law under the California Fish and Game Code (CDFG Code #3513 & #3503.5).

Per the definition provided in the 2012 CDFG Staff Report on *Burrowing Owl Mitigation*, “Burrowing owl habitat generally includes, but is not limited to, short or sparse vegetation (at least at some time of year), presence of burrows, burrow surrogates or presence of fossorial mammal dens, well-drained soils, and abundant and available prey.” Therefore, the project site and immediate vicinity does not contain suitable habitat for this species for the following reasons:

- *Vegetation is completely lacking;*
- *There are no burrows present on site;*
- *Presence of predators (domestic cat);*
- *Surrounding adjacent development;*
- *Constant human and tractor-trailer activity.*

No evidence of BUOW was found in the survey area. No BUOW pellets, feathers or white wash was found near existing burrows on site. No BUOW individuals were observed. Therefore, BUOW are considered absent from the site at the time of surveys.

#### *San Bernardino Kangaroo Rat (SBKR)*

The SBKR is one of several kangaroo rat species in its range. The Dulzura kangaroo rat (*Dipodomys simulans*), the Pacific kangaroo rat (*Dipodomys agilis*) and the Stephens kangaroo rat (*Dipodomys stephensi*) can occur in areas occupied by the SBKR, but these other species have a wider habitat range. The habitat of the SBKR is described as being confined to primary and secondary alluvial fan scrub habitats, with sandy soils deposited by fluvial (water) rather than aeolian (wind) processes. Burrows are dug in loose soil, usually near or beneath shrubs. SBKR, are confined to inland valley scrub communities, and more particularly, to scrub communities occurring along rivers, streams and drainage. Most of these drainages have been historically altered as a result of flood control efforts and the resulting increased use of river resources, including mining, off-road vehicle uses and road and housing development. This increased use of river resources has resulted in a reduction in both the amount and quality of habitat available for the SBKR. The past habitat losses and potential future losses prompted the emergency listing of the SBKR as an endangered species.

SBKR critical habitat occurs 200 feet to the northeast and approximately 0.5 mile to the west of the project site. Interstate 215 abuts the site boundary to the northeast along with a paved frontage road and provides an effective barrier between the project site and the critical habitat along the Cable Creek corridor. Critical habitat mapped to the west of the site is within the Cajon Creek wash and is separated from the project area by Kendall Dr., multiple BNSF rail tracks and car staging spurs, Cajon Blvd (Rt. 66), and industrial development. No aspect of the Project site contains the habitat elements for SBKR. This species is presumed absent.

No State- and/or federally listed threatened or endangered species, or other sensitive species were observed during survey within the Project site or buffer survey areas.

#### *Nesting Birds*

The site is somewhat suitable for certain species of nesting birds. The project site and immediate surrounding areas do contain habitat suitable for nesting birds in general, including trees overhanging the site growing on the adjacent parcels.

Nesting birds are protected under the MBTA which provides protection for nesting birds that are both residents and migrants whether or not they are considered sensitive by resource agencies. The MBTA makes it unlawful to take, possess, buy, sell, purchase, or barter any migratory bird listed under 50 CFR 10, including feathers or other parts, nests, eggs, or products, except as allowed by implementing regulations (50 CFR 21). The direct injury or death of a migratory bird, due to construction activities or other construction-related disturbance that causes nest abandonment, nestling abandonment, or forced fledging would be considered take under federal law. The USFWS, in coordination with the CDFW administers the MBTA. CDFW's authoritative nexus to MBTA is provided in FGC Sections 3503.5 which protects all birds of prey and their nests and FGC Section 3800 which protects all non-game birds that occur naturally in the State.

#### *Jurisdiction Waters*

The Cable Creek corridor along the north side of the I-215 and the Cajon Wash to the west of the project site are the two closest jurisdictional waters to the project area (see attached map in appendix B). There are no drainages on site. No aspect of the site presents any evidence of jurisdictional waters. None of the following indicators are



present on site: riparian vegetation, facultative, facultative wet or obligate wet vegetation, harrow marks, sand bars shaped by water, racking, rilling, destruction of vegetation, defined bed and bank, distinct line between vegetation types, clear natural scour line, meander bars, mud cracks, staining, silt deposits, litter- organic debris. No jurisdictional waters occur on site.

## CONCLUSIONS

The proposed Project will not affect State or federally listed endangered, threatened species because there is no habitat to support these species within, adjacent to, or in the broader vicinity of the Project area. In addition, the proposed Project will not adversely affect Critical Habitat as none exists within the Project area.

Habitat conditions on site are not suitable for SBKR, BUOW or any other sensitive species known to occur in the area.

Vegetation on site is non-existent, however there are certain elements and structures that could possibly provide nesting habitat for certain avian species. Therefore, pre-construction surveys are warranted and recommended should project implementation occur during the bird nesting season.

Therefore, to reduce the potential impacts to nesting birds, the following is recommended:

- Bird nesting season generally extends from February 1 through September 15 in southern California and specifically, April 15 through August 31 for migratory passerine birds. To avoid impacts to nesting birds (common and special status) during the nesting season, a qualified Avian Biologist will conduct pre-construction Nesting Bird Surveys (NBS) prior to project-related disturbance to nestable vegetation to identify any active nests. If no active nests are found, no further action will be required. If an active nest is found, the biologist will set appropriate no-work buffers around the nest which will be based upon the nesting species, its sensitivity to disturbance, nesting stage and expected types, intensity and duration of disturbance. The nests and buffer zones shall be field checked weekly by a qualified biological monitor. The approved no-work buffer zone shall be clearly marked in the field, within which no disturbance activity shall commence until the qualified biologist has determined the young birds have successfully fledged and the nest is inactive.

Please do not hesitate to contact me at 909-915-5900 should you have any questions or require further information.

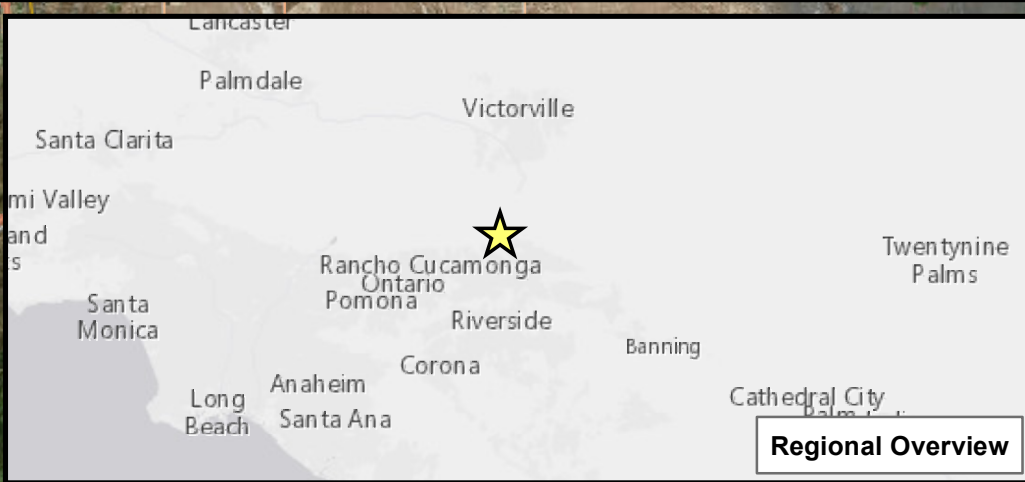
Sincerely,



Shay Lawrey, President  
Ecologist/Regulatory Specialist

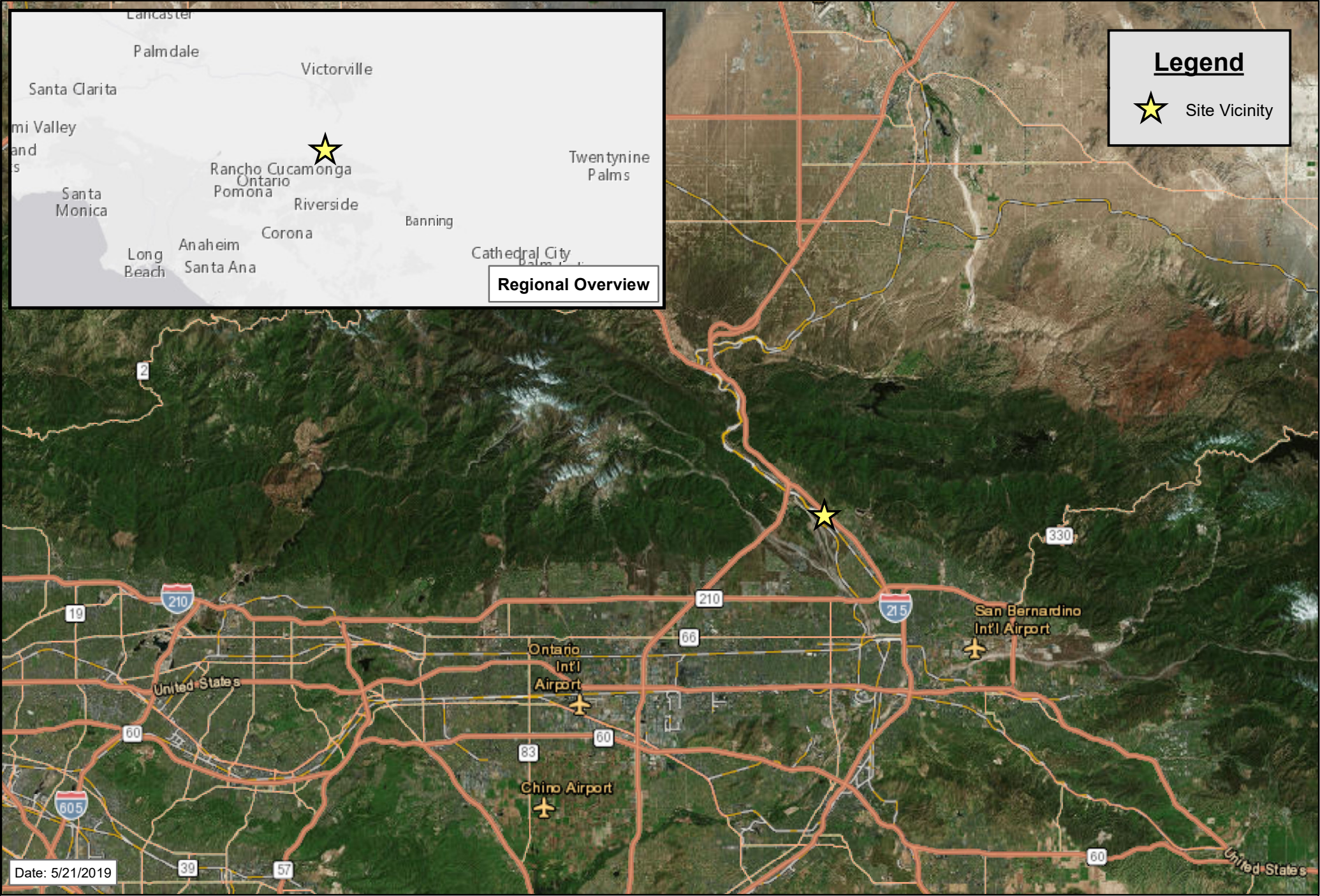
### Attachments:

- Attachment A – Figures
- Attachment B – Site Photos
- Attachment C – Database Reports

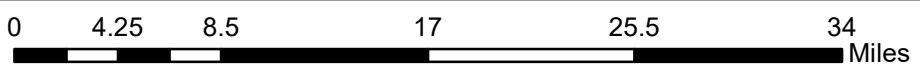


**Legend**

★ Site Vicinity



Date: 5/21/2019



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 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA,



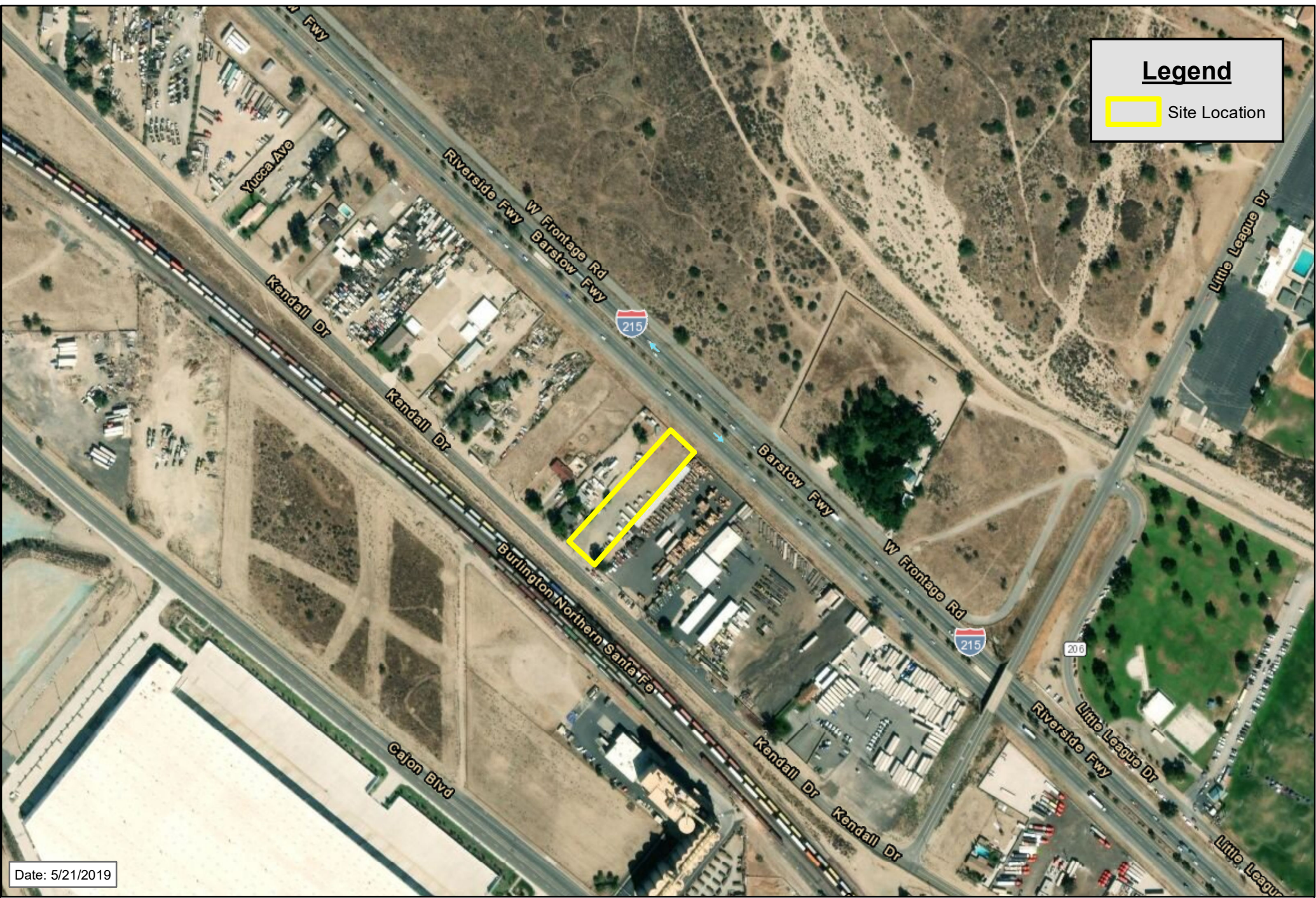
**Figure 1 - Regional Overview  
 Site Vicinity**

Glen Helen/Devore Parcel  
 Wilhite Langley, Inc.  
 Devore, CA

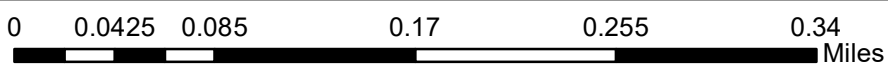


# Legend

 Site Location



Date: 5/21/2019



Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors  
Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



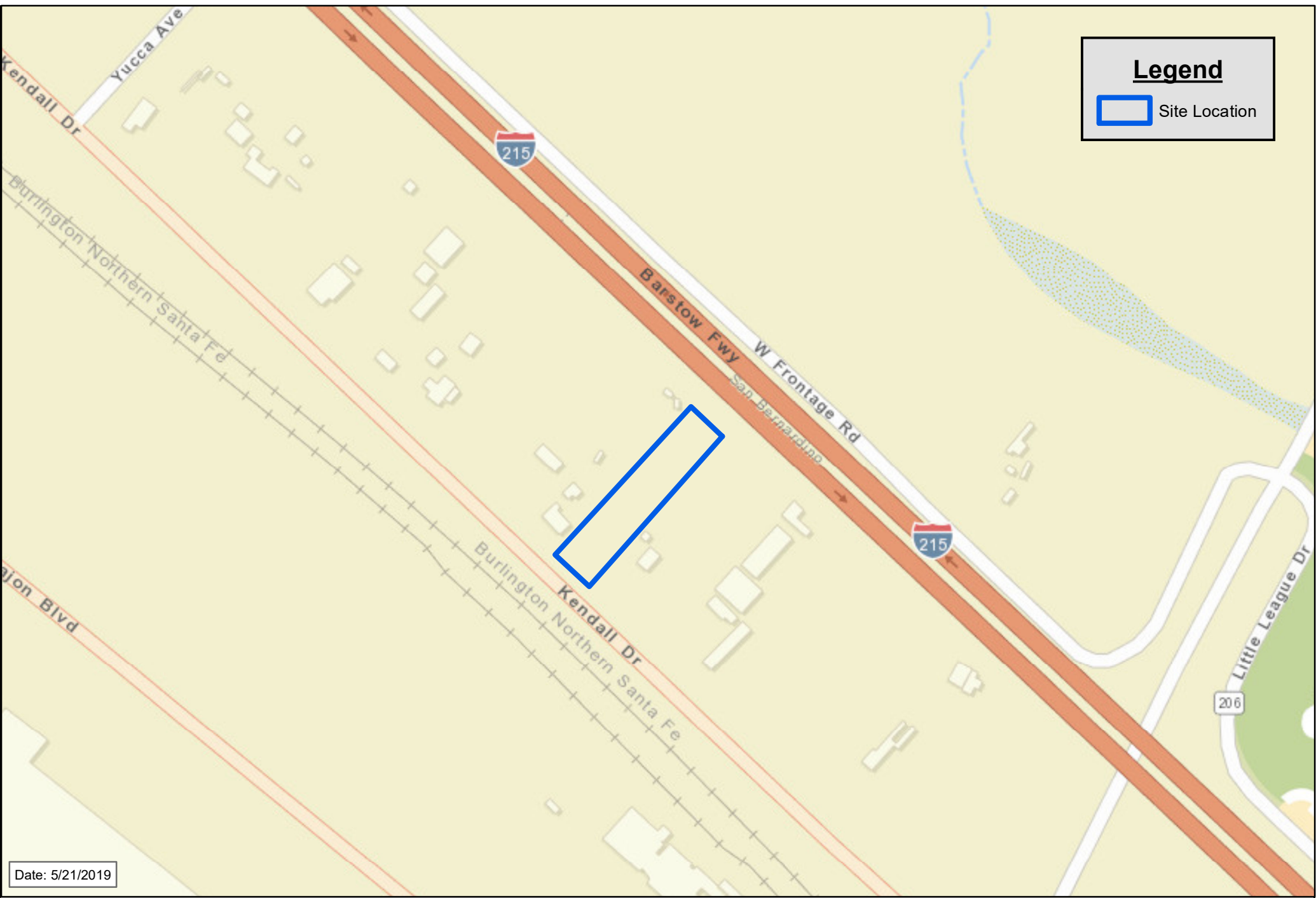
## Figure 2 Site Location

Glen Helen/Devore Parcel  
Wilhite Langley, Inc.  
Devore, CA

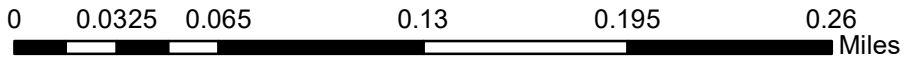


**Legend**

 Site Location



Date: 5/21/2019



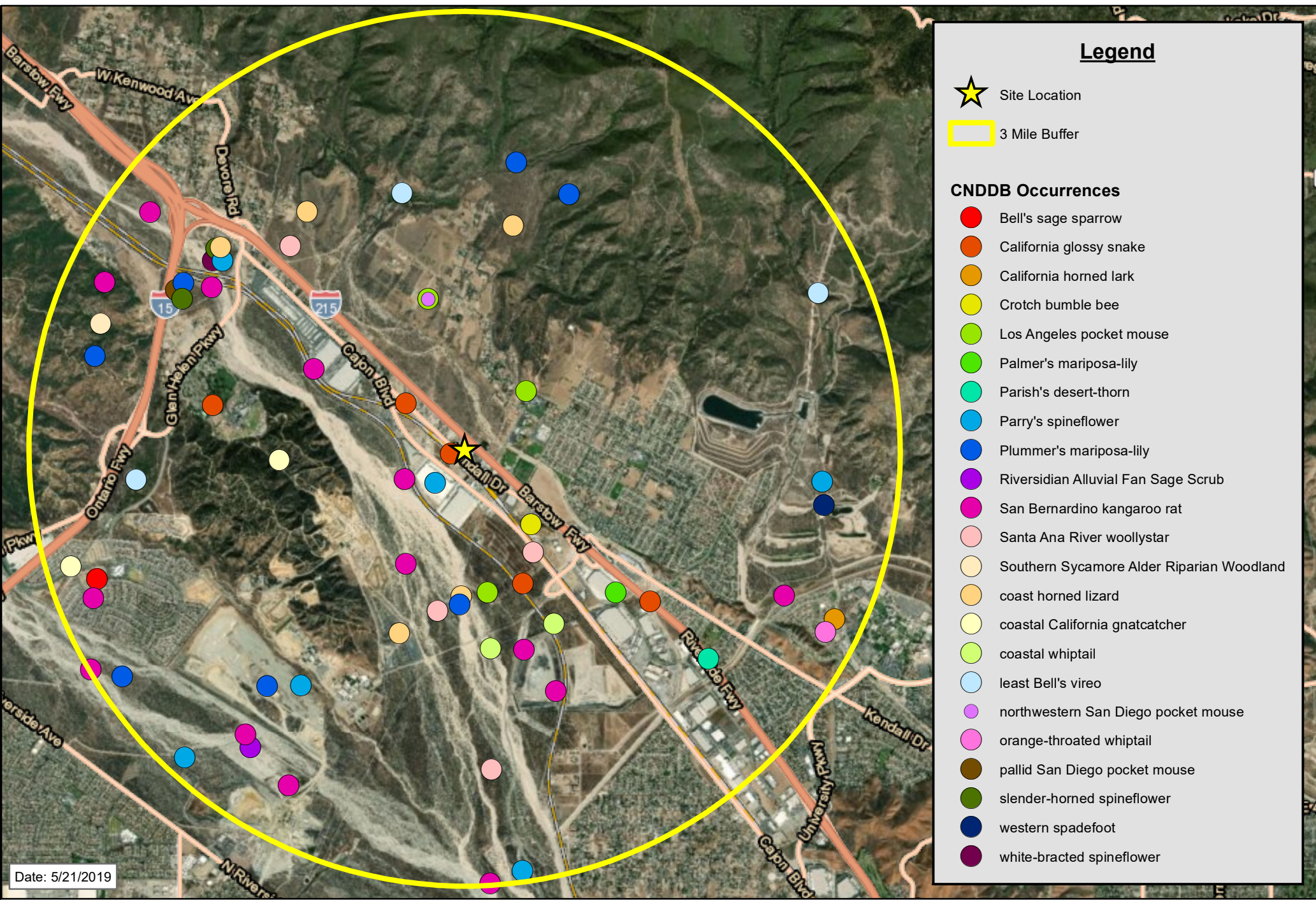
Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community





**Figure 3**  
**Site Location**

Glen Helen/Devore Parcel  
Wilhite Langley, Inc.  
Devore, CA





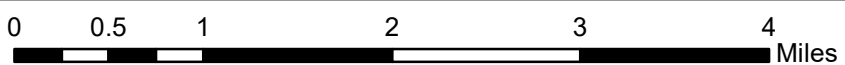
**Legend**

-  Site Location
-  3 Mile Buffer

**CNDDDB Occurrences**

-  Bell's sage sparrow
-  California glossy snake
-  California horned lark
-  Crotch bumble bee
-  Los Angeles pocket mouse
-  Palmer's mariposa-lily
-  Parish's desert-thorn
-  Parry's spineflower
-  Plummer's mariposa-lily
-  Riversidian Alluvial Fan Sage Scrub
-  San Bernardino kangaroo rat
-  Santa Ana River woollystar
-  Southern Sycamore Alder Riparian Woodland
-  coast horned lizard
-  coastal California gnatcatcher
-  coastal whiptail
-  least Bell's vireo
-  northwestern San Diego pocket mouse
-  orange-throated whiptail
-  pallid San Diego pocket mouse
-  slender-horned spineflower
-  western spadefoot
-  white-bracted spineflower

Date: 5/21/2019



Service Layer Credits: Esri, HERE, Garmin, (c) OpenStreetMap contributors  
 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



**Figure 4**  
**3 Mile CNDDDB Occurrences**

Glen Helen/Devore Parcel  
 Wilhite Langley, Inc.  
 Devore, CA






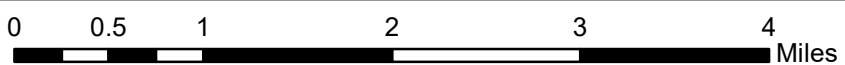
**Legend**

-  3 Mile Buffer
-  Site Location

**Critical Habitat**

-  Arroyo (=arroyo southwestern) toad
-  San Bernardino Merriam's kangaroo rat

Date: 5/21/2019



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 Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



**Figure 5**  
**Critical Habitat**

Glen Helen/Devore Parcel  
 Wilhite Langley, Inc.  
 Devore, CA





**Photo 1:** Looking west from I-215 towards Kendall Dr.



**Photo 2:** Looking east from Kendall Dr. towards I-215.



**Photo 3:** Looking southeast towards I-215.



**Photo 4:** Looking southwest towards Kendall Dr.





**Photo 5:** Looking towards southeast corner of site from center.



**Photo 6:** Looking towards entrance to site from Kendall Dr. from center.



Selected Elements by Scientific Name  
California Department of Fish and Wildlife  
California Natural Diversity Database



Query Criteria: Quad (Devore (3411724)) OR San Bernardino North (3411723))

Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<i>Aimophila ruficeps canescens</i> southern California rufous-crowned sparrow	ABPBX91091	None	None	G5T3	S3	WL
<i>Ambrosia monogyra</i> singlewhorl burrobrush	PDAST50010	None	None	G5	S2	2B.2
<i>Anniella stebbinsi</i> southern California legless lizard	ARACC01060	None	None	G3	S3	SSC
<i>Arenaria paludicola</i> marsh sandwort	PDCAR040L0	Endangered	Endangered	G1	S1	1B.1
<i>Arizona elegans occidentalis</i> California glossy snake	ARADB01017	None	None	G5T2	S2	SSC
<i>Artemisospiza belli belli</i> Bell's sage sparrow	ABPBX97021	None	None	G5T2T3	S3	WL
<i>Aspidoscelis hyperythra</i> orange-throated whiptail	ARACJ02060	None	None	G5	S2S3	WL
<i>Aspidoscelis tigris stejnegeri</i> coastal whiptail	ARACJ02143	None	None	G5T5	S3	SSC
<i>Athene cunicularia</i> burrowing owl	ABNSB10010	None	None	G4	S3	SSC
<i>Baeolophus inornatus</i> oak titmouse	ABPAW01100	None	None	G4	S4	
<i>Batrachoseps gabrieli</i> San Gabriel slender salamander	AAAAD02110	None	None	G2G3	S2S3	
<i>Berberis nevinii</i> Nevin's barberry	PDBER060A0	Endangered	Endangered	G1	S1	1B.1
<i>Bombus crotchii</i> Crotch bumble bee	IIHYM24480	None	None	G3G4	S1S2	
<i>Brodiaea filifolia</i> thread-leaved brodiaea	PMLIL0C050	Threatened	Endangered	G2	S2	1B.1
<i>Calochortus palmeri var. palmeri</i> Palmer's mariposa-lily	PMLIL0D122	None	None	G3T2	S2	1B.2
<i>Calochortus plummerae</i> Plummer's mariposa-lily	PMLIL0D150	None	None	G4	S4	4.2
<i>Castilleja lasiorhyncha</i> San Bernardino Mountains owl's-clover	PDSCR0D410	None	None	G2?	S2?	1B.2
<i>Centromadia pungens ssp. laevis</i> smooth tarplant	PDAST4R0R4	None	None	G3G4T2	S2	1B.1
<i>Chaetodipus fallax fallax</i> northwestern San Diego pocket mouse	AMAFD05031	None	None	G5T3T4	S3S4	SSC
<i>Chaetodipus fallax pallidus</i> pallid San Diego pocket mouse	AMAFD05032	None	None	G5T34	S3S4	SSC



Selected Elements by Scientific Name  
California Department of Fish and Wildlife  
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<b><i>Charina umbratica</i></b> southern rubber boa	ARADA01011	None	Threatened	G2G3	S2S3	
<b><i>Chloropyron maritimum ssp. maritimum</i></b> salt marsh bird's-beak	PDSCR0J0C2	Endangered	Endangered	G4?T1	S1	1B.2
<b><i>Chorizanthe parryi var. parryi</i></b> Parry's spineflower	PDPGN040J2	None	None	G3T2	S2	1B.1
<b><i>Chorizanthe xanti var. leucotheca</i></b> white-bracted spineflower	PDPGN040Z1	None	None	G4T3	S3	1B.2
<b><i>Diadophis punctatus modestus</i></b> San Bernardino ringneck snake	ARADB10015	None	None	G5T2T3	S2?	
<b><i>Dipodomys merriami parvus</i></b> San Bernardino kangaroo rat	AMAFD03143	Endangered	None	G5T1	S1	SSC
<b><i>Dodecahema leptoceras</i></b> slender-horned spineflower	PDPGN0V010	Endangered	Endangered	G1	S1	1B.1
<b><i>Eremophila alpestris actia</i></b> California horned lark	ABPAT02011	None	None	G5T4Q	S4	WL
<b><i>Eriastrum densifolium ssp. sanctorum</i></b> Santa Ana River woollystar	PDPLM03035	Endangered	Endangered	G4T1	S1	1B.1
<b><i>Euchloe hyantis andrewsi</i></b> Andrew's marble butterfly	IILEPA5032	None	None	G3G4T1	S1	
<b><i>Euphydryas editha quino</i></b> quino checkerspot butterfly	IILEPK405L	Endangered	None	G5T1T2	S1S2	
<b><i>Falco columbarius</i></b> merlin	ABNKD06030	None	None	G5	S3S4	WL
<b><i>Fimbristylis thermalis</i></b> hot springs fimbristylis	PMCYP0B0N0	None	None	G4	S1S2	2B.2
<b><i>Glaucomys oregonensis californicus</i></b> San Bernardino flying squirrel	AMAFB09021	None	None	G5T1T2	S1S2	SSC
<b><i>Horkelia cuneata var. puberula</i></b> mesa horkelia	PDROS0W045	None	None	G4T1	S1	1B.1
<b><i>Imperata brevifolia</i></b> California satintail	PMPOA3D020	None	None	G4	S3	2B.1
<b><i>Lasiurus xanthinus</i></b> western yellow bat	AMACC05070	None	None	G5	S3	SSC
<b><i>Lepus californicus bennettii</i></b> San Diego black-tailed jackrabbit	AMAEB03051	None	None	G5T3T4	S3S4	SSC
<b><i>Lilium parryi</i></b> lemon lily	PMLIL1A0J0	None	None	G3	S3	1B.2
<b><i>Lycium parishii</i></b> Parish's desert-thorn	PDSOL0G0D0	None	None	G3?	S1	2B.3
<b><i>Malacothamnus parishii</i></b> Parish's bush-mallow	PDMAL0Q0C0	None	None	GXQ	SX	1A



Selected Elements by Scientific Name  
California Department of Fish and Wildlife  
California Natural Diversity Database



Species	Element Code	Federal Status	State Status	Global Rank	State Rank	Rare Plant Rank/CDFW SSC or FP
<b><i>Neotoma lepida intermedia</i></b> San Diego desert woodrat	AMAFF08041	None	None	G5T3T4	S3S4	SSC
<b><i>Nyctinomops femorosaccus</i></b> pocketed free-tailed bat	AMACD04010	None	None	G4	S3	SSC
<b><i>Opuntia basilaris var. brachyclada</i></b> short-joint beavertail	PDCAC0D053	None	None	G5T3	S3	1B.2
<b><i>Perognathus longimembris brevinasus</i></b> Los Angeles pocket mouse	AMAFD01041	None	None	G5T1T2	S1S2	SSC
<b><i>Phrynosoma blainvillii</i></b> coast horned lizard	ARACF12100	None	None	G3G4	S3S4	SSC
<b><i>Polioptila californica californica</i></b> coastal California gnatcatcher	ABPBJ08081	Threatened	None	G4G5T2Q	S2	SSC
<b><i>Rana muscosa</i></b> southern mountain yellow-legged frog	AAABH01330	Endangered	Endangered	G1	S1	WL
<b><i>Rhinichthys osculus ssp. 3</i></b> Santa Ana speckled dace	AFCJB3705K	None	None	G5T1	S1	SSC
<b><i>Riversidian Alluvial Fan Sage Scrub</i></b> Riversidian Alluvial Fan Sage Scrub	CTT32720CA	None	None	G1	S1.1	
<b><i>Schoenus nigricans</i></b> black bog-rush	PMCYP0P010	None	None	G4	S2	2B.2
<b><i>Setophaga petechia</i></b> yellow warbler	ABPBX03010	None	None	G5	S3S4	SSC
<b><i>Southern Riparian Forest</i></b> Southern Riparian Forest	CTT61300CA	None	None	G4	S4	
<b><i>Southern Sycamore Alder Riparian Woodland</i></b> Southern Sycamore Alder Riparian Woodland	CTT62400CA	None	None	G4	S4	
<b><i>Spea hammondi</i></b> western spadefoot	AAABF02020	None	None	G3	S3	SSC
<b><i>Streptanthus bernardinus</i></b> Laguna Mountains jewelflower	PDBRA2G060	None	None	G3G4	S3S4	4.3
<b><i>Streptanthus campestris</i></b> southern jewelflower	PDBRA2G0B0	None	None	G3	S3	1B.3
<b><i>Symphotrichum defoliatum</i></b> San Bernardino aster	PDASTE80C0	None	None	G2	S2	1B.2
<b><i>Thamnophis hammondi</i></b> two-striped gartersnake	ARADB36160	None	None	G4	S3S4	SSC
<b><i>Vireo bellii pusillus</i></b> least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	

Record Count: 60





# United States Department of the Interior



FISH AND WILDLIFE SERVICE  
Carlsbad Fish And Wildlife Office  
2177 Salk Avenue - Suite 250  
Carlsbad, CA 92008-7385  
Phone: (760) 431-9440 Fax: (760) 431-5901  
<http://www.fws.gov/carlsbad/>

In Reply Refer To:  
Consultation Code: 08ECAR00-2019-SLI-1003  
Event Code: 08ECAR00-2019-E-02311  
Project Name: Wilhite-Langley Devore Parcel

May 23, 2019

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

## To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment(s):

- Official Species List
-

## Official Species List

This list is provided pursuant to Section 7 of the Endangered Species Act, and fulfills the requirement for Federal agencies to "request of the Secretary of the Interior information whether any species which is listed or proposed to be listed may be present in the area of a proposed action".

This species list is provided by:

**Carlsbad Fish And Wildlife Office**

2177 Salk Avenue - Suite 250

Carlsbad, CA 92008-7385

(760) 431-9440

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## Project Summary

Consultation Code: 08ECAR00-2019-SLI-1003

Event Code: 08ECAR00-2019-E-02311

Project Name: Wilhite-Langley Devore Parcel

Project Type: DEVELOPMENT

Project Description: Project site is an active trucking yard located between Kendall Dr. and the I-215 freeway in the unincorporated area of Devore, CA. Lot is completely paved with concrete or base gravel and surrounded by cinderblock wall or fencing.

Project Location:

Approximate location of the project can be viewed in Google Maps: <https://www.google.com/maps/place/34.200602262387335N117.3754771160167W>



Counties: San Bernardino, CA

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## Endangered Species Act Species

There is a total of 9 threatened, endangered, or candidate species on this species list.

Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species.

IPaC does not display listed species or critical habitats under the sole jurisdiction of NOAA Fisheries<sup>1</sup>, as USFWS does not have the authority to speak on behalf of NOAA and the Department of Commerce.

See the "Critical habitats" section below for those critical habitats that lie wholly or partially within your project area under this office's jurisdiction. Please contact the designated FWS office if you have questions.

- 
1. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

## Mammals

NAME	STATUS
San Bernardino Merriam's Kangaroo Rat <i>Dipodomys merriami parvus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/2060">https://ecos.fws.gov/ecp/species/2060</a>	Endangered

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## Birds

NAME	STATUS
California Condor <i>Gymnogyps californianus</i> Population: U.S.A. only, except where listed as an experimental population There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/8193">https://ecos.fws.gov/ecp/species/8193</a>	Endangered
Coastal California Gnatcatcher <i>Polioptila californica californica</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/8178">https://ecos.fws.gov/ecp/species/8178</a>	Threatened
Least Bell's Vireo <i>Vireo bellii pusillus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/5945">https://ecos.fws.gov/ecp/species/5945</a>	Endangered
Southwestern Willow Flycatcher <i>Empidonax traillii extimus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6749">https://ecos.fws.gov/ecp/species/6749</a>	Endangered

## Amphibians

NAME	STATUS
Arroyo (=arroyo Southwestern) Toad <i>Anaxyrus californicus</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/3762">https://ecos.fws.gov/ecp/species/3762</a>	Endangered

## Flowering Plants

NAME	STATUS
Santa Ana River Woolly-star <i>Eriastrum densifolium ssp. sanctorum</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/6575">https://ecos.fws.gov/ecp/species/6575</a>	Endangered
Slender-horned Spineflower <i>Dodecahema leptoceras</i> No critical habitat has been designated for this species. Species profile: <a href="https://ecos.fws.gov/ecp/species/4007">https://ecos.fws.gov/ecp/species/4007</a>	Endangered
Thread-leaved Brodiaea <i>Brodiaea filifolia</i> There is <b>final</b> critical habitat for this species. Your location is outside the critical habitat. Species profile: <a href="https://ecos.fws.gov/ecp/species/6087">https://ecos.fws.gov/ecp/species/6087</a>	Threatened

## Critical habitats

THERE ARE NO CRITICAL HABITATS WITHIN YOUR PROJECT AREA UNDER THIS OFFICE'S JURISDICTION.




## Plant List

### Inventory of Rare and Endangered Plants

29 matches found. *Click on scientific name for details*

Search Criteria
California Rare Plant Rank is one of [1A, 1B, 2A, 2B, 4], FESA is one of [Endangered, Threatened, Candidate, Not Listed], CESA is one of [Endangered, Threatened, Rare, Not Listed] Found in Quads 3411723 and 3411724;

[Modify Search Criteria](#) 
[Export to Excel](#) 
[Modify Columns](#) 
[Modify Sort](#) 
[Remove Photos](#) 
  
[Modify Search Criteria](#) 
[Export to Excel](#) 
[Modify Columns](#) 
[Modify Sort](#) 
[Display Photos](#) 

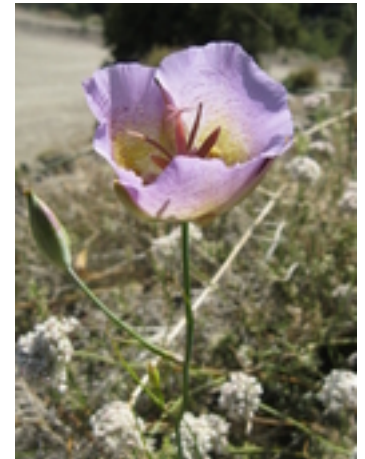
Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank	Photo
<a href="#">Ambrosia monogyra</a>	singlewhorl burrobrush	Asteraceae	perennial shrub	Aug-Nov	2B.2	S2	G5	 <p>2014 Keir Morse</p>
<a href="#">Brodiaea filifolia</a>	thread-leaved brodiaea	Themidaceae	perennial bulbiferous herb	Mar-Jun	1B.1	S2	G2	 <p>2001 Salvatore Zimmitti</p>
<a href="#">Calochortus catalinae</a>	Catalina mariposa lily	Liliaceae	perennial bulbiferous herb	(Feb)Mar-Jun	4.2	S3S4	G3G4	 <p>2005 Noah Elhardt</p>

Calochortus palmeri var. palmeri Palmer's mariposa lily Liliaceae perennial bulbiferous herb Apr-Jul 1B.2 S2 G3T2



2013 Neal Kramer

Calochortus plummerae Plummer's mariposa lily Liliaceae perennial bulbiferous herb May-Jul 4.2 S4 G4



2009 Thomas Stoughton

Castilleja lasiorhyncha San Bernardino Mountains owl's-clover Orobanchaceae annual herb (hemiparasitic) May-Aug 1B.2 S2? G2?



2008 Thomas Stoughton

Centromadia pungens ssp. laevis smooth tarplant Asteraceae annual herb Apr-Sep 1B.1 S2 G3G4T2



2008 Dean Wm. Taylor, Ph.D.

Chorizanthe parryi var. parryi Parry's spineflower Polygonaceae annual herb Apr-Jun 1B.1 S2 G3T2



2009 Robert Steers

Chorizanthe xanti var. leucotheca white-bracted spineflower Polygonaceae annual herb Apr-Jun 1B.2 S3 G4T3





Dodecahema leptoceras slender-horned spineflower Polygonaceae annual herb Apr-Jun 1B.1 S1 G1



2012 Anuja Parikh and Nathan Gale

Eriastrum densifolium ssp. sanctorum Santa Ana River woollystar Polemoniaceae perennial herb Apr-Sep 1B.1 S1 G4T1



2010 Justin M. Wood

Fimbristylis thermalis hot springs fimbristylis Cyperaceae perennial rhizomatous herb Jul-Sep 2B.2 S1S2 G4



2004 Steve Matson

Frasera neglecta pine green-gentian Gentianaceae perennial herb May-Jul 4.3 S4 G4



2009 Thomas Stoughton

Galium johnstonii Johnston's bedstraw Rubiaceae perennial herb Jun-Jul 4.3 S4 G4












2015 Keir Morse

Imperata brevifolia California satintail Poaceae perennial rhizomatous herb Sep-May 2B.1 S3 G4



2001 CDFA

<u><a href="#">Juglans californica</a></u>	Southern California black walnut	Juglandaceae	perennial deciduous tree	Mar-Aug	4.2	S4	G4		2003 Michael Charters
<u><a href="#">Juncus duranii</a></u>	Duran's rush	Juncaceae	perennial rhizomatous herb	Jul-Aug	4.3	S3	G3		2004 Steve Matson
<u><a href="#">Lilium humboldtii</a></u> ssp. <u><a href="#">ocellatum</a></u>	ocellated Humboldt lily	Liliaceae	perennial bulbiferous herb	Mar-Jul(Aug)	4.2	S4?	G4T4?		2007 Ricky Grubb
<u><a href="#">Lilium parryi</a></u>	lemon lily	Liliaceae	perennial bulbiferous herb	Jul-Aug	1B.2	S3	G3		2006 Steven Thorsted
<u><a href="#">Lycium parishii</a></u>	Parish's desert-thorn	Solanaceae	perennial shrub perennial	Mar-Apr	2B.3	S1	G3?	no photo available	

<a href="#"><u>Monardella saxicola</u></a>	rock monardella	Lamiaceae	rhizomatous herb	Jun-Sep	4.2	S3	G3	no photo available
<a href="#"><u>Muhlenbergia californica</u></a>	California muhly	Poaceae	perennial rhizomatous herb	Jun-Sep	4.3	S4	G4	 2011 Steve Matson
<a href="#"><u>Opuntia basilaris var. brachyclada</u></a>	short-joint beavertail	Cactaceae	perennial stem succulent	Apr-Jun(Aug)	1B.2	S3	G5T3	 2009 Thomas Stoughton
<a href="#"><u>Pickeringia montana var. tomentosa</u></a>	woolly chaparral-pea	Fabaceae	evergreen shrub	May-Aug	4.3	S3S4	G5T3T4	 1996 Christopher L. Christie
<a href="#"><u>Schoenus nigricans</u></a>	black bog-rush	Cyperaceae	perennial herb	Aug-Sep	2B.2	S2	G4	 2006 Trent M. Draper
<a href="#"><u>Senecio astephanus</u></a>	San Gabriel ragwort	Asteraceae	perennial herb	May-Jul	4.3	S3	G3	no photo available
<a href="#"><u>Streptanthus bernardinus</u></a>	Laguna Mountains jewelflower	Brassicaceae	perennial herb	May-Aug	4.3	S3S4	G3G4	 2008 Thomas Stoughton



Streptanthus campestris southern jewelflower Brassicaceae perennial herb (Apr)May-Jul 1B.3 S3 G3



2005 Aaron Schustef

Symphyotrichum defoliatum San Bernardino aster Asteraceae perennial rhizomatous herb Jul-Nov(Dec) 1B.2 S2 G2



2009 Bob Allen

Scientific Name	Common Name	Family	Lifeform	Blooming Period	CA Rare Plant Rank	State Rank	Global Rank
<u>Ambrosia monogyra</u>	singlewhorl burrobrush	Asteraceae	perennial shrub	Aug-Nov	2B.2	S2	G5
<u>Brodiaea filifolia</u>	thread-leaved brodiaea	Themidaceae	perennial bulbiferous herb	Mar-Jun	1B.1	S2	G2
<u>Calochortus catalinae</u>	Catalina mariposa lily	Liliaceae	perennial bulbiferous herb	(Feb)Mar-Jun	4.2	S3S4	G3G4
<u>Calochortus palmeri var. palmeri</u>	Palmer's mariposa lily	Liliaceae	perennial bulbiferous herb	Apr-Jul	1B.2	S2	G3T2
<u>Calochortus plummerae</u>	Plummer's mariposa lily	Liliaceae	perennial bulbiferous herb	May-Jul	4.2	S4	G4
<u>Castilleja lasiorhyncha</u>	San Bernardino Mountains owl's-clover	Orobanchaceae	annual herb (hemiparasitic)	May-Aug	1B.2	S2?	G2?
<u>Centromadia pungens ssp. laevis</u>	smooth tarplant	Asteraceae	annual herb	Apr-Sep	1B.1	S2	G3G4T2
<u>Chorizanthe parryi var. parryi</u>	Parry's spineflower	Polygonaceae	annual herb	Apr-Jun	1B.1	S2	G3T2
<u>Chorizanthe xanti var. leucotheca</u>	white-bracted spineflower	Polygonaceae	annual herb	Apr-Jun	1B.2	S3	G4T3
<u>Dodecahema leptoceras</u>	slender-horned spineflower	Polygonaceae	annual herb	Apr-Jun	1B.1	S1	G1
<u>Eriastrum densifolium ssp. sanctorum</u>	Santa Ana River woollystar	Polemoniaceae	perennial herb	Apr-Sep	1B.1	S1	G4T1
<u>Fimbristylis thermalis</u>	hot springs fimbristylis	Cyperaceae	perennial rhizomatous herb	Jul-Sep	2B.2	S1S2	G4
<u>Frasera neglecta</u>	pine green-gentian	Gentianaceae	perennial herb	May-Jul	4.3	S4	G4
<u>Galium johnstonii</u>	Johnston's bedstraw	Rubiaceae	perennial herb	Jun-Jul	4.3	S4	G4
<u>Imperata brevifolia</u>	California satintail	Poaceae	perennial rhizomatous herb	Sep-May	2B.1	S3	G4



<a href="#"><u>Juglans californica</u></a>	Southern California black walnut	Juglandaceae	perennial deciduous tree	Mar-Aug	4.2	S4	G4
<a href="#"><u>Juncus duranii</u></a>	Duran's rush	Juncaceae	perennial rhizomatous herb	Jul-Aug	4.3	S3	G3
<a href="#"><u>Lilium humboldtii ssp. ocellatum</u></a>	ocellated Humboldt lily	Liliaceae	perennial bulbiferous herb	Mar-Jul(Aug)	4.2	S4?	G4T4?
<a href="#"><u>Lilium parryi</u></a>	lemon lily	Liliaceae	perennial bulbiferous herb	Jul-Aug	1B.2	S3	G3
<a href="#"><u>Lycium parishii</u></a>	Parish's desert-thorn	Solanaceae	perennial shrub	Mar-Apr	2B.3	S1	G3?
<a href="#"><u>Monardella saxicola</u></a>	rock monardella	Lamiaceae	perennial rhizomatous herb	Jun-Sep	4.2	S3	G3
<a href="#"><u>Muhlenbergia californica</u></a>	California muhly	Poaceae	perennial rhizomatous herb	Jun-Sep	4.3	S4	G4
<a href="#"><u>Opuntia basilaris var. brachyclada</u></a>	short-joint beavertail	Cactaceae	perennial stem succulent	Apr-Jun(Aug)	1B.2	S3	G5T3
<a href="#"><u>Pickeringia montana var. tomentosa</u></a>	woolly chaparral-pea	Fabaceae	evergreen shrub	May-Aug	4.3	S3S4	G5T3T4
<a href="#"><u>Schoenus nigricans</u></a>	black bog-rush	Cyperaceae	perennial herb	Aug-Sep	2B.2	S2	G4
<a href="#"><u>Senecio astephanus</u></a>	San Gabriel ragwort	Asteraceae	perennial herb	May-Jul	4.3	S3	G3
<a href="#"><u>Streptanthus bernardinus</u></a>	Laguna Mountains jewelflower	Brassicaceae	perennial herb	May-Aug	4.3	S3S4	G3G4
<a href="#"><u>Streptanthus campestris</u></a>	southern jewelflower	Brassicaceae	perennial herb	(Apr)May-Jul	1B.3	S3	G3
<a href="#"><u>Symphotrichum defoliatum</u></a>	San Bernardino aster	Asteraceae	perennial rhizomatous herb	Jul-Nov(Dec)	1B.2	S2	G2

## Suggested Citation

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### Questions and Comments

[rareplants@cnps.org](mailto:rareplants@cnps.org)