

PALEONTOLOGICAL ASSESSMENT FOR THE 19708-19768 KENDALL DRIVE PROJECT

SAN BERNARDINO COUNTY, CALIFORNIA

APNs 0261-161-20 to -25 and 0261-171-05 and -07

Prepared for:

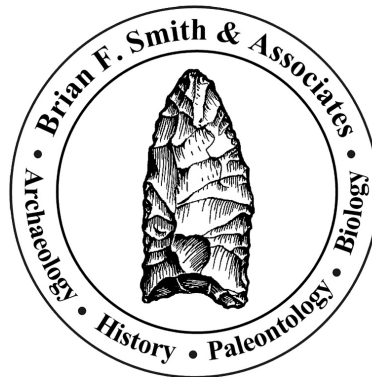
Lilburn Corporation
1905 Business Center Drive
San Bernardino, California 92408

Submitted to:

County of San Bernardino
385 North Arrowhead Avenue
San Bernardino, California 92415

Prepared by:

Brian F. Smith and Associates, Inc.
14010 Poway Road, Suite A
Poway, California 92064



May 3, 2023

Paleontological Database Information

Author: Todd A. Wirths, M.S., Senior Paleontologist, California Professional Geologist No. 7588

Consulting Firm: Brian F. Smith and Associates, Inc.
14010 Poway Road, Suite A
Poway, California 92064
(858) 679-8218

Report Date: May 3, 2023

Report Title: Paleontological Assessment for the 19708-19768 Kendall Drive Project, San Bernardino County, California (APNs 0261-161-20 to -25 and 0261-171-05 and -07)

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USGS Quadrangle: Unsectioned Township 1 North, Range 5 West, USGS *San Bernardino North, California* (7.5-minute) quadrangle

Study Area: 9.43 acres

Key Words: Paleontological assessment; Holocene wash deposits; low paleontological resource sensitivity; no monitoring recommended.

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I. INTRODUCTION AND LOCATION

A paleontological resource assessment has been completed for the 19708-19768 Kendall Drive Project, located at 19708-19768 Kendall Drive in unincorporated San Bernardino County, California (Figures 1 and 2). The project is located southeast of the Interstate 15/Interstate 215 interchange, north of the city of San Bernardino, and consists of Assessor's Parcel Numbers (APNs) 261-161-20 to -25, and 261-171-05 and -07 totaling 9.43 acres. On the U.S. Geological Survey 7.5-minute, 1:24,000-scale *San Bernardino North, California* topographic quadrangle map, the project is located in an unsectioned area of Township 1 North, Range 5 West, of the San Bernardino Baseline and Meridian. Currently, the project parcels are developed as commercial trucking facilities. The project proposes to clear the property for the development of an industrial warehouse along with associated parking and infrastructure.

As the lead agency, the County of San Bernardino has required the preparation of a paleontological assessment to evaluate the project's potential to yield paleontological resources. The paleontological assessment of the project included a review of paleontological literature and fossil locality records in the area; a review of the underlying geology; and recommendations to mitigate impacts to potential paleontological resources, if necessary.

II. REGULATORY SETTING

The California Environmental Quality Act (CEQA), which is patterned after the National Environmental Policy Act, is the overriding environmental regulation that sets the requirement for protecting California's paleontological resources. CEQA mandates that governing permitting agencies (lead agencies) set their own guidelines for the protection of nonrenewable paleontological resources under their jurisdiction.

State of California

Under "Guidelines for Implementation of the California Environmental Quality Act," as amended in December 2018 (California Code of Regulations [CCR] Title 14, Division 6, Chapter 3, Sections 15000 et seq.), procedures define the types of activities, persons, and public agencies required to comply with CEQA. Section 15063 of the CCR provides a process by which a lead agency may review a project's potential impact to the environment, whether the impacts are significant, and provide recommendations, if necessary.

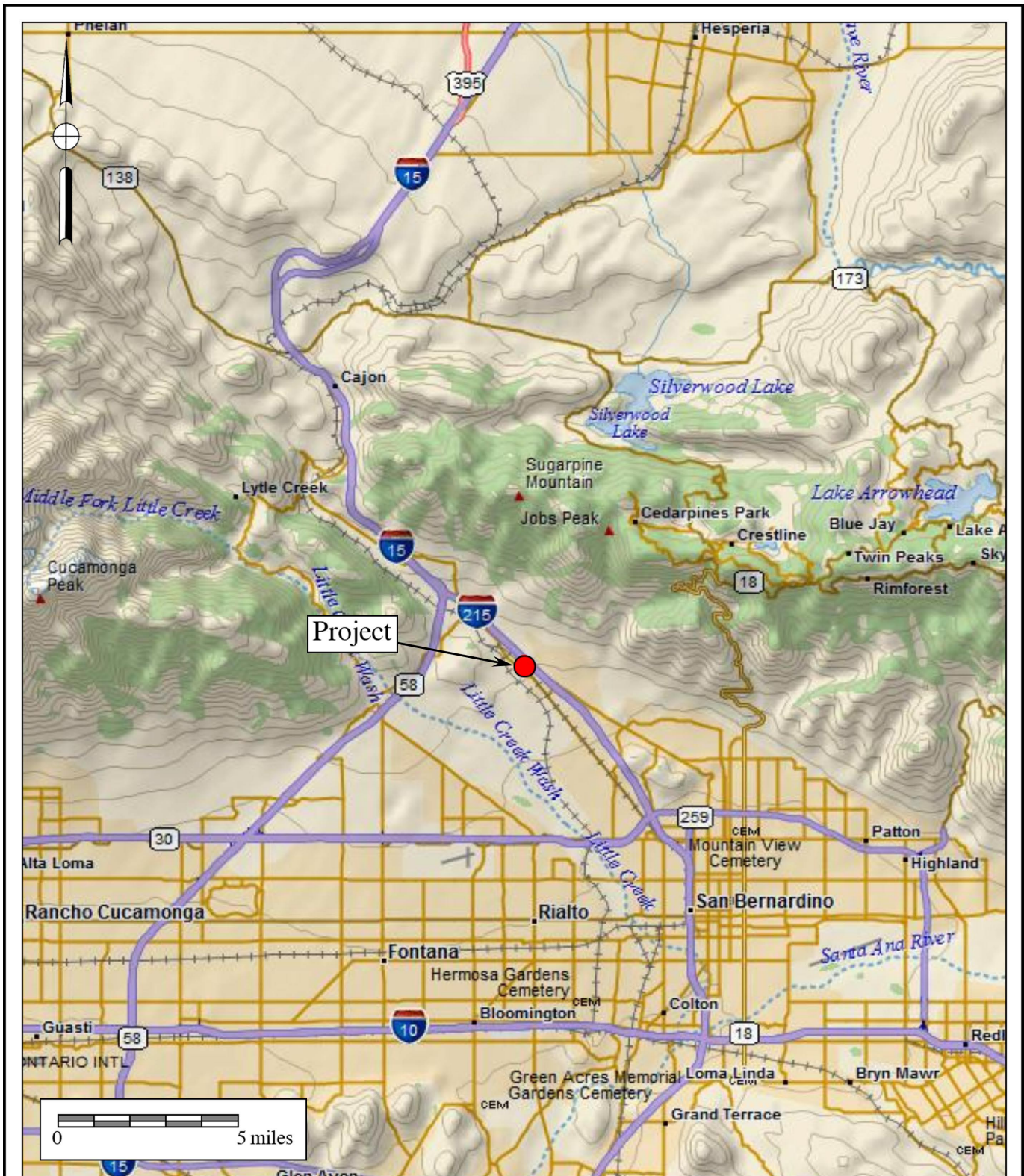
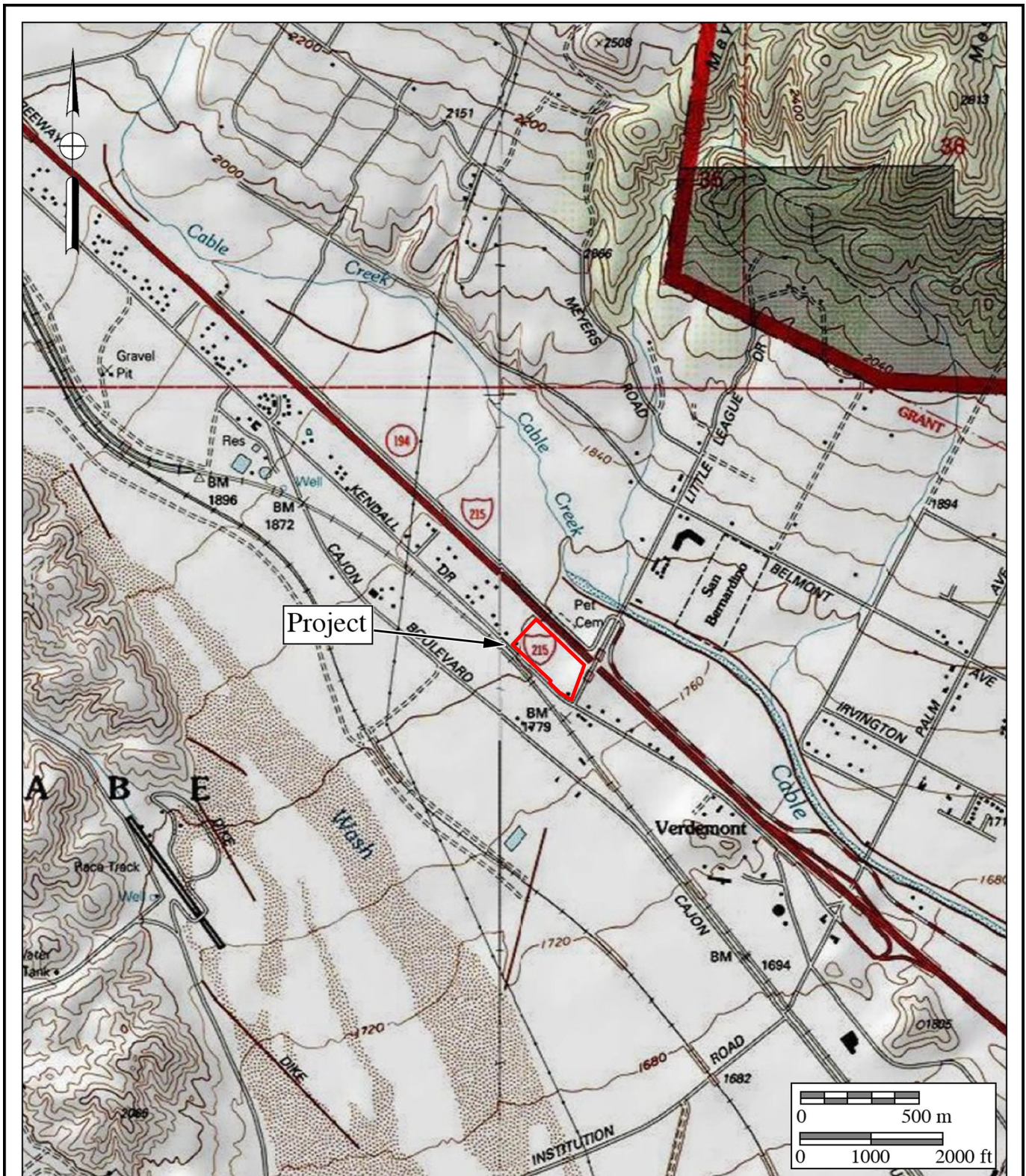


Figure 1
General Location Map

The 19708-19768 Kendall Drive Project
 DeLorme World Base Map Service (1:250,000 series)





Project

Figure 2 Project Location Map

The 19708-19768 Kendall Drive Project

USGS San Bernadino North and Devore Quadrangles (7.5-minute series)



In CEQA’s Environmental Checklist Form, one of the questions to answer is, “Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?” (Appendix G, Section VII, Part f). This is to ensure compliance with California Public Resources Code Section 5097.5, the law that protects nonrenewable resources including fossils, which is paraphrased below:

- a) A person shall not knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands.
- b) As used in this section, “public lands” means lands owned by, or under the jurisdiction of, the state, or any city, county, district, authority, or public corporation, or any agency thereof.
- c) A violation of this section is a misdemeanor.

County of San Bernardino

The County of San Bernardino 2007 Development Code has developed criteria for applying guidelines to preserve and protect nonrenewable paleontological resources (County of San Bernardino 2019). In Chapter 82.20, “Paleontologic Resources (PR) Overlay,” of the Development Code, Purpose, Location Requirements, Development Standards, and Paleontologist Qualifications are described in Sections 82.20.010 through 82.20.040, respectively (County of San Bernardino 2019).

III. GEOLOGY

The project is within the modern drainage limits of Cajon Wash and within a system of converging active faults in the region, including the San Andreas Fault (Miller et al. 2001; Morton and Matti 2001). Sediments below the project consist of Holocene-aged deposits of unconsolidated boulders, gravels, and sands (gray areas labeled “Qw₁” and very pale yellow areas labeled “Qya₅” on Figure 3), according to mapping by Miller et al. (2001) and Morton and Matti (2001).

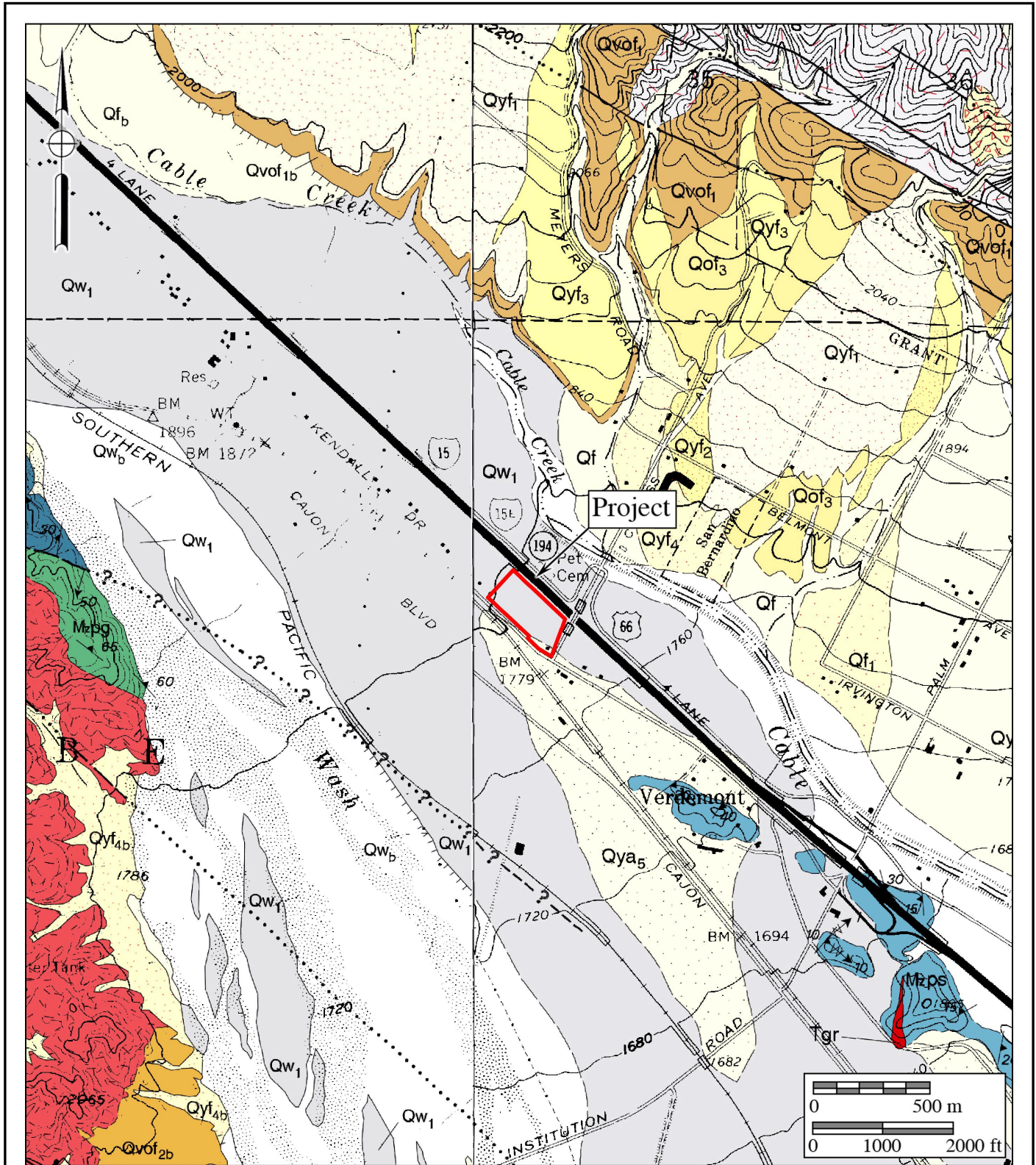


Figure 3
Geologic Map

The 19708-19768 Kendall Drive Project

Geology after Miller et al. (2001) and Morton and Matti (2001)



IV. PALEONTOLOGICAL RESOURCES

Definition

Paleontological resources are the remains of prehistoric life that have been preserved in geologic strata. These remains are called fossils and include bones, shells, teeth, and plant remains (including their impressions, casts, and molds) in the sedimentary matrix, as well as trace fossils such as footprints and burrows. Fossils are considered older than 5,000 years of age (Society of Vertebrate Paleontology 2010) but may include younger remains (subfossils) when viewed in the context of local extinction of the organism or habitat, for example. Fossils are considered a nonrenewable resource under state and local guidelines (Section II of this report).

Fossil Locality Record Search

A prior paleontological literature review and collections and records search was conducted for the nearby San Bernardino Trailer Facility Project by the Los Angeles County Museum of Natural History (Bell 2021 [Appendix B]). The San Bernardino Trailer Facility Project is located about a half mile northwest of the subject project. The records search indicates that no known fossil localities are present within the San Bernardino Trailer Facility Project boundaries or within several miles of that project, and therefore, the 19708-19768 Kendall Drive Project. A search of published literature also indicated no known nearby fossil localities (Jefferson 1986, 1991). The nearest vertebrate fossil localities may be those reported by Reynolds et al. (2008) for mammal remains from Miocene-aged deposits in the area of Cajon Pass, several miles north of the project.

V. PALEONTOLOGICAL SENSITIVITY

Overview

The degree of paleontological sensitivity of any particular area is based on a number of factors, including the documented presence of fossiliferous resources on a site or in nearby areas, the presence of documented fossils within a particular geologic formation or lithostratigraphic unit, and whether or not the original depositional environment of the sediments is one that might have been conducive to the accumulation of organic remains that might have become fossilized over time. Holocene alluvium is generally considered to be geologically too young to contain significant nonrenewable paleontological resources (*i.e.*, fossils) and is thus typically assigned a low paleontological sensitivity. Pleistocene (over 11,700 years old) alluvial and alluvial fan deposits in the Inland Empire, however, often yield important terrestrial vertebrate fossils, such as extinct mammoths, mastodons, giant ground sloths, extinct species of horse, bison, camel, saber-toothed cats, and others (Bell 2021, attached). These Pleistocene sediments are thus accorded a High paleontological resource sensitivity.

Professional Standards

The Society of Vertebrate Paleontology (2010) has drafted guidelines that include four categories of paleontological sensitivity for geologic units (formations) that might be impacted by a proposed project, as listed below:

- High Potential: Rock units from which vertebrate or significant invertebrate, plant, or trace fossils have been recovered.
- Undetermined Potential: Rock units for which little information is available concerning their paleontological content, geologic age, and depositional environment, and that further study is needed to determine the potential of the rock unit.
- Low Potential: Rock units that are poorly represented by fossil specimens in institutional collections or based on a general scientific consensus that only preserve fossils in rare circumstances.
- No Potential: Rock units that have no potential to contain significant paleontological resources, such as high-grade metamorphic rocks and plutonic igneous rocks.

Using these criteria, based on the young geologic age of the sediments mapped at the project, their extreme coarseness, and the lack of nearby significant fossil localities, the Holocene wash deposits can be considered to have a low potential to yield significant paleontological resources.

County Assessment

The County of San Bernardino applies its “Paleontologic Resources (PR) Overlay” guideline to those areas where paleontological resources are known to occur or are likely to be present, by using fossil location criteria reported by the San Bernardino County Museum, the University of California Museum of Paleontology [Berkeley], the Los Angeles County Natural History Museum, or other institutions (County of San Bernardino 2019, Section 82.20.020). Since a low paleontological resource sensitivity has been, and can be, applied to the geologic strata beneath the project (Society of Vertebrate Paleontology 2010), and no known fossil resources have been found in the area of the San Bernardino Trailer Facility Project (Section IV, above), the application of the County’s PR Overlay criteria (Section 82.20.030) does not appear necessary (County of San Bernardino 2019).

VI. CONCLUSIONS AND RECOMMENDATIONS

Based on the presence of late Holocene alluvial deposits at the project, and the lack of any known fossil specimens or fossil localities within a several-mile radius encompassing the project support the conclusion that paleontological monitoring is *not* recommended during earth disturbance activities at the 19708-19768 Kendall Drive Project. However, if fossils of any sort

are discovered during grading and earthmoving activities, a paleontologist must be retained to develop a paleontological monitoring plan consistent with the provisions of CEQA, those of the County of San Bernardino (2019), and those of the guidelines of the Society of Vertebrate Paleontology (2010). Implementation of a suggested monitoring plan, below, would mitigate any adverse impacts (loss or destruction) to potential nonrenewable paleontological resources, if present, to a level below significant.

Suggested Monitoring Plan

The following monitoring guidelines, outlined below, are based on the findings stated above. Paleontological monitoring may be reduced on the observations and recommendations of the professional-level project paleontologist. The following plan, when implemented, would reduce potential impacts of paleontological resources to a level below significant:

1. If paleontological resources are discovered during earth disturbance activities, the discovery shall be cordoned off with a 100-foot radius buffer so as to protect the discovery from further potential damage, and a county-qualified paleontologist shall be consulted to assess the discovery.

If the discovery is determined to be significant by the paleontologist, a paleontological monitoring plan shall be initiated, which will include notification of appropriate personnel involved and monitoring of earth disturbance activities:

1. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor. Monitoring will be conducted full-time in areas of grading or excavation in undisturbed sedimentary deposits.
2. Paleontological monitors will be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined on exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.
3. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils will be collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes will be taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are

removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils will be collected in a similar manner, with notes and photographs being taken before removing the fossils. Precise location of the site is determined with the use of handheld GPS units. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location.

4. Isolated fossils will be collected by hand, wrapped in paper, and placed in temporary collecting flats or five-gallon buckets. Notes will be taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place.
5. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from one to several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment.
6. In accordance with the "Microfossil Salvage" section of the Society of Vertebrate Paleontology guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth.
7. In the laboratory, individual fossils will be cleaned of extraneous matrix, any breaks will be repaired, and the specimen, if needed, will be stabilized by soaking in an archivally approved acrylic hardener (*e.g.*, a solution of acetone and Paraloid B-72).
8. Recovered specimens will be prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils.
9. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (*e.g.*, the San Bernardino County Museum) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (*e.g.*, the County of San Bernardino) will be consulted on the repository/museum to receive the fossil material.

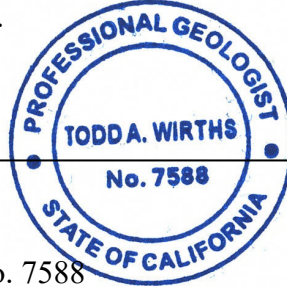
10. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report, when submitted to, and accepted by, the appropriate lead agency, will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (*i.e.*, fossils) that might have been lost or otherwise adversely affected without such a program in place.

VII. CERTIFICATION

I hereby certify that the statements furnished above and in the attached exhibits present the data and information required for this paleontological report, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief, and have been compiled in accordance with CEQA criteria.



Todd A. Wirths
Senior Paleontologist
California Professional Geologist No. 7588



May 3, 2023

Date

VIII. REFERENCES

- Bell, A. 2021. Paleontological resources for the San Bernardino Trailer Facility Project. Unpublished letter for Brian F. Smith and Associates, Inc., Poway, California, by the Los Angeles County Museum of Natural History, Los Angeles, California. (attached)
- County of San Bernardino. 2019. County of San Bernardino 2007 Development Code. Prepared for the County of San Bernardino Land Use Services Division by several consultants. Adopted March 13, 2007; effective April 12, 2007; amended May 2, 2019. Electronic document, <http://www.sbcounty.gov/Uploads/lus/DevelopmentCode/DCWebsite.pdf>, accessed June 16, 2022.
- Jefferson, G.T. 1986. Fossil vertebrates from the late Pleistocene sedimentary deposits in the San Bernardino and Little San Bernardino Mountains region. *In*, Kooser, M.A., and Reynolds, R.E., eds., *Geology around the margins of the eastern San Bernardino Mountains*. Publications of the Inland Geological Society, v. 1, Redlands, California.
- Jefferson, G.T. 1991. A catalogue of late Quaternary vertebrates from California: Part two, mammals. Natural History Museum of Los Angeles County, Technical Reports, no. 7: i-v + 1-129.
- Miller, F.K., Matti, J.C., and Carson, S.E. 2001. Geologic map of the San Bernardino North 7.5'

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Morton, D.M., and Matti, J.C. 2001. Geologic map of the Devore 7.5' quadrangle, San Bernardino County, California: USGS open-file report 01-173, v. 1.0.

Reynolds, R.E., Reynolds, R.L., and Lindsay, E.H. 2008. Biostratigraphy of the Miocene Crowder Formation, Cajon Pass, southwestern Mojave Desert, California. *In*, Wang, X., and Barnes, L.G., eds., *Geology and Vertebrate Paleontology of Western and Southern North America, Contributions in Honor of David P. Whistler*. Natural History Museum of Los Angeles County, Science Series 41, pp. 237–253.

Society of Vertebrate Paleontology. 2010. Standard procedures for the assessment and mitigation of adverse impacts to paleontological resources; by the SVP Impact Mitigation Guidelines Revision Committee: https://vertpaleo.org/wp-content/uploads/2021/01/SVP_Impact_Mitigation_Guidelines-1.pdf.

APPENDIX A

Qualifications of Key Personnel

Todd A. Wirths, MS, PG No. 7588

Senior Paleontologist

Brian F. Smith and Associates, Inc.

14010 Poway Road • Suite A •

Phone: (858) 679-8218 • Fax: (858) 679-9896 • E-Mail: twirths@bfsa-ca.com



Education

Master of Science, Geological Sciences, San Diego State University, California 1995

Bachelor of Arts, Earth Sciences, University of California, Santa Cruz 1992

Professional Certifications

California Professional Geologist #7588, 2003

Riverside County Approved Paleontologist

San Diego County Qualified Paleontologist

Orange County Certified Paleontologist

OSHA HAZWOPER 40-hour trained; current 8-hour annual refresher

Professional Memberships

Board member, San Diego Geological Society

San Diego Association of Geologists; past President (2012) and Vice President (2011)

South Coast Geological Society

Southern California Paleontological Society

Experience

Mr. Wirths has more than a dozen years of professional experience as a senior-level paleontologist throughout southern California. He is also a certified California Professional Geologist. At BFSa, Mr. Wirths conducts on-site paleontological monitoring, trains and supervises junior staff, and performs all research and reporting duties for locations throughout Los Angeles, Ventura, San Bernardino, Riverside, Orange, San Diego, and Imperial Counties. Mr. Wirths was formerly a senior project manager conducting environmental investigations and remediation projects for petroleum hydrocarbon-impacted sites across southern California.

Selected Recent Reports

2019 *Paleontological Assessment for the 10575 Foothill Boulevard Project, City of Rancho Cucamonga, San Bernardino County, California.* Prepared for T&B Planning, Inc. Report on file at Brian F. Smith and Associates, Inc., Poway, California.

2019 *Paleontological Assessment for the MorningStar Marguerite Project, Mission Viejo, Orange County, California.* Prepared for T&B Planning. Report on file at Brian F. Smith and Associates, Inc., Poway, California.

- 2019 *Paleontological Monitoring Report for the Nimitz Crossing Project, City of San Diego.* Prepared for Voltaire 24, LP. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2019 *Paleontological Resource Impact Mitigation Program (PRIMP) for the Jack Rabbit Trail Logistics Center Project, City of Beaumont, Riverside County, California.* Prepared for JRT BP 1, LLC. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Monitoring Report for the Oceanside Beachfront Resort Project, Oceanside, San California.* Prepared for S.D. Malkin Properties. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Resource Impact Mitigation Program for the Nakase Project, Lake Forest, Orange County, San California.* Prepared for Glenn Lukos Associates, Inc. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Resource Impact Mitigation Program for the Sunset Crossroads Project, Banning, Riverside County.* Prepared for NP Banning Industrial, LLC. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Assessment for the Ortega Plaza Project, Lake Elsinore, Riverside County.* Prepared for Empire Design Group. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Resource Record Search Update for the Green River Ranch III Project, Green River Ranch Specific Plan SP00-001, City of Corona, California.* Prepared for Western Realco. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Assessment for the Cypress/Slover Industrial Center Project, City of Fontana, San Bernardino County, California.* Prepared for T&B Planning, Inc. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2020 *Paleontological Monitoring Report for the Imperial Landfill Expansion Project (Phase VI, Segment C-2), Imperial County, California.* Prepared for Republic Services, Inc. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2021 *Paleontological Assessment for the Manitou Court Logistics Center Project, City of Jurupa Valley, Riverside County, California.* Prepared for Link Industrial. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2021 *Paleontological Resource Impact Mitigation Program for the Del Oro (Tract 36852) Project, Menifee, Riverside County.* Prepared for D.R. Horton. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2021 *Paleontological Assessment for the Alessandro Corporate Center Project (Planning Case PR-2020-000519), City of Riverside, Riverside County, California.* Prepared for OZI Alessandro, LLC. Report on file at Brian F. Smith and Associates, Inc., Poway, California.
- 2021 *Paleontological Monitoring Report for the Boardwalk Project, La Jolla, City of San Diego.* Prepared for Project Management Advisors, Inc. Report on file at Brian F. Smith and Associates, Inc., Poway, California.

APPENDIX B

Fossil Locality Search Report

Natural History Museum
of Los Angeles County
900 Exposition Boulevard
Los Angeles, CA 90007

tel 213.763.DINO
www.nhm.org

Research & Collections

e-mail: paleorecords@nhm.org

October 13, 2021

Brian F. Smith and Associates, Inc.
Attn: Todd Wirths

re: Paleontological resources for the San Bernardino Trailer Facility Project

Dear Todd:

I have conducted a thorough search of our paleontology collection records for the locality and specimen data for proposed development at the San Bernardino Trailer Facility project area as outlined on the portion of the Devore USGS topographic quadrangle map that you sent to me via e-mail on October 5, 2021. We do not have any fossil localities that lie directly within the proposed project area, but we do have fossil localities from the same sedimentary deposits that occur in the proposed project area, either at the surface or at depth.

The following table shows the closest known localities in the collection of the Natural History Museum of Los Angeles County.

Locality Number	Location	Formation	Taxa	Depth
LACM VP 1728	W of intersection of English Rd & Peyton Dr, Chino	Unknown (light brown shale with interbeds of very coarse brown sand; Pleistocene)	Horse (<i>Equus</i>), camel (<i>Camelops</i>)	15-20 ft bgs
LACM VP 7811	W of Orchard Park, Chino Valley	Unknown formation (eolian, tan silt; Pleistocene)	Whip snake (<i>Masticophis</i>)	9-11 feet bgs
LACM VP 7268, 7271	Sundance Condominiums, S of Los Serranos Golf Course	Unknown (Pleistocene)	Horse (<i>Equus</i>)	Unknown
LACM VP 1207	Hill on east side of sewage disposal plant; 1 mile N-NW of Corona	Unknown formation (Pleistocene)	Bovidae	Unknown
LACM VP 6059	Overflow area just east-southeast of Lake Elsinore	unknown formation (Pleistocene)	Camel family (Camelidae)	Unknown
LACM VP 7261	Skinner Reservoir, Auld Valley	Unknown formation (Pleistocene,	Elephant clade (Proboscidea); ungulate (Ungulata)	Unknown

arenaceous silt)

VP, Vertebrate Paleontology; IP, Invertebrate Paleontology; bgs, below ground surface

This records search covers only the records of the Natural History Museum of Los Angeles County (“NHMLA”). It is not intended as a paleontological assessment of the project area for the purposes of CEQA or NEPA. Potentially fossil-bearing units are present in the project area, either at the surface or in the subsurface. As such, NHMLA recommends that a full paleontological assessment of the project area be conducted by a paleontologist meeting Bureau of Land Management or Society of Vertebrate Paleontology standards.

Sincerely,

A handwritten signature in black ink that reads "Alyssa Bell". The signature is written in a cursive, flowing style.

Alyssa Bell, Ph.D.
Natural History Museum of Los Angeles County

enclosure: invoice