

DETERMINATION OF BIOLOGICALLY EQUIVALENT OR SUPERIOR PRESERVATION  
AND  
CONSISTENCY DETERMINATION

HEMET 30  
[CASE NUMBER TTM37737]

Submitted Pursuant to MSHCP  
Section 6.1.2 *Protection of Species Associated with Riparian/Riverine Areas and  
Vernal Pools;*  
Section 6.1.3 *Protection of Narrow Endemic Plant Species;*  
Section 6.1.4 *Urban Wildlands Interface Guidelines; and*  
Section 6.3.2 *Species Survey Requirements.*

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## Executive Summary

The Hemet 30 Project (Case Number TTM 37737) proposes to construct residential units with associated streets and infrastructure on the 30-acre site. The Project site is a rectangle-shaped parcel and is bounded on the north by Highway 74, on the south by Lyn Avenue, on the east by Joel Drive, and on the west by an open field. Land uses surrounding the Project site is residential to the southeast; rural residence to the south; vacant fields to the east and west; and Highway 74 to the north of the Project site.

The Project is located within the Harvest Valley/Winchester Area Plan of the Riverside County Multiple Species Habitat Conservation Plan (MSHCP); however, the Project site is not located within any MSHCP Criteria Areas, Cell Groups, or Subunits. Portions of the Project site are located within overlay areas, as follows:

- Riparian and Riverine Areas (Section 6.1.2)
- Narrow Endemic Plants (Section 6.1.3)
- Urban Wildlands Interface Guidelines (Section 6.1.4)
- Western burrowing owl (*Athene cunicularia hypugaea*) (Section 6.3.2)

Thus, this Determination of Biologically Superior or Equivalent Preservation (DBESP) has been prepared pursuant to impacts to Riparian and Riverine features.

The Study Area, consisting of the 30-acres Project site and surrounding 500-foot buffer, is not located within or adjacent to any MSHCP Conservation Area. The Study Area contains a single drainage feature meeting the definition of MSHCP Riverine/Riparian Features (Section 6.1.2) is anticipated to be impacted. The Drainage Ditch is an earthen bottom ephemeral ditch that runs parallel and adjacent to Highway 74. The Drainage Ditch is primarily unvegetated with scattered vegetation consisting of non-native species. Furthermore, this ditch is routinely maintained by Caltrans. Specifically, the area is mowed and or cleared regularly to maintain storm flows. The Drainage Ditch enters the Study Area in the northwestern portion of the Study Area and flows in an easterly direction just outside of and north of the Project boundary's northern edge. The Drainage Ditch outlets into an earthen basin adjacent to the intersection of Highway 74 and California Avenue.

No MSHCP sensitive species associated with riparian/riverine areas protected under Section 6.1.2 were observed during the field surveys and no suitable habitat occurs for Section 6.1.2 plant and wildlife species.

Permanent impacts are anticipated to occur to 0.44-acres of the earthen drainage ditch. Impacts to the drainage ditch are due to the expansion of Highway 74. The approximately 0.44 acres impacts occur to non-vegetated areas and do not occur to any wetlands. The Study Area does not contain suitable habitat for any of the riparian/riverine vernal pool species listed in Section 6.1.2 of the MSHCP, including listed fairy shrimp. No impacts to those species listed in Section 6.1.2 of the MSHCP are associated with Project implementation.

Complete avoidance cannot occur due to the expansion of Highway 74. The expansion of Highway 74 is due to public safety. In order to create public safety, Highway 74 will be required to be expanded and provide additional shoulder area. Furthermore, impacts are due to the Project entrance.

The Project will comply with the avoidance and minimization required in any issued Regulatory Permits. These may include, but are not limited to, Best Management Practices, which will be incorporated into the Project through the following permitting and design elements:

- National Pollutant Discharge Elimination System (NPDES)
- Storm Water Pollution Prevention Plan (SWPPP)
- Water Quality Management Plan (WQMP)

The MSHCP riparian/riverine areas have minimal biological value, composed mainly of bare areas or non-native species. Specifically, the earthen ditch is regularly maintained by Caltrans. The quality of the drainage is characterized as poor due to the presence of dense non-native species, bare area, lack of typical riparian species, and does not exhibit the typical characteristics of a natural stream or watercourse. This is due to the routine maintenance from Caltrans along with the lack of consistent water.

Nonetheless, the Applicant shall be required to purchase 0.44-acres of re-establishment and/or rehabilitation credits through Riverpark Mitigation Bank in-lieu fee program. The purchase of 0.44-acres of re-establishment and/or rehabilitation credits represents a 1:1 ratio of mitigation to impacts. Given the current limited biological value of the drainage ditch, bare or invasive earthen

bottom, and lack of consistent hydrology within the drainage, and routine maintenance by Caltrans the purchase of 0.44-acres of re-establishment and/or rehabilitation credits would mitigate impacts to MSHCP riparian/riverine features. Furthermore, the purchase of the offsite re-establishment/rehabilitation credits represent a biological superior preservation of habitat, which would include the removal of non-native streambed vegetation and subsequent restoration with native riparian vegetation of the watersheds in the MSHCP Boundary. The purchase of the re-establishment/rehabilitation credits is determined to be biologically superior than the low quality drainage onsite, which consists of an unvegetated ditch that is routinely maintained by Caltrans.

The site was assessed for suitable habitat for narrow endemic plants pursuant to MSHCP Section 6.1.3, Protection of Narrow Endemic Plant Species. However, no species were observed during the focused plant surveys. Therefore, no mitigation is necessary.

The site was analyzed as an Urban Wildlands Interface pursuant to MSHCP Section 6.1.4. The Project site is not located adjacent to an existing or proposed MSHCP Conservation Area or Core Linkage areas. The Project site is further characterized by exposed areas that lack suitable cover outside of the California buckwheat scrub area and resources that are typically associated with wildlife movement areas (i.e. water). Therefore, no mitigation is necessary.

The site was evaluated for suitable burrowing owl habitat pursuant to Section 6.3.2, Species Survey Requirements. No owls, potential burrows, or diagnostic signs of burrowing owls were observed. However, the site was deemed to have potential habitat for the burrowing owl, therefore pre-construction surveys will be conducted by a qualified biologist 30 days prior to the commencement of any ground disturbing activities. Although complete avoidance of burrowing owl suitable habitat is not feasible, suitable habitat within the surrounding buffer provides foraging and nesting habitat for the owl.

The proposed project is consistent with Section 6.1.2, 6.1.3, 6.1.4, and Section 6.3.2 of the MSHCP. Incorporation of and compliance with the measures outlined in this DBESP will reduce the permanent and temporary impacts to species and their associated habitats, and will ensure compliance with the MSHCP.

# HEMET 30 (CASE NUMBER TTM 37737)

## Determination of Biologically Equivalent or Superior Preservation (DBESP) And Consistency Determination

Pursuant to MSHCP Section 6.1.2: *Protection of Species Associated with  
Riparian/Riverine Areas*

MSHCP Section 6.1.3: *Protection of Narrow Endemic Plant Species*

MSHCP Section 6.1.4: Urban Wildlands Interface Guidelines

MSHCP Section 6.3.2: *Species Survey Requirements*

### I. INTRODUCTION

The following Determination of Biologically Equivalent or Superior Preservation (DBESP) and Consistency Determination has been prepared by Carlson Strategic Land Solutions (CSLS), on behalf of Global Investments and Development, LLC (Applicant) pursuant to Section 6.1.2 *Protection of Species Associated with Riparian/Riverine areas and Vernal Pools*, Section 6.1.3 *Protection of Narrow Endemic Plant Species*, Section 6.1.4 Urban Wildlands Interface Guidelines, and Section 6.3.2 *Species Survey Requirements* of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). This report presents the findings of a DBESP for the 30-acre Project Site known as the Hemet 30 in the County of Riverside.

### II. DEFINITION OF PROJECT AREA

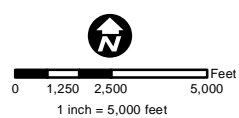
The proposed Project site encompasses approximately 30-acres and is located in the County of Riverside California. The Project site can be found on the U.S Geological Survey (USGS) Map *Winchester* topographic map, The Project Site can be found within Section 14 of Township 5 South, Range 2 West. The Project Site is located south of Highway 79 and west of Joel Drive. Areas surrounding the Project Site include Highway 79 to the north, vacant land to the east and west; and rural housing to the south (**Figures 1 and 2**).





GIS Prepared By:  
Carlson SLS

Created: May 1, 2021

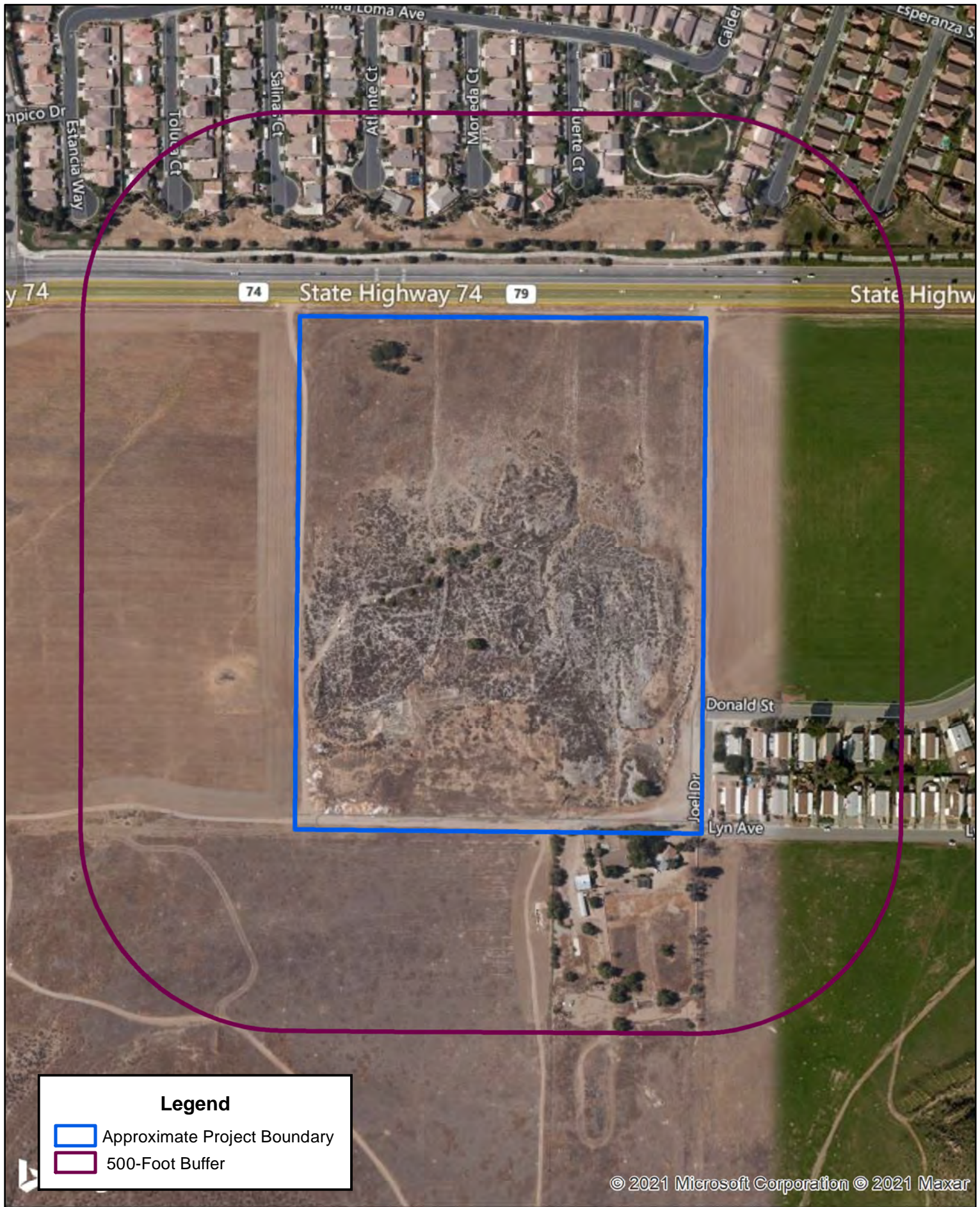


Data Sources: Bing Maps

*Global Investments: Hemet 30*  
**Regional Map**

**FIGURE 1**





**FIGURE 2**

The Project Site includes Assessor's Parcel Numbers (APN) of 465-040-025, 465-040-026, and 465-040-027.

Access to the Project site occurs from Highway 79 located to the north of the Project site or Joel Street located to the east of the Project site.

From the 1940s to early 2000s, the Project site was used as a rock quarry. A residence existed on the Project site from 1949 to early 1980s. The mining operations stopped in the early 2000's. Since 2004, the Project site has been vacant land.

A gently northeast sloping alluvial fan occupies the northern portion of the property. Elevations range from 1,520 feet above Mean Sea Level (MSL) in the northeast to 1,575 feet MSL in the southwest portion.

The 30-acre Project site consists primarily of ruderal and California buckwheat Scrub. The Project site is subject to dumping of trash and debris, specifically within the southwestern portion of the Project site. Furthermore, abandoned homeless encampments were observed within the middle portion of the Project site within an area of scattered tamarisk trees. Immediate surrounding land uses for the Project site include vacant land to the east and west; a rural residence to the south; and Highway 79 to the north.

The Project Study Area discussed in this analysis totals 98.10 acres, which consists of the 30-acre Project site and surrounding 500-foot buffer area. The buffer area was evaluated for potential off-site impacts.

The Project is located within the Harvest Valley/Winchester Area Plan of the MSHCP. The Project is not located within any MSHCP Criteria Areas, Cell Groups, or Subunits. Portions of the Survey Area are located within MSHCP Section 6.1.2 Riparian and Riverine Areas, Section 6.1.3 for Narrow Endemic Plants, Section 6.1.4 Urban Wildlands Interface, and Section 6.3.2 Species Survey Requirements for the western burrowing owl (*Athene cunicularia hypugaea*) habitat. The Project is not located within MSHCP survey areas for Criteria Area Plant Species, Amphibians, Mammals, or Special Linkage Areas.

The Project Study Area contains a single drainage ditch and described further below:

*Drainage Ditch* - an earthen bottom ephemeral ditch that runs parallel and adjacent to Highway 74. The Drainage Ditch is primarily unvegetated with scattered vegetation consisting of non-native species. Furthermore, this

ditch is routinely maintained by Caltrans. Specifically, the area is mowed and or cleared regularly to maintain storm flows. The Drainage Ditch enters the Study Area in the northwestern portion of the Study Area and flows in an easterly direction just outside of and north of the Project boundary's northern edge. The Drainage Ditch outlets into an earthen basin adjacent to the intersection of Highway 74 and California Avenue.

### III. PROJECT DESCRIPTION

As shown in **Figure 3**, the Project proposes to construct residential units with associated streets and infrastructure on 30-acres. The Project site is a rectangle-shaped parcel and is bounded on the north by Highway 74, on the south by Lyn Avenue, on the east by Joel Drive, and on the west by an open field. Land uses surrounding the Project site is residential to the southeast; rural residence to the south; vacant fields to the east and west; and Highway 74 to the north of the Project site.

Implementation of the Project will impact the drainage ditch as a result of the expansion of Highway 74 and Project entrance.

### IV. METHODOLOGY

The Project Study Area is located within the planning area for the western Riverside County MSHCP (Harvest Valley/Winchester Area Plan), but is not located within any Criteria Cells, Cell Groups, or Subunits. Portions of the Project Study Area are located within the Narrow Endemic Plant Species Survey Areas (NEPSSA) Number 3, as well as the survey areas for the burrowing owl (*Athene cunicularia*) (**Figure 4**).

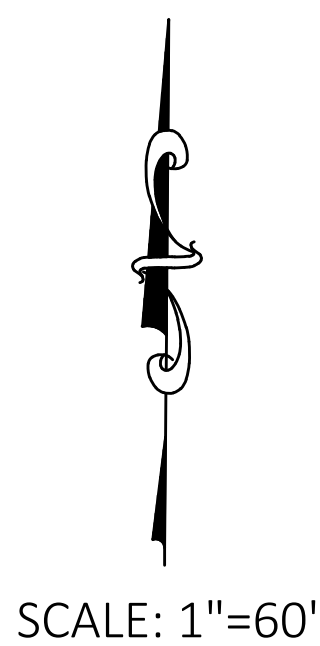
Biologists and Regulatory Specialists from Carlson Strategic Land Solutions (CSLS) conducted site-specific surveys on the Study Area. Surveys included a general biological survey, vegetation mapping, focused BUOW surveys, focused rare plant survey, and a delineation of jurisdictional waters and wetlands. The surveys conducted for the Project site were completed by CSLS biologists Brianna Bernard, Crysta Dickson, and Justinne Manahan. Findings from field surveys conducted on the following dates are included in the Biological Technical Report (CSLS, October 2021). The site was re-visited in 2021 to confirm 2019 survey results and assess any changes in environment by CSLS Biologists Brianna Bernard and Justinne Manahan on May 17, 2021. A complete list of survey dates and surveyors is included in Table 1.

**Table 1. Survey Information**

<b>Survey Date</b>	<b>Time</b>	<b>Surveys</b>	<b>Surveyors</b>
May 31, 2019	0800 - 1350	Biological Assessment, Jurisdictional Delineation, Burrowing Owl Assessment, Narrow Endemic Plan Survey.	Brianna Bernard and Crysta Dickson
June 10, 2019	0800 - 1350	Burrowing Owl Survey #1, Narrow Endemic Plan Survey.	Brianna Bernard and Crysta Dickson
June 17, 2019	0900 - 1030	Jurisdictional Delineation	Brianna Bernard
July 01, 2019	0800 - 1055	Burrowing Owl Survey #2, Narrow Endemic Plan Survey.	Brianna Bernard and Crysta Dickson
July 26, 2019	0730 - 1045	Burrowing Owl Survey #3, Narrow Endemic Plan Survey.	Brianna Bernard and Justinne Manahan
August 7, 2019	0730 - 1107	Burrowing Owl Survey #4, Narrow Endemic Plan Survey.	Brianna Bernard and Justinne Manahan
May 17, 2021	0715 - 1052	Reconfirm Biological Assessment, Jurisdictional Delineation, Burrowing Owl, Narrow Endemic Plan Survey.	Brianna Bernard and Justinne Manahan

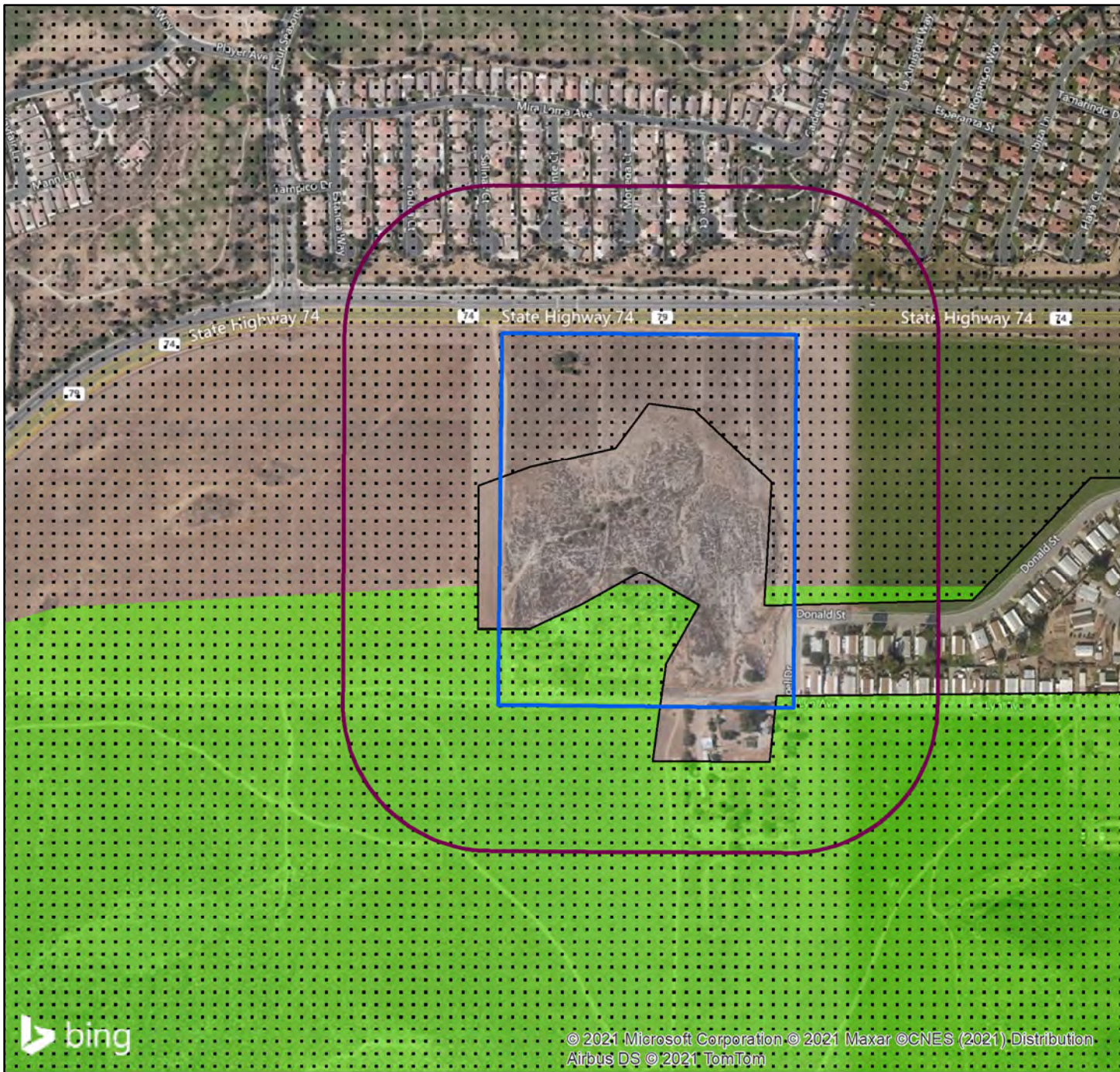
CSLS conducted biological studies in three main components in order to identify and evaluate actual or potential impacts to biological resources associated with the proposed Project, including: (1) vegetation mapping; (2) site-specific biological surveys to evaluate the presence/absence of special-status species (or potentially suitable habitat) to the satisfaction of the MSHCP, CEQA, and Federal and State regulations; and (3) delineation of aquatic resources (including wetlands/riparian habitat) subject to the jurisdiction of the US Army Corps (Corps), Regional Water Quality Control Board (RWQCB) and California Department of Fish and Wildlife (CDFW).





REVISÉD LAYOUT





**Legend**

Approximate Project Boundary

500-Foot Buffer

**MSHCP Overlays**

Burrowing Owl

Narrow Endemic Plants

**FIGURE 4**

The field studies focused on a number of primary objectives that would satisfy the special provisions of the MSHCP and also comply with CEQA requirements, including: (1) general reconnaissance surveys and vegetation mapping; (2) general wildlife surveys; (3) habitat assessments and focused surveys for special-status plants (including Narrow Endemic Plants as designated by MSHCP survey area); (4) habitat assessments and focused biological surveys for special-status animals (including species designated by MSHCP survey areas); (5) wildlife movement analysis; (6) assessments of riparian/riverine areas and vernal pool habitats; and (7) delineation of areas subject to the jurisdiction of the Corps, RWQCB, and CDFW. Observations of plant and wildlife species were recorded during each of the abovementioned survey efforts. The Biological Technical Report (CSLS, October 2021) provides a summary list of survey dates, survey types, and personnel.

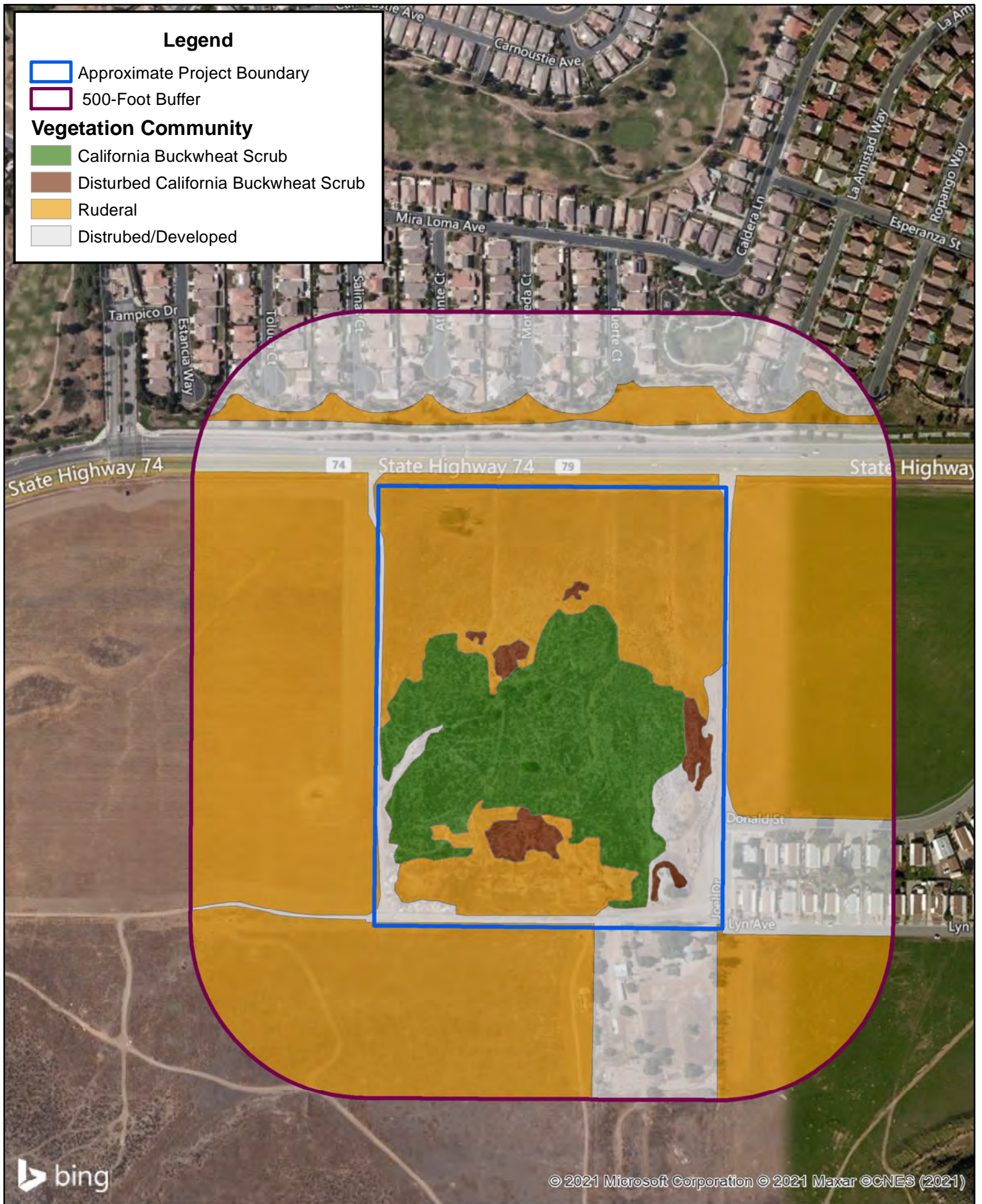
The Biological Report evaluates individual plants and animal species based on their special-status. For the purpose of the Biological Report, plants were considered special-status based on one or more of the following criteria:

- Listing through the Federal and/or State Endangered Species Act (ESA);
- Occurrence in the California Native Plant Society (CNPS) Rare Plant Inventory (List 1B, 2, 3, or 4);
- California Natural Diversity Database (CNDDDB) Global/State Rankings; and/or
- Evaluation and coverage under the MSHCP.

Prior to conducting fieldwork, pertinent literature on the flora of the region was examined. A thorough archival review was conducted using available literature and other historical records. These resources included, but were not limited to, the following: CNPS *Inventory of Rare and Endangered Plants of California* [CNPS 2021]; CNDDDB for the Winchester, and surrounding USGS quadrangle maps (CNDDDB 2021); and MSHCP Document, including *Sections 6.1.2, 6.1.3, 6.1.4, and 6.3*; and Table 9.3 (Riverside County Integrated Project 2003).

Vegetation communities were characterized utilizing vegetation alliances in accordance with *The Manual of California Vegetation, Second Edition (MCVII)* (Sawyer et al. 2009). Where necessary, deviations were made when areas did not fit into exact habitat descriptions provided by MCVII. Plant communities were mapped in the field directly onto a 200-scale (1"=200') aerial photograph. **Figure 5** provides vegetation mapping for the Study Area. Site photographs in **Appendix A** also provide representative photographs of site conditions.





**FIGURE 5**

### *Section 6.1.2 Riparian/Riverine Areas and Vernal Pools*

Volume I, Section 6.1.2 of the MSHCP describes the process through which protection of riparian/riverine areas and vernal pools would occur within the MSHCP Plan Area. The purpose is to ensure that the biological functions and values of these areas throughout the MSHCP Conservation Area are maintained. The MSHCP requires that as projects are proposed within the overall Plan Area, the effect of those projects on riparian/riverine areas and vernal pools must be addressed. The Study Area was evaluated for the presence/absence of MSHCP riparian/riverine areas and vernal pools. With respect to riparian habitat, the Study Area was evaluated for the potential habitat to support the least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii traillii*), the western yellow-billed cuckoo (*Coccyzus americanus occidentalis*), listed fairy shrimp, and other species identified in Section 6.1.2 of the MSHCP.

The Study Area was evaluated to determine the limits of (1) Corps jurisdiction pursuant to Section 404 of the CWA; (2) RWQCB jurisdiction pursuant to Section 401 of the CWA and Porter-Cologne; (3) CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the Fish and Game Code; and (4) MSHCP riparian/riverine areas and vernal pools. Suspected jurisdictional areas were field checked for the presence of definable channels and/or wetland vegetation, soils, and hydrology. Suspected wetland habitats on the Project site and surrounding buffer area were evaluated using the methodology set forth in the Corps' 1987 Wetland Delineation Manual (Wetland Manual) and the 2008 Regional Supplement to the Corps Wetland Delineation Manual: Arid West Region Version 2.0 (Arid West Supplement). While in the field, the limits of Corps, RWQCB, and CDFW jurisdiction were recorded onto a 200-scale color aerial photograph using visible landmarks and limits of jurisdiction were recorded with a Trimble R1 Global Positioning System (GPS) receiver with ARC Collector application with sub-meter accuracy.

### *Section 6.1.3 Special-Status Plant Species*

The CNDDDB and MSHCP were initially consulted to determine known occurrences of special-status plants in the region. The CNPS Inventory (CNPS 2021) was also used to develop a list of target species for the survey program. Based on this information, a list of sensitive plant species and habitats that could occur within the Study Area were developed and incorporated into a mapping and survey program to achieve the following goals: (1) characterize the vegetation associations and land use; (2) prepare a detailed floral compendium; and (3) document the distribution and abundance of any special-status plant

species within the Study Area. **Section 5.5** of the October 2021 Biological Technical Report (CSLS October 2021) provides a list of all special status plants evaluated for the Study Area.

General surveys were conducted to identify potential sensitive plant habitats, and to establish the accuracy of the data identified from the literature. Focused surveys were performed for special status plant species within the NEPSSA in 2019 and confirmed in 2021. An aerial photograph and topographic map were used to determine the community types and other physical features that may support sensitive species or communities within the Study Area. The reconnaissance surveys also took into account the guidelines adopted by CNPS and CDFW (Nelson 1984, CNPS 2021).

Within areas of suitable habitat, focused surveys were conducted for the Study Area to determine the presence/absence of special status plants, including MSHCP Covered Species with special survey requirements. Where potentially suitable habitat was present, focused plant surveys included those MSHCP Covered Species identified by the NEPSSA Survey Area Number 3. Within the Study Area, biologists traversed each of the target habitats on foot to provide adequate coverage for surveys. All plant species encountered during the field surveys were identified and recorded following the guidelines adopted by CNPS (2021) and CDFW by Nelson (1984). A complete list of the species observed is provided in the October 2021 Biological Technical Report (CSLS October 2021). Scientific nomenclature and common names used in October 2021 Biological Technical Report follows Hickman (1993), Munz (1974), and Roberts et al (2004).

#### *Section 6.1.4 Urban/Wildlands Interface*

The MSHCP Urban/Wildlands Interface guidelines presented in Section 6.1.4 are intended to address indirect effects associated with locating commercial, mixed uses and residential developments in proximity to an MSHCP Conservation Area. In order to evaluate direct, indirect, and cumulative impacts of the proposed Project on urban/wildlands interface, an analysis of wildlife use/movement was conducted for the Project site and adjacent buffer area. The analysis considered the movement and use of large mammals (i.e., mountain lion and mule deer), medium-sized mammals (mesocarnivores), and other wildlife such as small mammals, birds, reptiles, and amphibians. Methods utilized for the wildlife analysis included a review of existing information on wildlife use (including the MSHCP), general and focused biological surveys to document the

presence/absence of wildlife, and opportunistic observations of mammal tracks and scat.

#### *Section 6.3.1 Special Survey Requirements*

The CNDDDB and MSHCP were initially consulted to determine known occurrences of special-status animals in the region. Based on this information, a list of target animal species (including their suitable habitats) was developed and incorporated into a survey program to achieve the following goals: (1) prepare a detailed faunal compendium; and (2) implement general reconnaissance field work and focused surveys to document the distribution and abundance of the special-status animal species within the Study Area.

The Study Area was evaluated for suitable burrowing owl habitat, and where present, focused surveys were conducted for the burrowing owl to satisfy the requirements of the MSHCP and CEQA.

#### *General Biological Surveys*

Wildlife species were evaluated and detected during field surveys by sight, call, tracks, and scat. Site reconnaissance was conducted in such a manner as to allow inspection of the Study Area by direct observation, including the use of binoculars. Observations of physical evidence and direct sightings of wildlife were recorded in field notes during each visit. A complete list of wildlife species observed within the Study Area is provided in the October 2021 Biological Technical Report. Scientific nomenclature and common names for vertebrate species referred to in this report follow the Complete List of Amphibian, Reptile, Bird, and Mammal Species in California (CDFW 2021), Standard Common and Scientific Names for North American Amphibians, Turtles, Reptiles, and Crocodilians 6th Edition, Collins and Taggart (2009) for amphibians and reptiles, and the AOU Checklist (2010) for birds. The methodology (including any applicable survey protocols) utilized to conduct the focused surveys or the habitat assessments for special-status animals is included below.

#### Reptiles and Amphibians

During general surveys within the Study Area, reptiles and amphibians were identified incidentally during surveys within each habitat type. Habitats were examined for diagnostic reptile sign, which include shed skins, scat, tracks, snake prints, and lizard tail drag marks. All reptiles and amphibian species observed, as well as diagnostic sign, were recorded in field notes.

### Birds

During general surveys within the Study Area, birds were identified incidentally during surveys within each habitat type. Birds were detected by both direct observation and by vocalizations and were recorded in field notes. The majority of the Study Area consists of containing ruderal areas, California buckwheat scrub, and other disturbed areas that provide suitable foraging habitat for avian species, including a few special-status species. During general and focused biological surveys, raptor use within the Study Area was documented to identify species using the property for foraging habitat, as well as to identify any locations of nesting raptors within the scattered trees on the Project site. Surveys were conducted from a variety of fixed locations using binoculars. In addition, potential nesting areas were observed in order to identify any nests. Where observed, nesting locations were recorded on the field map.

### Burrowing Owl

A majority of Riverside County falls within MSHCP Section 6.3.2 Burrowing Owl (BUOW) Habitat Assessment overlay. All surveys were conducted in accordance with the MSHCP Burrowing Owl Survey Instructions (RCA 2006). The Burrowing Owl Survey Instructions are divided into two steps, including the habitat assessment (Step 1) and locating burrows and BUOWs (Step II). Step I of the MSHCP Survey Instructions requires that an assessment be conducted to determine the presence of suitable habitat for the BUOW. The MSHCP Survey Instructions acknowledge that the presence of suitable burrows is not the deciding factor on whether a site contains suitable habitat for BUOWs. The presence/absence of suitable burrows is to be determined during Step II of the Survey Instructions (Part A: Focused Burrow Survey, and Part B: Additional Focused Burrowing Owl Surveys), once it has been determined that a site contains suitable habitat for the BUOW. Should the Study Area exhibit suitable burrowing owl habitat, a focused burrow survey (Step II Part A) was required for the Project.

The MSHCP requires habitat assessments within designated Survey Areas and focused surveys within areas of suitable habitat. For locations with positive survey results, the MSHCP requires that 90 percent of those portions of the property that provide for long-term conservation value for the identified species shall be avoided until it is demonstrated that conservation goals for the particular species are met. Findings of equivalency shall be made demonstrating that the 90-percent standard



has been met. If the focus survey findings are negative, then a preconstruction survey will be required 30 days prior to ground disturbance if suitable habitat still exists on-site.

#### Mammals

During general surveys within the Study Area, mammals were identified incidentally during surveys within each habitat type. Mammals were detected both by direct observations and by the presence of diagnostic sign (i.e., tracks, burrows, scat, etc.).

#### Botanical Resources

A site-specific survey program was designed to accurately document the botanical resources within the Study Area, and consisted of six components: (1) a literature search; (2) preparation of a list of target special-status plant species and sensitive vegetation communities that could occur on site; (3) general field reconnaissance surveys; (4) vegetation mapping based on the MCVII; (5) focused surveys for special-status plants; and (6) preparation of a vegetation map, including the location of any sensitive vegetation communities found on site.

#### *Wildlife Movement Analysis*

In order to evaluate direct, indirect, and cumulative impacts of the proposed Project on wildlife movement, an analysis of wildlife use/movement was conducted for the Project Study Area. The analysis considered the movement and use of large mammals (i.e., mountain lion and mule deer), medium-sized mammals (mesocarnivores), and other wildlife such as small mammals, birds, reptiles, and amphibians. Methods utilized for the wildlife analysis included a review of existing information on wildlife use (including the MSHCP), general and focused biological surveys to document the presence/absence of wildlife, opportunistic observations of mammal tracks and scat, and the use of scented track stations.

### **V. ENVIRONMENTAL SETTING**

#### **A. Existing Conditions and Historical Land Use**

The 30-acre Project site consists primarily of ruderal habitat with the remaining acreage consisting of California buckwheat Scrub and disturbed habitats. The Project site is subject to dumping of trash and debris, specifically within the southwestern portion of the Project site. Furthermore, abandoned homeless encampments were observed within the middle portion of the Project site within an area of scattered tamarisk trees.

A gently northeast sloping alluvial fan occupies the northern portion of the property. Elevations range from 1,520 feet above Mean Sea Level (MSL) in the northeast to 1,575 feet MSL in the southwest portion.

From the 1940s to early 2000s, the Project site was used as a rock quarry. A residence existed on the Project site from 1949 to early 1980s. The mining operations stopped in early 2000's. Since 2004, the Project site has been vacant land. Immediate surrounding land uses for the Project site include vacant land to the east and west; a rural residence to the south; and Highway 74 to the north.

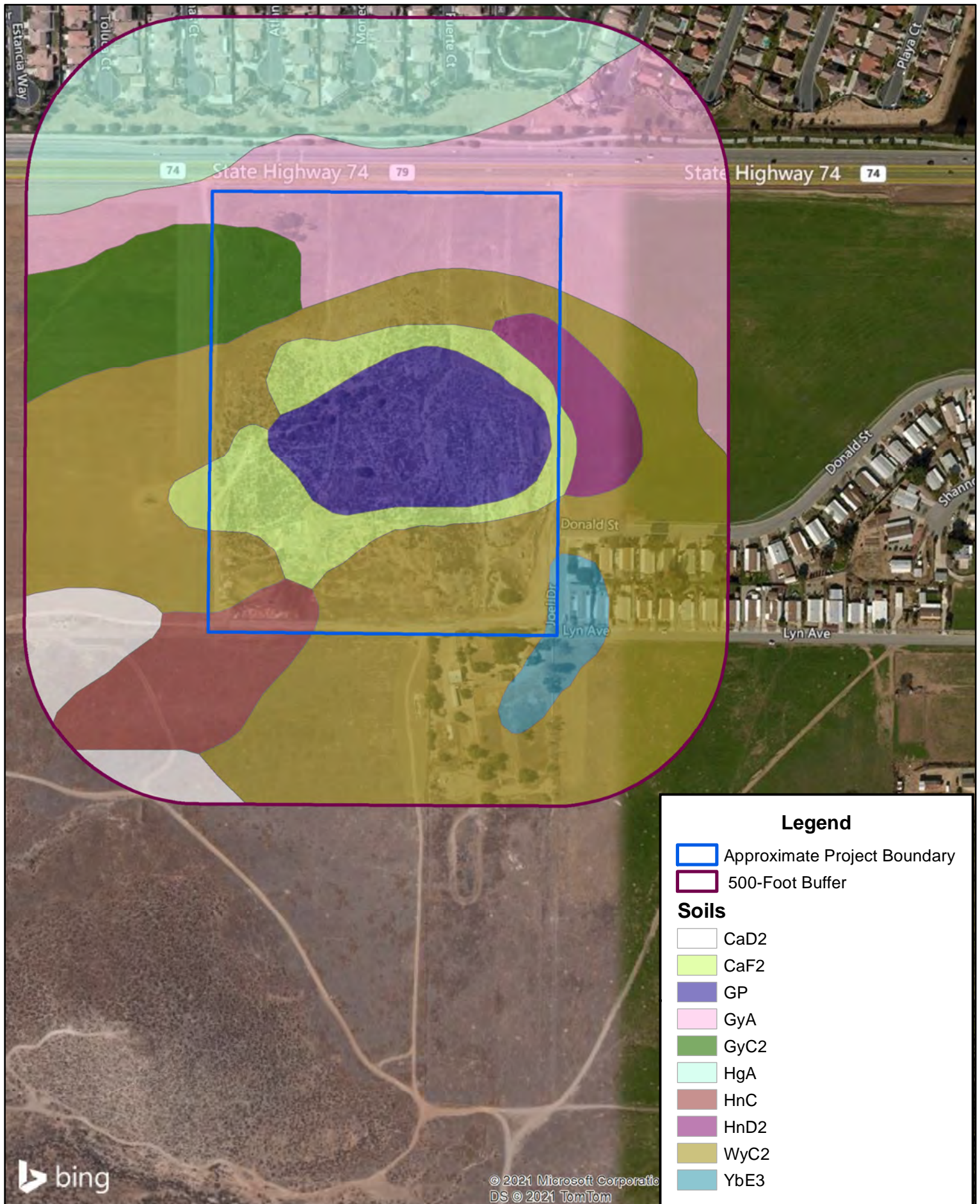
## **B. Soils**

The United States Department of Agriculture NRCS lists several soil types (series) for the Study Area. Please see below for the following soil type, which was used to determine the possibility for sensitive wildlife and plant species. No unique soil types exist within the Study Area. None of the soil types are designated as sensitive soil by the MSHCP.

The following soil types are mapped within the Study Area and shown on **Figure 6**:

- Cajalco fine sandy loam, 8 to 15 percent slopes, eroded (CaD2)
- Cajalco fine sandy loam, 15 to 35 percent slopes, eroded (CaF2)
- Gravel pits (GP)
- Greenfield sandy loam, 0 to 2 percent slopes (GyA)
- Greenfield sandy loam, 2 to 8 percent slopes, eroded (GyC2)
- Hanford fine sandy loam, 0 to 2 percent slopes (HgA)
- Honcut sandy loam, 2 to 8 percent slopes (HnC)
- Honcut sandy loam, 8 to 15 percent slopes, eroded (HnD2)
- Wyman loam, 2 to 8 percent slopes, eroded (WyC2)
- Yokohl loam, 8 to 25 percent slopes, severely eroded (YbE3)





**FIGURE 6**

### C. Topography and Hydrology

The Project Study Area elevations range from 1,520 to 1,575 feet above mean sea level (MSL). With the construction of Highway 74, a single drainage ditch was identified as occurring within the Study Area.

*Drainage Ditch* - an earthen bottom ephemeral ditch that runs parallel and adjacent to Highway 74. The Drainage Ditch is primarily unvegetated with scattered vegetation consisting of non-native species. Furthermore, this ditch is routinely maintained by Caltrans. Specifically, the area is mowed and or cleared regularly to maintain storm flows. The Drainage Ditch enters the Study Area in the northwestern portion of the Study Area and flows in an easterly direction just outside of and north of the Project boundary's northern edge. The Drainage Ditch outlets into an earthen basin adjacent to the intersection of Highway 74 and California Avenue.

### D. Plant Communities

Four plant communities were observed within the Study Area. The acreages of plant communities are shown in **Table 2** and depicted in **Figure 5**.

**Table 2. Vegetation Communities**

Habitat	Onsite Acreage	Offsite Acreage
California Buckwheat Scrub	9.88	-
Disturbed California Buckwheat Scrub	1.16	-
Ruderal	13.84	44.89
Disturbed/Developed	3.72	24.56
<b>TOTAL</b>	<b>28.60</b>	<b>69.45</b>

#### *California Buckwheat Scrub*

Approximately 9.88 acres of the Project site is comprised of California Buckwheat Scrub. This community is dominated by California buckwheat (*Eriogonum fasciculatum*) shrubs. There is a scattering of other species within this community including deerweed (*Acmispon glaber*), brittlebush (*Encelia californica*), white sage (*Salvia apiana*), California sagebrush (*Artemisia californica*), and black sage (*Salvia mellifera*). The understory of the community is primarily bare but includes some non-native grass species such as red brome (*Bromus madritensis ssp. rubens*), wild oat (*Avena fatua*), ripgut brome (*Bromus diandrus*), tocalote (*Centaurea melitensis*), and summer mustard (*Hirschfeldia incana*). Scattered Tamarisk trees (*Tamarix ramosissima*) occur within this community along with a single Fremont cottonwood (*Populus fremontii*).

### *Disturbed California Buckwheat Scrub*

Approximately 1.16 acres of the Project site is comprised of disturbed buckwheat scrub. Species within this community consist of those found in the California Buckwheat Scrub, however, this plant community shows signs of disturbances, such as walking/pedestrian trails, biking paths, off-roading paths, or maintained as part of fire abatement.

### *Ruderal*

A majority of the Project site consist of the ruderal community with a total of 14.97 acres. This vegetation community appears to be maintained (trimmed) annually. Vegetation within this area is comprised of Russian thistle (*Salsola tragus*), rat-tail fescue (*Festuca microstachys*), foxtail brome (*Bromus madritensis ssp. rubens*), ripgut brome (*Bromus diandrus*), tocalote (*Centaurea melitensis*), chaparral nightshade (*Solanum xanti*), summer mustard (*Hirschfeldia incana*), castor bean (*Rincus communis*), Jimson weed (*Datura stramonium*), cheeseweed (*Malva parviflora*), and a few scattered Peruvian pepper trees (*Schinus Molle*) and laurel sumac (*Malosma laurina*).

### *Disturbed/ Developed*

A total of 7.61 acres of disturbed area consisting of bare dirt, dirt roads, and sparse vegetation is mapped onsite. The developed/disturbed community contains limited habitat value and includes non-native or invasive species.

### *Surrounding 500-foot Buffer*

A majority of the surrounding 500-foot buffer consists of residential housing and Highway 74 to the north, vacant land with ruderal vegetation that is regularly maintained to the east and west, and rural residential to the south.

## **E. Section 6.1.2 MSHCP Riverine/Riparian Features**


The total inventory of MSHCP Riparian and Riverine meeting the MSHCP definition is presented in **Table 3** and shown on **Figure 7**. The Project site does not contain any vernal pools as defined under MSHCP vernal pool features.

**Table 3. Riparian/Riverine Habitat within the Study Area**

Drainage	Riparian/Riverine
Unnamed Drainage Ditch <sup>1</sup>	0.52 ac
<sup>1</sup> . The ditch is primarily unvegetated with scatted vegetation consisting of non-native mustard species.	





<p>GIS Prepared By: Carlson SLS</p> <p>Created: August 2021</p>	<p></p> <p>0 62.5 125 250 375 Feet</p> <p>1 inch = 350 feet</p>	<p>Data Source: Bing Map Field Survey (June 2019) Field Survey (May 2021)</p>	<p><b>Global Investments: Hemet 30</b></p> <p><b>Riparian/Riverine Resource Map</b></p>
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**FIGURE 7**

## VI. IMPACT ANALYSIS

Proposed impacts to vegetation communities are summarized in **Table 4** below.

The determination of impacts in this analysis is based on the proposed Project development plan (**Figure 3**) and the biological values of the habitat and/or sensitivity of plant and wildlife species to be affected. Any recommended mitigation measures to address impacts are discussed below, along with compliance of existing regulations. Based on the preliminary plans, the following vegetation impacts are anticipated (**Figure 8**).

**Table 4. Proposed Vegetation Communities Impacts**

<b>Vegetation Community</b>	<b>Existing Acreage<sup>1</sup></b>	<b>Total Impacted</b>	<b>Total Avoided</b>
California Buckwheat Scrub	9.88	9.88	0.00
Disturbed California Buckwheat Scrub	1.16	1.16	0.00
Ruderal	58.73	15.5	43.23
Disturbed/Developed	28.28	3.70	24.58
<b>TOTAL</b>	<b>98.10</b>	<b>30.24</b>	<b>67.81</b>
<i>1. Acreage includes existing onsite and offsite acreages.</i>			

### **A. Impacted Native Habitat**

The proposed Project, including right-of-way improvements, would result in permanent impacts to approximately 11.04 acres of native vegetation types, including California buckwheat scrub and disturbed California buckwheat scrub.

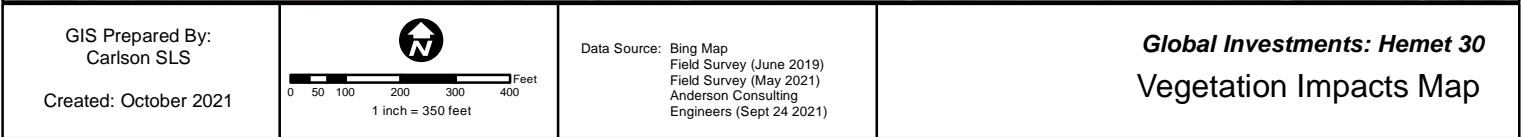
#### *California Buckwheat Scrub*

The proposed Project would result in permanent impacts to 9.88 acre of California buckwheat scrub. This area, dominated by California buckwheat (*Baccharis salicifolia*), with bare to non-native grasses understory. Impacts are associated with grading for the construction of the Project. Impacts to California buckwheat scrub habitat is covered and mitigated for through the MSHCP.

#### *Disturbed California Buckwheat Scrub*

The proposed Project would result in direct impacts to 1.16 acre of disturbed California buckwheat scrub, all of which is associated with Project activities. Impacts to scrub communities are covered and mitigated for through the MSHCP.





### FIGURE 8

## B. Section 6.1.2 -- Protection of Species Associated with Riparian/Riverine Areas

### 1. *Description and Quantification of Unavoidable Impacts to Riparian/Riverine Areas*

The Study Area was assessed for MSHCP riparian/riverine areas and vernal pools pursuant to Section 6.1.2 of the MSHCP. The Study Area contains a single MSHCP riparian/riverine features, which is associated with earthen drainage ditch. Impacts to the Drainage Ditch are associated with expansion and widening of Highway 74, as well as the Project entrance, storm drain outlet and associated headwalls. No MSHCP species associated with riparian/riverine areas protected under Section 6.1.2 were observed during the field surveys and no suitable habitat occurs for Section 6.1.2 plant and wildlife species.

Permanent impacts are anticipated to occur to 0.44-acres of the earthen drainage ditch. Impacts to the drainage ditch are due to the expansion of Highway 74, as well as the Project entrance, storm drain outlet and associated headwalls. The approximately 0.44 acres impacts occur to non-vegetated areas and do not occur to any wetlands. Furthermore, this ditch is routinely maintained and impacted by Caltrans. Specifically, the area is mowed and or cleared regularly to maintain storm flows. Calculations of impacts were based on the currently proposed development design in combination with the mapping from the field survey and aerial imagery. Impacts are presented in **Table 5** and shown on **Figure 9**.

Section VII describes the proposed mitigation for impacts to Riparian/Riverine features.

**Table 5. Impacts Summary to MSHCP Riparian/Riverine Areas**

Drainage Feature	Existing MSHCP Riparian/Riverine (Acres)	Impacts to MSHCP Riparian/Riverine (Acres)
Unnamed	0.52	0.44
<b>Total Jurisdiction</b>	<b>0.52</b>	<b>0.44</b>

### 2. *Impacts to Species Protected under Section 6.1.2*

During vegetation mapping conducted for the Study Area, no special status plants, were detected during the focused plant surveys.



### 3. *Vernal Pools*

No evidence of vernal pools, seasonal depressions, seasonally inundated road ruts or other wetland features were recorded on the Project Site. Vernal pools are depressions in areas where a hard-underground layer prevents rainwater from draining downward into the subsoils. When rain fills the pools in the winter and spring, the water collects and remains in the depressions. In the springtime, the water gradually evaporates away, until the pools became completely dry in the summer and fall. Vernal pools tend to have an impermeable layer that results in ponded water. The soil texture (the amount of sand, silt, and clay particles) typically contains higher amounts of fine silts and clays with lower percolation rates. Pools that retain water for a sufficient length of time will develop hydric cells. Hydric cells form when the soil is saturated from flooding for extended periods of time and anaerobic conditions (lacking oxygen or air) develop.

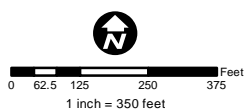
The Project Site is characterized as Cajalco sandy loam, Greenfield sandy loam, Hanford sandy loam, and Honcut sandy loam all types possessing well drained substrates (drainage class). No indication of clay substrates or hydric soils were documented within the Project Site. Furthermore, a review of historic aerials was conducted to determine if inundated features were present during years of high rainfall when features would certainly be documented. Aerials taken in 2011 represent an ideal baseline during which know (previously documented) inundated vernal pools, seasonal depressions and road ruts can easily be seen. No sign or indication of inundation was documented within the Project Site during a review of historic aerials.

In summary, none of the conditions (i.e., no inundated depressions including road ruts, hydric soils, historic inundation, etc.) were observed on documented within the Project Site. No features are present that would support fairy shrimp. No standing water or other sign of areas that pond water was observed.



GIS Prepared By:  
Carlson SLS

Created: October 2021



Data Source: Bing Map  
Field Survey (June 2019)  
Field Survey (May 2021)  
Anderson Consulting  
Engineers (Sept 24 2021)

**Global Investments: Hemet 30**  
**Riparian/Riverine Resource Impacts Map**

**FIGURE 9**

### **C. Section 6.1.3 -- Protection of Narrow Endemic Plant Species**

Portions of the Study Area are located within MSHCP surveys areas for Narrow Endemic Plants (**Figure 4**). Within designated Survey Areas, the MSHCP requires habitat assessments, and focused surveys within areas of suitable habitat. For locations with positive survey results, the MSHCP requires that 90 percent of those portions of the property that provide for long-term conservation value for the identified species shall be avoided until it is demonstrated that conservation goals for the particular species are met. Findings of equivalency shall be made demonstrating that the 90-percent standard has been met.

No narrow endemic plant species were observed during 2019 and 2021 focused plant surveys of the Study Area; therefore, they do not occur within the Study Area. Additional information can be found in the Biological Report.

### **D. Section 6.1.4 - Urban/Wildlands Interface**

The Project site is not located adjacent to an existing or proposed MSHCP Conservation Area or Core Linkage areas. While the Project site is composed of large spans of ruderal habitat, the habitat is routinely maintained. The ruderal located to the east and west of the site also appears to be routinely maintained. The Project site includes rural residential located to the south and south east, further isolating the site. Furthermore, the north Project boundary is Highway 74. For these reasons, movement on a regional scale is restricted in its potential to support regional wildlife movement. The Project site is further characterized by exposed areas that lack suitable cover outside of the California buckwheat scrub area and resources that are typically associated with wildlife movement areas (i.e. water).

### **E. Section 6.3.2 -- Species Survey Requirements**

A majority of the Study Area is located within the MSHCP Survey Area for the burrowing owl (*Athene cunicularia*). The Study Area was evaluated for suitable burrowing owl habitat, and where present, focused surveys were conducted for the burrowing owl to satisfy the requirements of the MSHCP and CEQA. The presence/absence of suitable burrows is to be determined during Step II of the Survey Instructions (focused burrow surveys), once it has been determined that a site contains suitable habitat for the burrowing owl. The Study Area contains ruderal vegetation areas, and unvegetated disturbed areas, many of which exhibit some basic suitability for burrowing owls.

However, no BUOWs, suitable sized burrows, or evidence of BUOWs were observed on site within the Study Area during the focused survey. Therefore,



based on the focused surveys it is determined the Project site is not occupied by BUOW. Additional information can be found in the Biological Report.

## **VII. DESCRIPTION OF AVOIDANCE, MITIGATION MEASURES AND CONSISTENCY**

The guidelines presented in Section 6.1.4 of the MHSCP are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. Development located in proximity to the MSHCP Conservation Area may result in edge effects that will adversely affect biological resources within the Conservation Area. The Project Site is not within or adjacent to a Criteria Cell and, therefore, a discussion of the effects pertaining to the urban/wildlife interface is required.

### **A. Avoidance Minimization and Mitigation for the Riparian/Riverine Areas and their Associated Species**

#### *1. Avoidance and Minimization – Riparian/Riverine Areas*

Complete avoidance cannot occur due to the expansion of Highway 74. The expansion of Highway 74 is due to public safety. In order to create public safety Highway 74 will be required to be expanded and provide additional shoulder area. Furthermore, impacts are due to the Project entrance.

The Project will comply with the avoidance and minimization required in any issued Regulatory Permits. These may include, but are not limited to, Best Management Practices, which will be incorporated into the Project through the following permitting and design elements:

- National Pollutant Discharge Elimination System (NPDES)
- Storm Water Pollution Prevention Plan (SWPPP)
- Water Quality Management Plan (WQMP)

#### *2. Mitigation – Riparian/Riverine Areas*

To mitigate for the permanent loss of 0.44 acres of MSHCP riparian/riverine areas. The impacts would occur to an earthen drainage ditch that runs parallel to Highway 74. The MSHCP riparian/riverine areas have minimal biological value, composed mainly of bare areas or non-native species. Furthermore, the drainage ditch is regularly and routinely maintained by Caltrans to maintain storm flows. Specifically, the drainage ditch is cleared of vegetation or mowed regularly. The

quality of the drainage is characterized as poor due to the presence of dense non-native species, bare area, lack of typical riparian species, routine maintenance by Caltrans and does not exhibit the typical characteristics of a natural stream or watercourse.

Nonetheless, the Applicant shall be required to purchase 0.44-acres of re-establishment and/or rehabilitation credits through Riverpark Mitigation Bank in-lieu fee program. This mitigation bank provides credits of re-establishment/rehabilitation of watersheds found within the MSHCP Boundary. The purchase of 0.44-acres of re-establishment and/or rehabilitation credits represents a 1:1 ratio of mitigation to impacts. Given the current limited biological value of the drainage ditch, bare or invasive earthen bottom, maintenance by Caltrans, and lack of consistent hydrology within the drainage, the purchase of 0.44-acres of re-establishment and/or rehabilitation credits would mitigate impacts to MSHCP riparian/riverine features.

#### **B. Determination of Biologically Equivalent or Superior Preservation and Summary of Mitigation Measures**

With the Project's participation and compliance with the Western Riverside County MSHCP, with coverage afforded by the MSHCP, and with the mitigation measures as described above, direct and cumulative impacts to biological resources will be mitigated below a level of significance. In summary, the mitigation measures will ensure the long-term conservation of the following:

- Project-specific impacts to MSHCP Riparian/Riverine will be mitigated with the purchase of 0.44-acres of re-establishment and/or rehabilitation credits through the approved Riverpark Mitigation Bank, which represents a 1:1 ratio of mitigation to impacts.

Incorporation of the measures outlined in the avoidance and mitigation sections of the DBESP above will reduce the potential for direct and indirect impacts to species and associated habitats. Furthermore, the purchase of the offsite re-establishment/rehabilitation credits represent a biological superior preservation of habitat, which includes the removal of non-native streambed vegetation and subsequent restoration with native riparian vegetation found within the watersheds located in the MSHCP Boundary. The re-establishment/rehabilitation credits provide potential habitat for those species listed in Section 6.1.2, as well as removal of non-native and/or invasive species within the streambed vegetation. The purchase of the re-establishment/rehabilitation credits is

determined to be biologically superior than the low quality drainage onsite, which consists of an unvegetated ditch that is routinely maintained by Caltrans.

With the proposed design and mitigation measures, the Project would be biologically equivalent or superior to that which would occur under and avoidance alternative without these measures. There will be no significant impact to species found under the "Purpose" section of Section 6.1.2 and the mitigation proposed for direct and indirect impacts to the riparian/riverine areas will be equivalent or superior to the avoidance alternative.

Furthermore, no vernal pools occur onsite meeting the Section 6.1.2 definition. With the implementation of the purchase of 0.44-acres of re-establishment and/or rehabilitation credits, potential impacts to MSHCP Riparian/Riverine features are mitigated and are biologically superior to that which occurs onsite.

Compliance with these measures will ensure consistency with the MSHCP.

#### VIII. CERTIFICATION

I hereby certify that the statements furnished above and in the attachments present the data and information required for this biological evaluation, and that the facts, statements, and information presented are true and correct to the best of my knowledge

Signature:  Date: 11/08/2021

#### IX. LIST OF PREPARERS

This report was prepared by Carlson Strategic Land Solutions:

- Peter Carlson, President
- Brianna Bernard, Project Manager and Biologist

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## APPENDIX A

### Site Photographs



Drainage Ditch located in the northern portion of the Study Area.



Drainage Ditch located in the northern portion of the Study Area.





The earthen ditch is mainly unvegetated.



California buckwheat habitat representation. Areas include trails and disturbed areas.





Many rock piles were found onsite.



Piles of debris and trash were found onsite.