ECOLOGICAL SCIENCES, inc.

January 24, 2017

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SUBJECT: ***Results of a Habitat Suitability Evaluation, ±9.81-acre Cedar Avenue and Orange Street Site, City of Bloomington, San Bernardino County, California***

Dear Tim:

This letter report presents findings of a reconnaissance-level survey conducted to generally evaluate the suitability of a ±9.81-acre site to support sensitive biological resources, with particular emphasis on the federally-listed endangered Delhi Sands flower-loving fly (*Rhaphiomidas terminatus abdominalis*-DSFF) and the special-status burrowing owl (*Athene cunicularia*-BUOW).

Introduction

The subject ±9.81-acre site is regionally located in the City of Rancho Cucamonga, San Bernardino County, California (***Plate 1***). More specifically, the site is located south of Interstate 10, north of Orange Street, east of Cedar Avenue, and west of Vine Street; Township 1 South, Range 5 West, Section 22 on the "Fontana" USGS 7.5-minute quadrangle map (***Plate 2***).

Projects proposed in the 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) and the federal Endangered Species Act (Act) of 1973, as amended. Accordingly, results of this habitat suitability evaluation are intended to provide the applicant and resource agencies with preliminary biological information required for planning and permitting decisions concerning the proposed project. 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.

Regulatory Setting

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 Game/Wildlife (CDFG/CDFW), U.S. Fish and Wildlife Service (FWS), County of San Bernardino (County), City of Bloomington (City), Regional Water Quality Control Board (RWQCB), and U.S. Army Corps of Engineers (USACE).

Potential constraints posed by biological resources upon the project site were generally evaluated by ranking the following sensitive biological issues, listed in descending order of significance: (1) a federally or state-listed endangered or threatened species of plant or animal; (2) streambeds, wetlands, and their associated vegetation; (3) habitats suitable to support a federally or state-listed endangered or threatened

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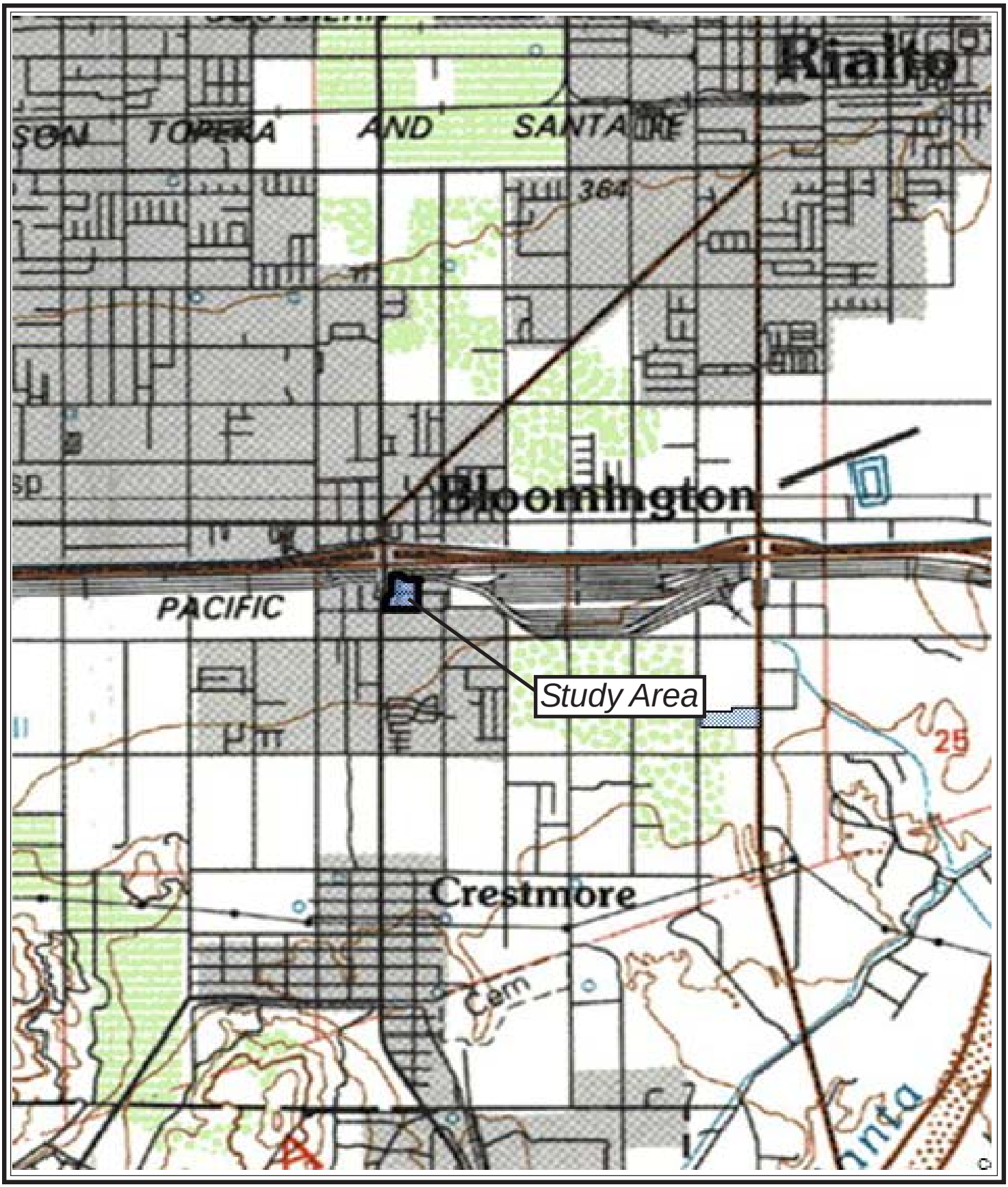

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plate **1**

Regional Site Location

9.81-acre Site

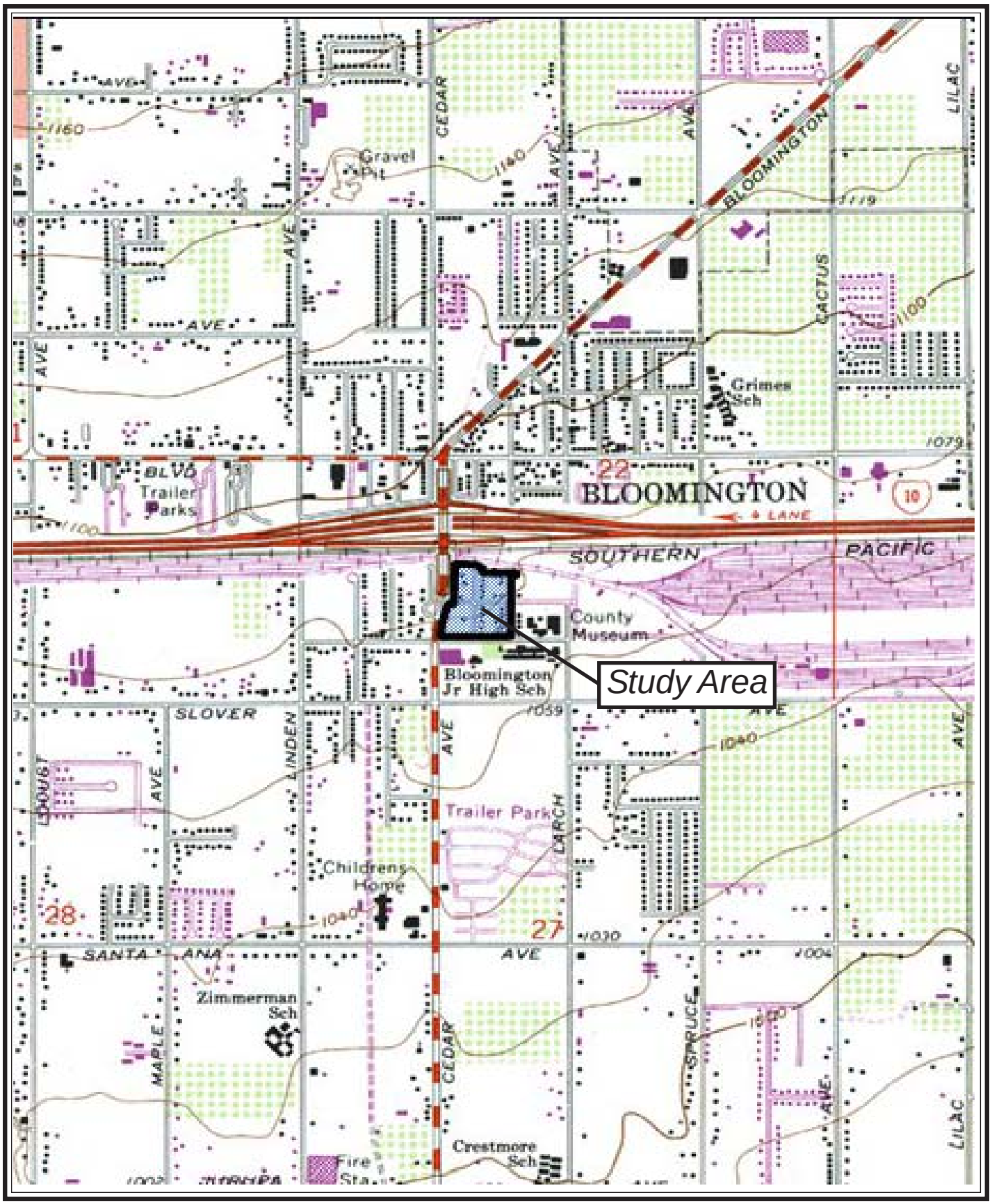

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plate **2**

Site Vicinity

9.81-acre Site

species of plant or wildlife; (4) species designated as candidates for federal listing; (5) habitat, other than wetlands, considered sensitive by regulatory agencies or resource conservation organizations; and (6) other species or issues of special concern to agencies, resource conservation organizations, or other interest groups. This analysis of biological resources is based on information compiled through field reconnaissance, extensive literature review, and by applicable reference materials. Methods used in this study are outlined below.

Selected Species Overview

The U.S. Fish and Wildlife Service (FWS) listed the ***DSFF*** as an endangered species on September 23, 1993. This species is only known to occur in association with Delhi sand deposits (FWS 1997), primarily on twelve disjunct sites within a radius of about eight miles in the cities of Colton, Rialto, and Fontana in southwestern San Bernardino and northwestern Riverside counties. However, survey data (1997-03) indicates that DSFF may still occur in low numbers in the Ontario area in sub-optimal habitat conditions. The DSFF is restricted to the Colton Dunes, which covers approximately 40 square miles. More than 95 percent of the formerly known habitat has been converted to human uses or severely affected by human activities, rendering it apparently unsuitable for occupation by the species (Smith 1993, FWS 1997 in Kingsley 1996).

General Habitat Characteristics

Areas containing sandy substrates with a sparse cover of perennial shrubs and other vegetation constitute the primary habitat requirements for *Rhaphiomidas* flies (FWS 1997). Potential habitat for the DSFF is typically defined as areas comprised of sandy soil (Delhi series) in open areas commonly dominated by three indicator plant species: California buckwheat (*Eriogonum fasciculatum*), California croton (*Croton californica*), and telegraph weed (*Heterotheca grandiflora*). Annual bur-sage (*Ambrosia acanthicarpa*), Rancher's fireweed (*Amsinckia menziesii*), autumn vinegar weed (*Lessingia glandulifera*), sapphire eriastrum (*Eriastrum sapphirinum*), primrose (*Oenothera* sp.), and Thurber's buckwheat (*Eriogonum thurberi*) are also commonly present at occupied DSFF sites. In addition, insect indicator species such as *Apiocera* and *Nemomydas* are also typically associated with occupied DSFF habitat. It is also important to note that the presence or absence of indicator species does not determine presence/absence of DSFF. Rather, these indicator species exhibit a strong correlation to habitats occupied by DSFF. A gradient of habitat suitability exists for DSFF, composed of varying degrees of both natural and artificial conditions.

Federal DSFF Recovery Units / Core Reserves

Subregional areas encompassing smaller areas known to be inhabited by the DSFF or encompassing areas that contain restorable habitat for the DSFF have been grouped into three Recovery Units (RUs) by the FWS based on geographic proximity, similarity of habitat, and potential genetic exchange (FWS 1997). The subject site is located within an area designated as the Colton RU. The Colton RU contains several areas that currently support DSFF populations, and additional areas have been proposed for restoration in the DSFF Recovery Plan. The occupied and/or potentially restorable habitat in the RUs includes only those areas that, at a minimum, contain Delhi Series soils. Further, RUs do not include residential and commercial development, or areas that have been otherwise permanently altered by human actions (FWS 1997). DSFF will continue to exist in the Colton RU only with land conservation, a cessation of current habitat-degrading land management practices and recreational uses, and/or a restoration or natural reversion of ecologically damaged lands back to an ecological community typical of Delhi sands formations.

The ***BUOW*** 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. While this special-status species is not protected by state or federal endangered species acts, the BUOW is protected under the federal Migratory Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and California Department of Fish and Game/Wildlife (CDFG/CDFW) Code sections 3503, 3503.5, and 3800. These sections prohibit take, possession, or destruction of birds, their nests or eggs. 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) 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 and weather information.

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/disced 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).

Preconstruction burrowing owl surveys conducted according to the 2012 CDFW Staff Report on Burrowing Owl Mitigation guidelines should be conducted on site prior to construction or site preparation activities. Pursuant to survey protocol, the subject area proposed for impacts would be walked to locate burrows that could be potentially used by burrowing owls. Suitable burrows would be examined for sign of burrowing owl use such as the presence of owl pellets, prey remains, or feathers at the burrow entrance. All suitable burrows (burrows that are open and wide enough for owl use), regardless if owl sign is noted, would be noted. During the appropriate time of day (around sunrise or sunset) during which owls become active, potentially suitable burrows would be observed for owl activity. It is recommended by CDFW to complete an initial take avoidance survey no less than 14 days prior to initiating ground disturbance activities. BUOW may re-colonize a site after only a few days. Time lapses between project activities would trigger a subsequent take avoidance survey including a final survey conducted within 24 hours prior to ground disturbance. Implementation of avoidance and minimization measures would be triggered by positive owl presence on a site where project activities would occur. Avoidance and minimization approaches would be developed by monitoring the owls.

Methodology

Literature Search

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 (CNDDB 2017) and (2) California Native Plant Society (CNPS 2017) online inventory for the "Fontana" and surrounding USGS 7.5-minute quadrangle maps, (3) available literature pertaining to habitat requirements of special-status species potentially occurring in the project site; and (4) distribution data contained in Hall (1981); Grinnell and Miller (1944); Garrett and Dunn (1981); Holland (1986); Stebbins (1985); Hickman (1993); and CNPS (2001).

Field Survey

Ecological Sciences conducted a reconnaissance-level field survey on the subject site to evaluate potential habitat for DSFF/BUOW on January 18, 2017. The survey was conducted by Scott Cameron; Principal Biologist of Ecological Sciences, Inc. Mr. Cameron holds a current federal permit to conduct focused survey for this species (TE-808642-8). Ecological Sciences biologists have observed numerous DSFF and BUOW in the field since 1995, and have extensive experience conducting both focused

surveys and habitat evaluations for these sensitive species. Ecological Sciences is well versed with the biotic characteristics of a range of habitats occupied by DSFF/BUOW, as well as other sensitive wildlife species potentially occurring in the area. The site was examined on foot by walking a series of meandering transects across the subject property. Dominant plant species and other habitat characteristics present at the site were identified to assess the overall habitat value. The site was also evaluated for the potential presence of plant, animal, or habitat considered rare, threatened, sensitive, endangered, or otherwise unique by regulatory or resource agencies. Weather conditions during the survey included 1-3 m.p.h. breeze, cloudy skies, and air temperatures of approximately 60°F.

Existing Site Conditions

The site is characterized as a currently degraded parcel exposed to various forms of disturbances such as historic residential development (now demolished) with some old associated infrastructure (e.g., asphalt/concrete pavement) still present. The site has subsequently been exposed to routine weed abatement activities such as discing. Scattered debris dumping is evident on site. The site is dominated by non-native grassland along with two small patches of riparian/ornamental-associated vegetation. Existing development (commercial, residential, freeway) occur to the east, north, and south. Vacant land similar in composition to the subject site occurs to the west. Elevation is approximately 1,080 feet above msl. ***Plate 3*** provides a schematic of on-site features. ***Plates 4a-4b*** illustrate existing site conditions at the time of the survey.

Vegetation

Introduced (non-native) plant species recorded on site included a dense coverage (±98%) of foxtail chess (*Bromus madritensis* ssp. *rubens*), ripgut brome (*Bromus diandrus*), Mediterranean grass (*Schismus barbatus*), oats (*Avena* sp.), filaree (*Erodium* sp.), cheeseweed (*Malva parviflora*), short podded mustard (*Hirschfeldia incana*), and London rocket (*Sisymbrium irio*). Other plant species recorded included Russian thistle (*Salsola tragus*), puncture vine (*Tribulus terrestris*), common sunflower (*Helianthus annuus*), telegraph weed (*Heterotheca grandiflora*), and Rancher's fiddleneck (*Amsinckia menziesii*). The two small riparian patches supported cattails (*Typha* sp.), tall flatsedge (*Cyperus eragrostis*), black willow (*Salix gooddingii*), mule fat (*Baccharis salicifolia*), cottonwood (*Populus fremontii*), China berry (*Melia azedarach*), and tree-of-heaven (*Ailanthus altissima*).

Wildlife

Common bird species observed during the survey included killdeer (*Charadrius vociferus*), northern mockingbird (*Mimus polyglottos*), mourning dove (*Zenaida macroura*), rock pigeon (*Columba livia*), western kingbird (*Tyrannus verticalis*), western meadowlark (*Sturnella neglecta*), European starling (*Sturnus vulgaris*), and house sparrow (*Passer domesticus*). Mammal species observed, or sign recorded, included California ground squirrel (*Spermophilus beecheyi*) and pocket gopher (*Thomomys bottae*). No reptile species were observed.

General Soils Analysis / Soil Conservation Map Review

A review of soil maps prepared for the area by the Natural Resource Conservation Service (NRCS 2017) Custom Soil Resource Report for San Bernardino County, Southwestern Part, California indicate that the subject site is entirely located within an area mapped entirely as Tujunga loamy sand (TuB).

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

= Study Area

= Riparian/Ornamental Patch

NNG = Non-native Grassland

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***plate* 3**

Site Features Aerial

9.81-acre Site

View to north

View to south

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plate **4a**

Site Photographs

9.81-acre Site

View to east

View to west

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plate **4b**

Site Photographs

9.81-acre Site

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 survey. No focused botanical or zoological surveys were conducted.

Special-Status Plant Species

No special-status plant species were detected on site during the reconnaissance survey and none are expected to occur 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 Known from the Site Vicinity[1]

Common Name *Scientific Name*	Status			Habitat Requirements	Occurrence Potential
	Federal	State	CNPS		
Coulter's saltbush *Atriplex coulteri*	--	--	1B	Coastal bluff scrub, coastal dunes, coastal scrub, and valley and foothill grassland; sometimes associated with alkaline low places and clay soil.	**Not Expected:** suitable habitat not present
Plummer's mariposa lily *Calochortus plummerae*	FSC	--	1B	Chaparral, cismontane woodlands, coastal scrub, Lower coniferous forests, and grasslands; associated with granitic soils.	**Not Expected**: suitable habitat not present on site
Intermediate mariposa lily *Calochortus weedii* var. *intermedius*	FSC	--	1B	Chaparral, coastal scrub, grasslands; often associated with dry, rocky, open slopes.	**Not Expected:** suitable habitat not present on site
Parry's spineflower *Chorizanthe parryi* ssp. *parryi*	FSC	--	3	Chaparral and coastal scrub; associated with sandy or rocky openings.	**Not Expected:** suitable habitat not present
Many-stemmed dudleya *Dudleya multicaulis*	FSC	--	1B	Chaparral, coastal scrub, and grasslands; often associated with clay soils.	**Not Expected:** suitable habitat not present
Santa Ana River woollystar *Eriastrum densifolium* ssp. *sanctorum*	FE	CE	1B	Coastal scrub, chaparral, and alluvial scrub; associated with sandy soil in river floodplains or terraced fluvial deposits.	**Not Expected:** suitable habitat not present
Pious daisy *Erigeron breweri* var. *bisanctus*	--	--	1B	Chaparral and lower montane coniferous forest.	**Not Expected:** suitable habitat not present
Smooth tarplant *Hemizonia pungens* ssp. *laevis*	FSC	--	1B	Chenopod scrub, meadows, playas, riparian woodland, and valley and foothill grasslands; associated with alkaline areas.	**Not Expected:** suitable habitat not present
Robinson's pepper-grass *Lepidium virginicum* var. *robinsonii*	--	--	1B	Chaparral and coastal scrub; associated with dry soils; known to occur on roadsides.	**Not Expected:** suitable habitat not present
California muhly *Muhlenbergia californica*	--	--	1B	Chaparral, coastal scrub, lower montane coniferous forest, and meadows; associated with moist soils, seeps, and streambanks.	**Not Expected:** suitable habitat not present
Salt spring checkerbloom *Sidalcea neomexicana*	--	--	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.	**Not Expected:** suitable habitat not present

Table 1-continued

Special-Status Plant Species Known from the Site Vicinity[1]

KEY: [1]Based primarily on review of 2017 CNDDB and 2017 CNPS online databases

Federal
FE: Federally Endangered
FT: Federally Threatened Species
FPE: Federally Proposed Endangered
FPT: Federally Proposed Threatened
FC: Federal Candidate Species

State
CE: State Endangered
CT: State Threatened
CR: State Rare

CNPS
List 1A: Plants presumed extinct in California.
List 1B: Plants rare and endangered in California and elsewhere
List 2: Plants rare and endangered in California, but more common elsewhere
List 3: Taxa about which more information is needed
List 4: Plants of limited distribution

Special-Status Wildlife Species

No special-status wildlife species were directly observed on site, and none are expected to occur due to absence of suitable habitat. Sensitive wildlife species known from the site vicinity are summarized below in ***Table 2***.

Table 2

Special-Status Wildlife Species Known from the Site Vicinity[1]

Common Name *Scientific Name*	Status Federal	 State	Habitat Requirements	Occurrence Potential
INVERTEBRATES				
Delhi Sands flower-loving fly *Rhaphiomidas terminatus abdominalis*	FE	--	Open, sandy (Delhi) dune areas commonly supporting buckwheat, croton, telegraph weed, *Camissonia* and *Oenothera*.	**Not Expected:** no suitable habitat present
REPTILES				
San Diego horned lizard *Phrynosoma coronatum blainvillii*	FSC	CSC	Relatively open grasslands, scrublands, and woodlands with fine, loose soil.	**Not Expected:** no suitable habitat present
Silvery legless lizard *Anniella pulchra pulchra*	FSC	CSC	Stabilized dunes, beaches, dry washes, pine, oak, and riparian woodlands, and chaparral; sparse vegetation with sandy or loose, loamy soils.	**Not Expected:** no suitable habitat present
San Bernardino ringneck snake *Diadophis punctatus modestus*	FSC	--	Woodlands, grassland, chaparral, and scrub habitats; often found in mesic areas under rocks, logs, and debris.	**Not Expected:** no suitable habitat present
BIRDS				
White-tailed kite (nesting) *Elanus leucurus*	MNBMC	CFP	Open vegetation and uses dense woodlands for cover.	**Not Expected:** no suitable habitat present
Northern harrier (nesting) *Circus cyaneus*	--	CSC	Coastal salt marsh, freshwater marsh, grasslands, and agricultural fields.	**Not Expected:** no suitable habitat present
Sharp-shinned hawk (nesting) *Accipiter striatus*	--	CSC	Woodlands and forages over dense chaparral and scrublands.	**Not Expected:** no suitable habitat present
Cooper's hawk (nesting) *Accipiter cooperi*	--	CSC	Dense stands of live oaks and riparian woodlands.	**Not Expected:** no suitable habitat present
Ferruginous hawk (wintering) *Buteo regalis*	FSC, MNBMC	CSC	Grasslands, agricultural fields, and open scrublands.	**Not Expected:** no suitable habitat present

Table 2-continued

Special-Status Wildlife Species Known from the Site Vicinity[1]

Common Name *Scientific Name*	Status Federal	 State	Habitat Requirements	Occurrence Potential
Golden eagle (nesting & wintering) *Aquila chrysaetos*	--	CSC, CFP	Mountains, deserts, and open country.	**Not Expected:** no suitable habitat present
Prairie falcon (nesting) *Falco mexicanus*	--	CSC	Grasslands, savannas, rangeland, agricultural fields, and desert scrub; requires sheltered cliff faces for shelter.	**Not Expected:** no suitable habitat present
Western burrowing owl (burrow sites) *Athene cunicularia hypugea*	FSC, MNBMC	CSC	Grasslands and open scrub.	**Low Potential:** marginally suitable habitat present
California horned lark *Eremophila alpestris actia*	--	CSC	Grasslands, disturbed areas, agriculture fields, and beach areas.	**Low Potential:** marginally suitable habitat present
Loggerhead shrike *Lanius ludovicianus*	FSC, MNBMC	CSC	Grasslands with scattered shrubs, trees, fences or other perches.	**Low Potential:** marginally suitable habitat present
California coastal gnatcatcher *Polioptila californica californica*	FT	CSC	Coastal sage scrub in areas of flat or gently sloping terrain	**Not Expected:** suitable habitat not present
yellow warbler *Setophaga petechia*	--	CSC	Riparian areas dominated by willows, cottonwoods, sycamores, or alders or in mature chaparral. May also use oaks, conifers, and urban areas near streams	**Low Potential:** marginally suitable habitat present
Mountain plover *Charadrius montanus*	FPT	CSC	Agricultural areas, fallow fields, grasslands, prairies	**Not Expected:** no suitable habitat present
MAMMALS				
San Diego desert woodrat *Neotoma lepida intermedia*	--	CSC	Moderate to dense sage scrub; rocky outcrops	**Not Expected:** no suitable habitat present
San Diego black-tailed jackrabbit *Lepus californicus bennettii*	FSC	CSC	Chaparral, coastal scrub, grasslands	**Not Expected:** suitable habitat not present
Los Angeles pocket mouse *Perognathus longimembris brevinasus*	FSC	CSC	Grasslands and coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	**Not Expected:** suitable habitat not present
San Bernardino kangaroo rat *Dipodomys merriami parvus*	FE	CSC	Coastal sage scrub; prefers lower elevational areas with open ground and sandy soils.	**Not Expected:** suitable habitat not present

KEY: [1]Based primarily on review of 2017 CNDDB; (nesting) = For most taxa the CNDDB is interested in sightings for the presence of resident populations. For some species (primarily birds), the CNDDB only tracks certain parts of the species range or life history (e.g., nesting locations). The area or life stage is indicated in parenthesis after the common name.

Status:

Federal—U.S. Fish and Wildlife Service		State—California Department of Fish and Game	
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
		CP:	California Fully Protected
FSC:	Federal Species of Concern- no formal protection is granted to this designation	CSC:	California Species of Special Concern
MNBMC:	Migratory Nongame Birds of Management Concern		

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. No native or special-status habitats were recorded on the subject site due to historic site disturbances associated with housing development and subsequent demolition.

Jurisdictional Resources

Based on the field investigation conducted by Ecological Sciences, USACE "waters of the United States" per Sections 401-404 of the Federal Clean Water Act and "streambeds" per Section 1600-1603 of the CDFW Code were not observed on the property. No jurisdictional wetlands were recorded on site.

Wildlife Movement Corridors

The proposed project site is surrounded by existing development, and therefore, the subject site does not occupy an important location relative to regional wildlife movement. As such, development of the site would not be expected to have any substantial effect on local or regional wildlife movement.

Discussion / Results

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 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 high level of site disturbances (associated with historic development and/or other anthropogenic disturbances) resulting in low biological diversity (i.e., replacement and exclusion of most native species with just a few non-native species) and an low potential for special-status species to utilize or reside within areas proposed for development due to absence of suitable habitat.

Delhi Sands Flower-loving Fly

Based on results of the January 2017 habitat suitability evaluation, existing conditions present are not consistent with those known or expected to support DSFF. No exposed natural or semi-natural open areas with unconsolidated wind-worked granitic soils or dunes are present. Exposure to historic and recurring substrate disturbances have substantial negative effects on potential DSFF habitat and may also prevent potentially suitable DSFF microhabitat soil conditions from developing. Although a few native plant species are present that are often associated with potential DSFF habitat, the context in which these species occur (e.g., scattered within highly disturbed site conditions) does not constitute a native plant community most commonly associated with potential DSFF habitat.

Under current conditions, the site would be considered prohibitive to DSSF occupation. The underlying soil environment appears to be the most definitive factor of whether an area could potentially support DSFF. Quality of Delhi soils present within the study area was rated for its potential to support DSFF. The area mapped as Delhi soils was visually inspected and rated based on a scale of 1 to 5, with 5 being the best quality and most suitable habitat in the permitted biologist's judgment:

1. Soils dominated by heavy deposits of alluvial material including coarse sands and gravels with little or no Delhi sands and evidence of soil compaction. *Unsuitable.*

2. Delhi sands are present but the soil characteristics include a predominance of alluvial materials (Tujunga Soils). *Very Low Quality.*

3. Although not clean, sufficient Delhi sands are present to prevent soil compaction. Some sandy soils exposed on the surface due to fossorial animal activity. *Low Quality*.

4. Abundant clean Delhi sands with little or no alluvial material or Tujunga soils present. Moderate abundance of exposed sands on the soil surface. Low vegetative cover. Evidence of moderate degree of fossorial animal activity by vertebrates and invertebrates. *Moderate Quality*

5. Sand dune habitat with clean Delhi sands. High abundance of exposed sands on the soil surface. Low vegetative cover. Evidence (soil surface often gives under foot) of high degree of fossorial animal activity by vertebrates and invertebrates. *High Quality*

According to the above ratings, the site would be considered (1) *Unsuitable* for DSFF. In view of the site's highly degraded condition, exposure to long-standing disturbances, and analyses of correlative habitat information from a wide range (e.g., relatively disturbed to more natural habitats) of occupied DSFF habitats in the region, the ±9.81-acre site does not contain habitat suitable to support or sustain a DSFF population. It would be contrary to expectation that the FWS would require a focused protocol survey on such a degraded site. No impacts to DSFF are expected and no mitigation is required for less than significant impacts under CEQA.

Burrowing Owl

No direct observations or burrowing owl sign (burrows, feathers, pellets, fecal material, prey remains, etc.) were recorded during the BUOW habitat assessment. No nesting refugia (e.g., small mammal burrows wide enough for BUOW occupation) were recorded on the site primarily due to various recurring and historic anthropogenic disturbances (discing). Although the BUOW is well known to occur in certain disturbed situations, the BUOW generally prefers moderately to heavily grazed grasslands for nesting and roosting and generally avoids areas supporting dense vegetation. The occurrence potential for BUOW would therefore be considered low. Monitoring of the site and adjacent areas during peak BUOW activity times did not reveal any indication that this species was present or utilizing the site for foraging purposes. A BUOW pre-construction survey (as previously detailed) may be required following CDFW protocol prior to development.

No ***special-status plant species*** are expected on site due to the absence 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 use of the site for commercial purposes and other anthropogenic disturbances have altered soil chemistry and other substrate characteristics such that on-site soils are not capable of supporting any 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 other ***special-status wildlife species*** were directly recorded on site and no special-status wildlife species are expected because of the developed nature of the site. Site development would not eliminate any habitat for special-status species, nor reduce population sizes below self-sustaining levels on a local or regional basis. No CEQA significant impacts are expected.

Non-native grasslands present on site could provide potential nesting sites for common ***native bird species***. The potentially occurring common native birds are not protected by state or federal endangered species acts, however many native species 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 (in particular raptor species). If it were later determined that active nests would be lost as a result of site-preparation, it could result in adverse impacts and would be in conflict with these regulations. If site preparation activities occur during the nesting season (generally February 1 through August 31), a ***pre-construction nesting bird survey*** (within 3 days of construction) is recommended to determine if active nests of species protected by the MBTA and/or CDFW are present in the construction zone for CEQA compliance and subsequently evaluate appropriate measures that may reduce potential adverse project-related impacts (if any). If ground-

disturbing activities are delayed or suspended for more than 7 days after the survey, the site should be resurveyed if suitable habitat is determined present. Should eggs or fledglings be discovered in any 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.

Compliance with the MBTA and CDFW codes would be necessary prior to development; however no special permit or approval is typically required in most instances. 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 known from the site vicinity, and likely ensure that there were no constraints to construction relative to the MBTA/CDFW code.

Conclusion

Results of the habitat suitability evaluation conducted in January 2017 indicate that habitats located within the ±9.81-acre site represent low biological resource values based on the degree in which expected impacts to on-site resources would meet the criteria discussed above (1-5) 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 historical use of the site for residential development and demolition resulting in low biological diversity (e.g., dominance of non-native species), absence of special-status plant communities, and low potential for 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 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 native nesting birds may impose some degree of constraint to development depending upon the nature of both direct and indirect impacts on these resources (if present), as well as on the particular species and seasonal timing of construction activities. During permitting procedures, certain measures (generally described in Discussion section) to avoid or further reduce potential project-related impacts to sensitive biological resources may be necessary pursuant to CEQA.

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I hereby certify that the statements and exhibits furnished herein 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. If you have any questions regarding the results presented in this report, please don't hesitate to call.

Sincerely,

Ecological Sciences, Inc.

Scott D. Cameron
Principal Biologist

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