



## INFORMATION SUMMARY

- A. Report Date: April 28<sup>th</sup>, 2015
- B. Report Title: Final Draft General MSHCP Habitat Assessment, Regulatory Constraints Analysis, and Consistency Analysis for the 37.08 Acre Decker Parcels I Project Site, Unincorporated Western Riverside County, California
- C. Case #: N/A
- D. APN#s: 314-040-001, 314-040-002, 314-040-003, and 314-040-008
- E. Project Location: USGS 7.5' series Steele Peak Quadrangle, Riverside County, Township 4 South, Range 4 West, northeastern portion of Section 2. Located immediately southeast of the intersection of Decker Road and Old Oleander Avenue.
- F. Applicant: Trammell Crow Company  
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Contact: Neal Holdridge: (949) 477-4719
- G. MOU Principal: Cadre Environmental  
701 Palomar Airport Road, Suite 300, Carlsbad, Ca. 92011  
Contact: Ruben S. Ramirez, Jr. (949) 300-0212  
USFWS permit #TE780566-12
- H. Date of Survey: August 21<sup>st</sup> and 25<sup>th</sup>, 2014
- I. Summary: The 37.08 acre Project Site is dominated by disturbed habitats, gravel road/splays, non-native trees, and structures, which is described in the following letter and illustrated in Attachments E-5, *Biological Resources Map*, E-6a-d, *Current Project Site Photographs*, E-7, *MSHCP Riverine Resources Map*, and E-8, *Soils and Photograph Key Map*.

The Project Site is located entirely within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mead

Valley Area Plan. The Project Site is not located within an MSHCP Criteria Area Cell or Area Plan Subunit.

The MSHCP has determined that all of the sensitive species potentially occurring onsite have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for narrow endemic plants, criteria area species, and specific wildlife species if suitable habitat is documented onsite and/or if the property is located within a predetermined “Survey Area” (MSHCP 2004).

One (1) special-status plant species, paniculate tarplant (*Deinandra paniculata*) [California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) 4.2] was detected onsite. The CNPS CRPR 4 category is a “watch list” designed to monitor vulnerable or declining species which are not rare, threatened, or endangered in California. Over 1,000 paniculate tarplant individuals are estimated onsite in the areas illustrated in Attachments E-5, *Biological Resources Map*.

The Project Site occurs within a predetermined Survey Area for the burrowing owl and a single burrowing owl was recorded onsite in 2006 (CNDDDB 2014). Based on this historic observation and the presence of suitable habitat documented during the habitat assessment within and adjacent to the Project Site, focused surveys are required. At a minimum, a 30-day preconstruction survey will also be conducted immediately prior to the initiation of construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP.

Two (2) San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) [California Species of Special Concern (CSC)] individuals were identified on the Project Site in those areas illustrated in Attachments E-5, *Biological Resources Map*.

The Project Site does not occur within a predetermined Survey Area for narrow endemic plant species, criteria area plant species, amphibian species, or mammal species. The Project Site does not occur within a special linkage area.

One unnamed drainage feature located within the Project Site may be subject to the jurisdiction of the Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife

(CDFW) and the Western Riverside County MSHCP (section 6.1.2 riparian/riverine resources). This feature may also represent an MSHCP riverine resources. Due to the lack of downstream hydrologic connectivity, this isolated feature is not expected to be subject to US Army Corps of Engineers (USACE) jurisdiction. No MSHCP riparian or vernal pool resources were detected onsite. Final determination of all jurisdictional areas will be determined by the appropriate regulatory agencies.

## **SUBJECT**

### **General MSHCP Habitat Assessment, Regulatory Constraints Analysis, and Consistency Analysis for the 37.08 Acre Decker Parcels I Project Site, Unincorporated Riverside County, California**

The following report follows the “Biological Policies and Procedures” required for compliance with the County of Riverside Environmental Programs Division (EPD) dated March 4<sup>th</sup> 2009.

This report presents the findings of a general biological habitat assessment and regulatory constraints analysis for the 37.08 acre Decker Parcels I Project Site (“Project Site”), Assessor Parcel Numbers (APNs) 314-040-001, 314-040-002, 314-040-003, and 314-040-008. The purpose of this study, conducted by Cadre Environmental, is to document the existing biological resources, identify general vegetation types, and assess the potential biological and regulatory constraints and impacts associated with the proposed development within the Project Site as outlined by the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).

The 37.08 acre Project Site is located in Western Riverside County and occurs within the US Geological Survey (USGS) 7.5’ series Steele Peak Quadrangle, Township 4 South, Range 4 West, northeastern portion of Section 2. The Project Site is located immediately southeast of the intersection of Decker Road and Old Oleander Avenue. The Project Site is located entirely within the Western Riverside County MSHCP Mead Valley Area Plan. The Project Site is not located within an MSHCP Criteria Area Cell or Area Plan Subunit.

This report incorporates the findings of an extensive literature review, compilation of existing documentation, and a field reconnaissance conducted by Dr. Jonathan Campbell (Cadre Environmental) on August 21<sup>st</sup> and 25<sup>th</sup>, 2014. Cadre Environmental has been certified by the County of Riverside EPD as a qualified consulting firm. This documentation is consistent with accepted scientific and technical standards, the requirements of the United States Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW). When appropriate, general biological resources are described in summary form in an effort to provide the reader with adequate background information. However, the report focuses on documenting those resources considered to be significant and/or sensitive as outlined by the California Environmental Quality Act (CEQA) and the Western Riverside County MSHCP.

This report provides a general review of topographic features and habitats observed onsite that could be subject to US Army Corps of Engineers (USACE) jurisdiction pursuant to Section 404 of the Clean Water Act, Regional Water Quality Control Board (RWQCB) jurisdiction pursuant to Section 401 of the Clean Water Act (CWA), and

CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the Fish and Game Code. A formal jurisdictional delineation was not undertaken as part of this effort.

## **METHODS OF STUDY**

### **APPROACH**

Prior to visiting the Project Site, a review of all available and relevant data on the biological characteristics, sensitive habitats, and species potentially present on or adjacent to the Project Site was conducted. Additionally, aerial photography, a USGS topographic map, and digital orthophoto quarter quadrangle (DOQQ) data were examined. After reviewing the available information, Cadre Environmental conducted a physical site assessment.

As required by the MSHCP, and during the initial property assessment process, all Project Site APN's were searched using the Riverside County Integrated Project (RCIP) Conservation Report Summary Generator to determine if the property falls within a "Criteria Area" and if additional surveys for endemic plant species or wildlife not adequately covered by the MSHCP may be required.

During the initial survey, the Project Site's habitat was characterized, preliminary vegetative communities and primary topographic features potentially subject to USACE/CDFW jurisdiction mapped, and the potential to support sensitive species as required by the guidelines of the MSHCP evaluated. Data, which contain digital images derived from aerial photography with orthographic projection properties, were used in conjunction with Cadre Environmental's in-house geographic information system (GIS) database as an important base layer to identify vegetation communities, drainage features, and USFWS designated critical habitat boundaries. Vegetation communities were then "ground-truthed" during field observations to obtain characteristic descriptions.

An MSHCP riparian/riverine assessment is being conducted concurrently with this General MSHCP Habitat Assessment, however a formal jurisdictional delineation has not been undertaken as part of this effort. Attachment E-7, *MSHCP Riverine Resources Map*, provides a summary of features observed onsite that may be subject to USACE jurisdiction pursuant to Section 404 of the CWA, CDFW jurisdiction pursuant to Division 2, Chapter 6, Section 1600 of the Fish and Game Code, the RWQCB, and MSHCP jurisdiction pursuant to section 6.1.2 (MSHCP 2004).

### **LITERATURE REVIEW**

The study was initiated with a review of relevant literature on the biological resources of the Project Site and vicinity. The MSHCP list of covered species potentially occurring onsite was also examined (MSHCP Table 2-2 Species Considered for Conservation

Under the MSHCP Since 1999, 2004). In addition, federal register listings, protocols, and species data provided by USFWS were reviewed in conjunction with anticipated federally listed species potentially occurring at the Project Site. The California Natural Diversity Database (CNDDDB),<sup>1</sup> a review of the California Native Plant Society (CNPS) sixth inventory (Tibor 2001), and Roberts et al. (2004) were also reviewed for pertinent information regarding the location of known occurrences of sensitive species in the vicinity of the property. In addition, numerous regional floral and faunal field guides were utilized in the identification of species and suitable habitats. Documents consulted regarding potential onsite biological conditions are listed in the references section at the end of this report.

### **Field Investigation**

The Project Site was surveyed on August 21<sup>st</sup> and 25<sup>th</sup>, 2014. The surveys included complete coverage of the Project Site, with special attention focused toward sensitive species or those habitats potentially supporting sensitive flora or fauna that would be essential to efficiently implementing the terms and conditions of the Western Riverside County MSHCP, and drainage features potentially subject to USACE, CDFW, RWCQB and MSHCP jurisdiction. Aerial photography of the Project Site and vicinity was utilized to accurately locate and survey the property. General plant communities were preliminarily mapped directly on the aerial photo using visible landmarks in the field, which are depicted in Attachment E-5, *Biological Resources Map*. Representative photographs of the Project Site's natural resources were taken during the field survey (Attachments E-6a-d, *Current Project Site Photographs*; E-7, *MSHCP Riverine Resources Map*; and E-8, *Soils and Photograph Key Map*).

### **Plant Community/Habitat Classification and Mapping**

Plant communities were preliminarily mapped with the aid of an aerial photograph using the MSHCP uncollapsed vegetation communities classification system and Holland (1986)/CDFW (2003) vegetation community classification systems when appropriate. When a vegetation community could not be accurately characterized using this information, an updated community classification code was developed to more accurately represent onsite habitat types.

### **General Plant Inventory**

All plants observed during the reconnaissance survey were either identified in the field or collected and later identified using taxonomic keys. Plant taxonomy follows Hickman (1993). Common plant names, when not available from Hickman (1993), were taken from Roberts et al. (2004).

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<sup>1</sup> California Natural Diversity Data Base, Department of Fish and Wildlife. Accessed August 2014. Natural Heritage Program: RareFind, Steele Peak Quadrangle.

## **General Wildlife Inventory**

General wildlife surveys were not conducted during the general biological habitat assessment. However, animals identified during the reconnaissance survey by sight, call, tracks, nests, scat, remains, or other signs were recorded in field notes. All wildlife was identified in the field with the aid of binoculars and taxonomic keys (if applicable). Vertebrate taxonomy followed in this report is according to Stebbins (2003) for amphibians and reptiles, the American Ornithologists' Union (1988 and supplemental) for birds, and Jones et al. (1997) for mammals. Scientific names are used during the first mention of a species; common names only are used in the remainder of the text (if applicable).

## **Regional Connectivity/Wildlife Movement Corridor Assessment**

The analysis of wildlife movement corridors associated with the Project Site and its immediate vicinity is based on information compiled from literature, input from wildlife agency personnel, analysis of the aerial photograph and DOQQ data, and direct observations made in the field during the site visit.

A literature review was conducted that included documents on island biogeography (studies of fragmented and isolated habitat "islands"), reports on wildlife home range sizes and migration patterns, and studies on wildlife dispersal. Wildlife movement studies conducted in southern California were also reviewed. Use of field-verified digital DOQQ data, in conjunction with the GIS database, allowed proper identification of vegetation communities and drainage features. This information was crucial to assessing the relationship of the property to large open space areas in the immediate vicinity and was also evaluated in terms of connectivity and habitat linkages. Relative to corridor issues, the discussions in this report are intended to focus on wildlife movement associated with the property and the immediate vicinity.

## **EXISTING CONDITIONS**

The majority of the Project Site is flat, however some low, gently rolling topography are present with the highest point at 1,610 feet above mean sea level (AMSL) in the southwest corner of the Project Site and the lowest point at 1,557 feet AMSL in the northeast corner. The Project Site is occupied by disturbed habitats, gravel road/splays, non-native trees, and structures. One unnamed drainage feature traverses the northwest portion of the Project Site and dissipates within the Project Site.

The Project Site is bound by residential development to the south, industrial areas to the northeast, and open space to the east, west, and north. Interstate 215 is located approximately 2,300 feet to the east of the Project Site.

## SOILS

The US Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey shows the following soils within the boundary of the Project Site (given with the percent coverage of each soil type within the Project Site area) as shown on Attachment E-8, *Soils and Photograph Key Map* (Soil Survey Staff, NRCS, USDA 2014):

- AnC Arlington fine sandy loam, 2 to 8 percent slopes (4.4%)
- FbC2 Fallbrook sandy loam, shallow, 5 to 8 percent slopes, eroded (1.2%)
- FcD2 Fallbrook rocky sandy loam, shallow, 8-15 percent slopes, eroded (31.8%)
- FfC2 Fallbrook fine sandy loam, 2 to 8 percent slopes, eroded (17.0%)
- HcC Hanford coarse sandy loam, 2 to 8 percent slopes (1.8%)
- VsC Vista coarse sandy loam, 2 to 8 percent slopes (43.7%)

## PLANT COMMUNITY/HABITAT CLASSIFICATION

Natural community names and hierarchical structure follows the CDFW “List of California Terrestrial Natural Communities” or Holland (1986) classification systems, which have been refined and augmented where appropriate to better characterize the habitat types observed onsite when not addressed by the MSHCP classification system.

### **Disturbed (31.04 acres)**

Disturbed habitats includes those regions of the Project Site generally devoid of vegetation and/or dominated by ruderal and other disturbance-adapted species. The Project Site (primarily APN 314-040-001) appears to have been disked for agricultural purposes in the recent past. Species found within these habitats include a large diversity of non-native species including red brome (*Bromus madritensis* ssp. *rubens*), Russian thistle (*Salsola tragus*), summer mustard (*Hirschfeldia incana*), tree tobacco (*Nicotiana glauca*), and tocalote (*Centaurea melitensis*), as illustrated in Attachment E-6a. *Current Project Site Photographs*. Native species are also common throughout and include telegraph weed (*Heterotheca grandiflora*), vinegarweed (*Trichostema lanceolatum*), dove weed (*Croton setigerus*), spurge (*Chamaesyce* sp.) common sandaster (*Corethrogyne filaginifolia*), Palmer's goldenbush (*Ericameria palmeri*), and coyote gourd (*Cucurbita palmate*). A CNPS List 4.2 species, paniculate tarplant (*Deinandra paniculata*), was also found within the disturbed regions of the Project Site.

Rock outcrops, as illustrated in Attachment E-6d. *Current Project Site Photographs*, are also common throughout these disturbed habitats and provide refugia for native species such as valley cholla (*Opuntia parryi*) and California buckwheat (*Erigeron fasciculatum*).



### **Gravel Road/Splay (5.36 acres)**

A substantial gravel splay is present in the northeast region of the Project Site (within APN 314-040-001), as illustrated in Attachment E-6a. *Current Project Site Photographs*. Disturbance-adapted species, listed above, are colonizing these areas, but they remain largely unvegetated. Gravel roads are also found in APNs 314-040-002 and 3124-040-008, and are associated with the onsite residence.

### **Structure (0.37 acres)**

A single residence and several outbuildings are present on the Project Site, primarily in and around APNs 314-040-002 and 314-040-008. A water control structure is also present in the northeast corner of APN 314-040-001, but no surface drainage features currently drain into this structure (Attachment E-6b. *Current Project Site Photographs*).

### **Olive (0.22 acres)**

Two stands of non-native olive (*Olea europaea*) trees are present onsite in the north-central portion of APN 314-040-008, as illustrated in Attachment E-6c. *Current Project Site Photographs*.

### **Peruvian Pepper Tree (0.07 acres)**

Peruvian pepper trees (*Schinus molle*) are common on the Project Site, primarily in and around APNs 314-040-002 and 314-040-008 as illustrated in Attachment E-6b. *Current Project Site Photographs*.

### **Mexican Palo Verde (0.02 acres)**

Mexican palo verde (*Parkinsonia aculeata*) trees are present in the extreme southeast corner of the Project Site in APN 314-040-003, as illustrated in Attachment E-6c. *Current Project Site Photographs*.

## **WILDLIFE POPULATIONS**

General wildlife species documented onsite or within the vicinity during the site visit includes but is not limited to side-blotched lizard (*Uta stansburiana*), western fence lizard (*Sceloporus occidentalis*), turkey vulture (*Cathartes aura*), mourning dove (*Zenaidura macroura*), American crow (*Corvus brachyrhynchos*), common raven (*Corvus corax*), northern mockingbird (*Mimus polyglottos*), house finch (*Carpodacus mexicanus*), song sparrow (*Melospiza melodia*), desert cottontail (*Sylvilagus audubonii*), San Diego black-tailed jackrabbit (*Lepus californicus bennettii*; California Species of Special Concern [CSC]), domestic dog (*Canis lupus familiaris*), and coyote (*Canis latrans*).

## REGIONAL CONNECTIVITY/WILDLIFE MOVEMENT

### Overview

Wildlife corridors link together areas of suitable habitat that are otherwise separated by rugged terrain, changes in vegetation, or human disturbance. The fragmentation of open space areas by urbanization creates isolated “islands” of wildlife habitat. In the absence of habitat linkages that allow movement to adjoining open space areas, various studies have concluded that some wildlife species, especially the larger and more mobile mammals, will not likely persist over time in fragmented or isolated habitat areas because they prohibit the infusion of new individuals and genetic information (MacArthur and Wilson 1967, Soule 1987, Harris and Gallagher 1989, Bennett 1990). Corridors effectively act as links between different populations of a species. A group of smaller populations (termed “demes”) linked together via a system of corridors is termed a “metapopulation.” The long-term health of each deme within the metapopulation is dependent upon its size and the frequency of interchange of individuals (immigration vs. emigration). The smaller the deme, the more important immigration becomes, because prolonged inbreeding with the same individuals can reduce genetic variability. Immigrant individuals that move into the deme from adjoining demes mate with individuals and supply that deme with new genes and gene combinations that increases overall genetic diversity. An increase in a population’s genetic variability is generally associated with an increase in a population’s health.

Corridors mitigate the effects of habitat fragmentation by (1) allowing animals to move between remaining habitats, which allows depleted populations to be replenished and promotes genetic diversity; (2) providing escape routes from fire, predators, and human disturbances, thus reducing the risk that catastrophic events (such as fires or disease) will result in population or local species extinction; and (3) serving as travel routes for individual animals as they move within their home ranges in search of food, water, mates, and other needs (Noss 1983, Fahrig and Merriam 1985, Simberloff and Cox 1987, Harris and Gallagher 1989). Wildlife movement activities usually fall into one of three movement categories: (1) dispersal (e.g., juvenile animals from natal areas, individuals extending range distributions); (2) seasonal migration; and (3) movements related to home range activities (foraging for food or water, defending territories, searching for mates, breeding areas, or cover). A number of terms have been used in various wildlife movement studies, such as “wildlife corridor”, “travel route”, “habitat linkage”, and “wildlife crossing” to refer to areas in which wildlife moves from one area to another. To clarify the meaning of these terms and facilitate the discussion on wildlife movement in this study, these terms are defined as follows:

**Travel Route:** A landscape feature (such as a ridge line, drainage, canyon, or riparian strip) within a larger natural habitat area that is used frequently by animals to facilitate movement and provide access to necessary

resources (e.g., water, food, cover, den sites). The travel route is generally preferred because it provides the least amount of topographic resistance in moving from one area to another; it contains adequate food, water, and/or cover while moving between habitat areas; and provides a relatively direct link between target habitat areas.

**Wildlife Corridor:** A piece of habitat, usually linear in nature, that connects two or more habitat patches that would otherwise be fragmented or isolated from one another. Wildlife corridors are usually bounded by urban land areas or other areas unsuitable for wildlife. The corridor generally contains suitable cover, food, and/or water to support species and facilitate movement while in the corridor. Larger, landscape-level corridors (often referred to as “habitat or landscape linkages”) can provide both transitory and resident habitat for a variety of species.

**Wildlife Crossing:** A small, narrow area, relatively short in length and generally constricted in nature, that allows wildlife to pass under or through an obstacle or barrier that otherwise hinders or prevents movement. Crossings typically are manmade and include culverts, underpasses, drainage pipes, and tunnels to provide access across or under roads, highways, pipelines, or other physical obstacles. These are often “choke points” along a movement corridor.

### **Wildlife Movement within the Project Site**

The Project Site is bound by residential development to the south, industrial areas to the northeast, and open space to the east, west, and north. Interstate 215 is located approximately 2,300 feet to the east of the Project Site. Based on the definitions above, the Project Site does not represent a travel route, wildlife corridor, or wildlife crossing.

## **SENSITIVE BIOLOGICAL RESOURCES**

### **OVERVIEW OF CLASSIFICATIONS**

The following discussion describes the plant and wildlife species present, or potentially present within the property boundaries, that have been afforded special recognition by federal, state, or local resource conservation agencies and organizations, principally due to the species’ declining or limited population sizes, usually resulting from habitat loss. Also discussed are habitats that are unique, of relatively limited distribution, or of particular value to wildlife. Protected sensitive species are classified by either state or federal resource management agencies, or both, as threatened or endangered, under provisions of the state and federal Endangered Species Acts. Vulnerable or “at-risk” species that are proposed for listing as threatened or endangered (and thereby for protected status) are categorized administratively as “candidates” by the USFWS.

CDFW uses various terminology and classifications to describe vulnerable species. There are additional sensitive species classifications applicable in California. These are described below.

Sensitive biological resources are habitats or individual species that have special recognition by federal, state, or local conservation agencies and organizations as endangered, threatened, or rare. The CDFW, the USFWS, and special groups like the CNPS maintain watch lists of such resources. For the purpose of this assessment sources used to determine the sensitive status of biological resources are:

**Plants:** USFWS (2014), CDFW (April 2013), CNDDDB (2014), CNPS (2010), and Skinner and Pavlik (1994),

**Wildlife:** California Wildlife Habitat Relationships (CWHR: CDFW 2008), USFWS (2014), CDFW (January 2013), CNDDDB (2014), and

**Habitats:** CNDDDB (2014) and CDFW (2014).

### **Federal Protection and Classifications**

The Federal Endangered Species Act of 1973 (FESA) defines an endangered species as “any species that is in danger of extinction throughout all or a significant portion of its range...” Threatened species are defined as “any species which is likely to become an endangered species within the foreseeable future throughout all or a significant portion of its range.” Under provisions of Section 9(a)(1)(B) of the FESA it is unlawful to “take” any listed species. “Take” is defined as follows in Section 3(18) of the FESA: “...harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct.” Further, the USFWS, through regulation, has interpreted the terms “harm” and “harass” to include certain types of habitat modification as forms of a “take.” These interpretations, however, are generally considered and applied on a case-by-case basis and often vary from species to species. In a case where a property owner seeks permission from a federal agency for an action that could affect a federally listed plant and animal species, the property owner and agency are required to consult with USFWS. Section 9(a)(2)(b) of the FESA addresses the protections afforded to listed plants. Recently, the USFWS instituted changes in the listing status of former candidate species. Former C1 (candidate) species are now referred to simply as candidate species and represent the only candidates for listing. Former C2 species (for which the USFWS had insufficient evidence to warrant listing at this time) and C3 species (either extinct, no longer a valid taxon or more abundant than was formerly believed) are no longer considered as candidate species. Therefore, these species are no longer maintained in list form by the USFWS, nor are they formally protected. However, some USFWS field offices have issued memoranda stating that former C2 species are henceforth to be considered Federal Species of Concern. This term is employed in this document, but carries no official protections. All references to

federally protected species in this report (whether listed, proposed for listing or candidate) include the most current published status or candidate category to which each species has been assigned by USFWS.

For purposes of this assessment, the following acronyms are used for federal status species:

FE	Federal Endangered
FT	Federal Threatened
FPE	Federal Proposed Endangered
FPT	Federal Proposed Threatened
FC	Federal Candidate for Listing

### **State of California Protection and Classifications**

California's Endangered Species Act (CESA) defines an endangered species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant which is in serious danger of becoming extinct throughout all, or a significant portion, of its range due to one or more causes, including loss of habitat, change in habitat, overexploitation, predation, competition, or disease." The State defines a threatened species as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that, although not presently threatened with extinction, is likely to become an endangered species in the foreseeable future in the absence of the special protection and management efforts required by this chapter. Any animal determined by the commission as rare on or before January 1, 1985 is a threatened species." Candidate species are defined as "...a native species or subspecies of a bird, mammal, fish, amphibian, reptile, or plant that the commission has formally noticed as being under review by the department for addition to either the list of endangered species or the list of threatened species, or a species for which the commission has published a notice of proposed regulation to add the species to either list." Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the federal ESA, CESA does not include listing provisions for invertebrate species.

Article 3, Sections 2080 through 2085, of the CESA addresses the taking of threatened or endangered species by stating "No person shall import into this state, export out of this state, or take, possess, purchase, or sell within this state, any species, or any part or product thereof, that the commission determines to be an endangered species or a threatened species, or attempt any of those acts, except as otherwise provided..." Under the CESA, "take" is defined as "...hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." Exceptions authorized by the state to allow

“take” require “...permits or memorandums of understanding...” and can be authorized for “...endangered species, threatened species, or candidate species for scientific, educational, or management purposes.” Sections 1901 and 1913 of the California Fish and Game Code provide that notification is required prior to disturbance.

Additionally, some sensitive mammals and birds are protected by the State as Fully Protected Mammals or Fully Protected Birds, as described in the California Fish and Game Code, Sections 4700 and 3511, respectively. California Species of Special Concern (“special” animals and plants) listings include special status species, including all state and federal protected and candidate taxa, Bureau of Land Management and US Forest Service sensitive species, species considered to be declining or rare by the CNPS or National Audubon Society, and a selection of species which are considered to be under population stress but are not formally proposed for listing. This list is primarily a working document for the CDFW’s CNDDDB project. Informally listed taxa are not protected per se, but warrant consideration in the preparation of biotic assessments. For some species, the CNDDDB is only concerned with specific portions of the life history, such as roosts, rookeries, or nest sites. For the purposes of this assessment, the following acronyms are used for state status species:

SE	State Endangered
ST	State Threatened
SCE	State Candidate Endangered
SCT	State Candidate Threatened
SFP	State Fully Protected
SP	State Protected
SR	State Rare
WL	Watch List
CSC	California Species of Special Concern

### **California Native Plant Society**

The CNPS is a private plant conservation organization dedicated to the monitoring and protection of sensitive species in the State. This organization has compiled an inventory comprised of the information focusing on geographic distribution and qualitative characterization of rare, threatened, or endangered vascular plant species of California (Tibor 2001). The list serves as the candidate list for listing as threatened and endangered by CDFW. The CNPS has developed five categories of rarity:

List 1A	Presumed extinct in California.
List 1B	Rare, threatened, or endangered throughout their range.
List 2	Rare, threatened, or endangered in California, but more common in other states.
List 3	Plant species for which additional information is needed before rarity can be determined.
List 4	Species of limited distribution in California (i.e., naturally rare in the wild), but whose existence does not appear to be susceptible to threat.

## POTENTIALLY SENSITIVE SPECIES/RESOURCES

Determinations of MSHCP sensitive species that could potentially occur on the Project Site are based on one or both of the following: (1) a record reported in the CNDDDB or CNPS inventory and; (2) the Project Site is within the known distribution of a species and contains suitable habitat or species documented onsite.

### Sensitive Plant Communities

As stated by CDFW:

*“One purpose of the vegetation classification is to assist in determining the level of rarity and imperilment of vegetation types. Ranking of alliances according to their degree of imperilment (as measured by rarity, trends, and threats) follows NatureServe’s Heritage Methodology, in which all alliances are listed with a G (global) and S (state) rank. For alliances with State ranks of S1-S3, all associations within them are also considered to be highly imperiled” (CDFW May 2013)*

No sensitive plant communities were documented onsite.

### Sensitive Plant Species

The MSHCP has determined that all of the sensitive species potentially occurring onsite have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for narrow endemic plants and/or criteria area species if suitable habitat is documented onsite and/or if the property is located within a predetermined “Survey Area” (MSHCP 2004).

One (1) special-status plant species, paniculate tarplant (*Deinandra paniculata*) (CNPS CRPR 4.2) was detected onsite. The CNPS CRPR 4 category is a “watch list” designed to monitor vulnerable or declining species which are not rare, threatened, or endangered in California. Over 1,000 paniculate tarplant individuals are estimated onsite in the areas illustrated in Attachments E-5, *Biological Resources Map*.

The Project Site does not occur within a predetermined Survey Area for MSHCP narrow endemic plant species or for MSHCP criteria area plant species.

### **Oak Tree and Plant Protection and Management**

No oak trees were documented within or adjacent to the Project Site.

### **Sensitive Wildlife Species**

The MSHCP has determined that all of the sensitive species potentially occurring onsite have been adequately covered (MSHCP Table 2-2 Species Considered for Conservation Under the MSHCP Since 1999, 2004). However, additional surveys may be required for criteria area species and specific wildlife species if suitable habitat is documented onsite and/or if the property is located within a predetermined “Survey Area” (MSHCP 2004).

The Project Site occurs within a predetermined Survey Area for the burrowing owl and a single burrowing owl was recorded onsite in 2006 (CNDDDB 2014). Based on this historic observation and the presence of suitable habitat documented during the habitat assessment within and adjacent to the Project Site, focused surveys are required. At a minimum, a 30-day preconstruction survey will be conducted immediately prior to the initiation of construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP.

The Project Site does not occur within a predetermined Survey Area for amphibian or mammal species. However, two (2) San Diego black-tailed jackrabbit (CSC) individuals were identified on the Project Site in those areas illustrated in Attachments E-5, *Biological Resources Map*.

### **Jurisdictional Resources**

One (1) unnamed feature (D1) located within the Project Site may be subject to the jurisdiction of the RWQCB and CDFW as illustrated in Attachment E-7, *MSHCP Riverine Resource Map*. This feature was previously shown as a “blue-line” feature in the USGS 7.5’ series Steele Peak Quadrangle. D1 has since been altered due presumably to local disturbance and an altered hydrologic regime. D1 is currently a losing stream that flows onto, dissipates, and ends within the Project Site in the northwest portion of APN 314-040-001. Due to the lack of downstream hydrologic



connectivity, this isolated feature is not expected to be subject to USACE jurisdiction. A formal wetland delineation is recommended prior to implementing project development in order to thoroughly map and determine the jurisdictional status of the drainage features observed on site.

### **MSHCP Riparian, Riverine, Vernal Pool Resources**

One (1) unnamed feature (D1) located within the Project Site may be subject to the jurisdiction of the Western Riverside County MSHCP as outlined in Section 6.1.2 riparian/riverine/vernal pool resources. This unvegetated stream channel represents an MSHCP riverine resource and is illustrated in Attachment E-7, *MSHCP Riverine Resources Map* and is pictured in Attachment E-6d, *Current Project Site Photographs*. Riverside County Environmental Programs Division (EPD) will make the final determination regarding jurisdiction of all MSHCP riverine resources.

No MSHCP riparian resources or vernal pools were located on the Project Site.

### **SUMMARY OF MSHCP CONSISTENCY POLICIES**

The purpose of this report is to document the existing biological resources, identify general vegetation types, and assess the potential biological and regulatory constraints and potential impacts associated with the proposed development within the Project Site as outlined by the Western Riverside County MSHCP. The following sections summarize the APN's respective to the Project Site's relationship to MSHCP compliance guidelines.

### **CRITERIA AREAS**

The 37.08 acre Project Site is located entirely within the Western Riverside County MSHCP Mead Valley Area Plan. The Project Site is not located within an MSHCP criteria area or area plan subunit.

### **NARROW ENDEMIC PLANT SPECIES SURVEY AREA**

The Project Site does not occur within a predetermined Survey Area for narrow endemic plant species; therefore, no surveys are required.

### **CRITERIA AREA SPECIES SURVEY AREA**

The Project Site does not occur within a predetermined Survey Area for criteria area plant species; therefore, no surveys are required.

### **AMPHIBIAN SPECIES SURVEY AREA**

The Project Site does not occur within a predetermined Survey Area for amphibian species; therefore, no surveys are required.

### **MAMMAL SPECIES SURVEY AREA**

The Project Site does not occur within a predetermined Survey Area for mammal species; therefore, no surveys are required.

### **BURROWING OWL SURVEY AREA**

The Project Site occurs within a predetermined Survey Area for the burrowing owl and a single burrowing owl was recorded onsite in 2006 (CNDDDB 2014). Based on this historic observation and the presence of suitable habitat documented during the habitat assessment within and adjacent to the Project Site, focused surveys are required. At a minimum, a 30-day preconstruction survey will be conducted immediately prior to the initiation of construction to insure protection for this species and compliance with the conservation goals as outlined in the MSHCP.

### **RIPARIAN/RIVERINE AREAS AND VERNAL POOLS**

The Project Site supports one (1) feature that may meet the definition of an MSHCP riverine resources. An MSHCP Determination of Biologically Equivalent or Superior Preservation (DBESP) will need to be prepared to address temporary and/or permanent impacts to these features, pending final jurisdictional determination by Riverside County EPD.

No MSHCP riparian resources or vernal pools were identified on the Project Site.

### **STEPHEN'S KANGAROO RAT HABITAT CONSERVATION PLAN**

The Project Site is located completely within the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) Fee Area which is administered by the Riverside County Habitat Conservation Agency (RCHCA). The SKR Fee is established at \$500 per acre.

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**ATTACHMENTS**

**E-3 - Biological Report Summary Sheet**

**E-4 - Level of Significance Checklist**

**E-5 - Biological Resources Map**

**E-6a-d - Current Project Site Photographs**

**E-7 - MSHCP Riverine Resources Map**

**E-8 - Soils and Photograph Key Map**

**Certification**

*"I hereby certify that the statements furnished above and in the attached exhibits 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 and belief."*

Author: \_\_\_\_\_  \_\_\_\_\_ Date: April 28<sup>th</sup> 2015.

Fieldwork Performed By: \_\_\_\_\_  \_\_\_\_\_

## BIOLOGICAL REPORT SUMMARY SHEET

Applicant Name: Trammell Crow Company - Decker Parcels IAssessor's Parcel Number (APN): 314-040-001, 314-040-002, 314-040-003, and 314-040-008Site Location: Section: 2 Township: 4S Range: 4WSite Address: Located southeast of the intersection of Decker Road and Old Oleander Avenue

Related Case Number(s): \_\_\_\_\_ PDB Number: \_\_\_\_\_

CHECK SPECIES SURVEYED FOR	SPECIES or ENVIRONMENTAL ISSUE OF CONCERN	(Circle Yes, No or N/A regarding species findings on the referenced site)		
		Yes	No	N/A
X-HA	Arroyo Toad	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Blueline Stream(s)	<input checked="" type="radio"/> Yes	No	N/A
	Coachella Valley Fringed-Toed Lizard	Yes	No	<input checked="" type="radio"/> N/A
X-HA	Coastal California Gnatcatcher	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Riversidean Sage Scrub	Yes	<input checked="" type="radio"/> No	N/A
	Delhi Sands Flower-Loving Fly	Yes	No	<input checked="" type="radio"/> N/A
	Desert Pupfish	Yes	No	<input checked="" type="radio"/> N/A
	Desert Slender Salamander	Yes	No	<input checked="" type="radio"/> N/A
	Desert Tortoise	Yes	No	<input checked="" type="radio"/> N/A
	Flat-Tailed Horned Lizard	Yes	No	<input checked="" type="radio"/> N/A
X-HA	Least Bell's Vireo	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Oak Woodlands	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Quino Checkerspot Butterfly	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Riverside/Vernal Pool Fairy Shrimp	Yes	<input checked="" type="radio"/> No	N/A
	Santa Ana River Woollystar	Yes	No	<input checked="" type="radio"/> N/A
	San Bernardino Kangaroo Rat	Yes	No	<input checked="" type="radio"/> N/A
	Slender Horned Spineflower	Yes	No	<input checked="" type="radio"/> N/A
X-HA	Stephens' Kangaroo Rat	<input checked="" type="radio"/> Yes	No	N/A
X-HA	Seasonal Depression	Yes	<input checked="" type="radio"/> No	N/A
X-HA	Wetlands	Yes	<input checked="" type="radio"/> No	N/A

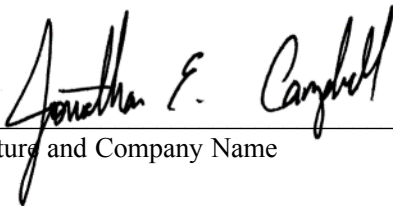
HA - Habitat Assessment Determination

CHECK SPECIES SURVEYED FOR	SPECIES or ENVIRONMENTAL ISSUE OF CONCERN	(Circle Yes, No or N/A regarding species findings on the referenced site)		
X-HA	Burrowing Owl	<input checked="" type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
X-HA	Southwestern Willow Flycatcher	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
X-HA	Western Yellow-billed Cuckoo	<input type="radio"/> Yes	<input checked="" type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A
	Other	<input type="radio"/> Yes	<input type="radio"/> No	<input type="radio"/> N/A

**HA - Habitat Assessment Determination**

Species of concern shall be any unique, rare, endangered, or threatened species. It shall include species used to delineate wetlands and riparian corridors. It shall also include any hosts, perching, or food plants used by any animals listed as rare, endangered, threatened or candidate species by either State, or Federal regulations, or for Riverside County as listed by the California Department of Fish and Game Natural Diversity Data Base (NDDDB).

I declare under penalty of perjury that the information provided on this summary sheet is in accordance with the information provided in the biological report.



Signature and Company Name

Cadre Environmental

April 28, 2015

Report Date

10(a) Permit Number (if applicable)

Permit Expiration Date

*County Use Only*

Received by: \_\_\_\_\_ Date: \_\_\_\_\_

PD-B# \_\_\_\_\_



LEVEL OF SIGNIFICANCE CHECKLIST  
For Biological Resources

Attachment E-4

Case Number: \_\_\_\_\_ Lot/APN No. 314-040-001, 314-040-002  
314-040-003, 314-040-008 EA Number \_\_\_\_\_

**Wildlife & Vegetation**

a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?

**Less Than Significant with Mitigation Incorporated**

b) Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?

**Less Than Significant with Mitigation Incorporated**

c) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Wildlife Service?

**Less Than Significant with Mitigation Incorporated**

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?

**Less Than Significant with Mitigation Incorporated**

e) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?

**No Impact**

f) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

**No Impact**

g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

**No Impact**

Source: CGP Fig. VI.36-VI.40

Findings of Fact:

The 37.08 acre Project Site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Mead Valley Area Plan. The Project Site is not located within a Criteria Area Cell or Area Plan Subunit. The Project Site does not occur within a predetermined Survey Area for criteria area plant species, narrow endemic plant, amphibian, or mammal species. The Project Site occurs within a predetermined Survey Area for the burrowing owl and updated focused surveys are required. At a minimum, a 30-day preconstruction survey will be conducted immediately prior to the initiation of construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The Project Site is located completely within the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) Fee Area which is administered by the Riverside County Habitat Conservation Agency (RCHCA). The SKR Fee is established at \$500 per acre. Two (2) San Diego black-tailed jackrabbit (*Lepus californicus bennettii*; CSC) individuals were identified on the Project Site. One (1) special-status plant species, paniculate tarplant (*Deinandra paniculata*) [California Native Plant Society (CNPS) California Rare Plant Rank (CRPR) 4.2] was detected onsite. Over 1,000 paniculate tarplant individuals are estimated onsite. One (1) unnamed drainage feature located within the Project Site may be subject to the jurisdiction of the Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW) and MSHCP (section 6.1.2 riparian/riverine/vernal pool resources). Due to the lack of downstream hydrologic connectivity, this isolated feature is not expected to be subject to US Army Corps of Engineers (USACE) jurisdiction. No MSHCP riparian or vernal pool resources were documented onsite. The Project Site is not located within a special linkage area.

Proposed Mitigation:

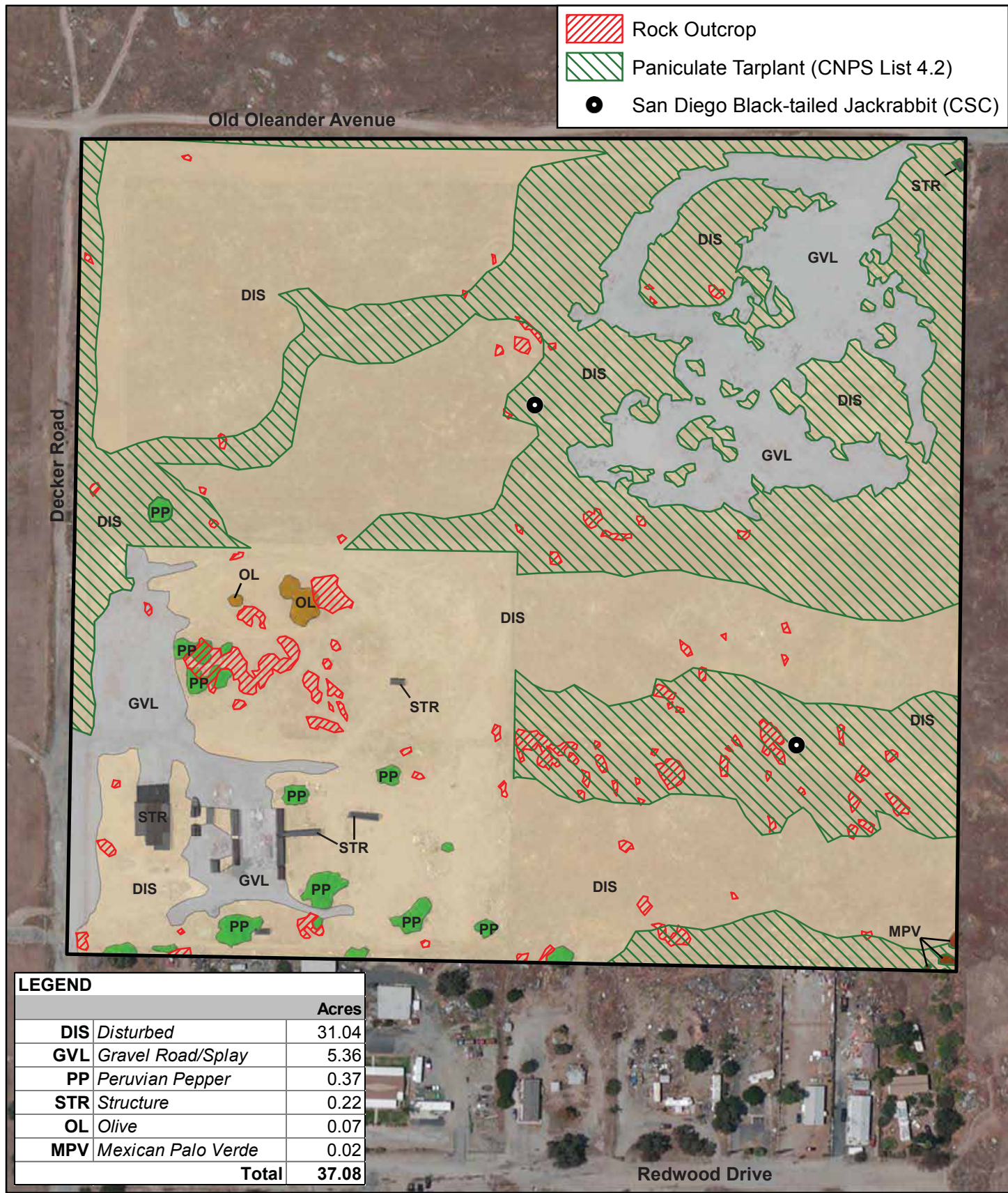
To be Determined




Monitoring Recommended:

To be Determined

Prepared By: \_\_\_\_\_  


Date: April 28, 2015 \_\_\_\_\_

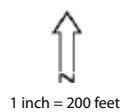


 Rock Outcrop  
 Paniculate Tarplant (CNPS List 4.2)  
 San Diego Black-tailed Jackrabbit (CSC)

LEGEND		Acres
DIS	Disturbed	31.04
GVL	Gravel Road/Splay	5.36
PP	Peruvian Pepper	0.37
STR	Structure	0.22
OL	Olive	0.07
MPV	Mexican Palo Verde	0.02
<b>Total</b>		<b>37.08</b>

APNs: 314-040-001, 314-040-002, 314-040-003, and 314-040-008

**Attachment E-5 Biological Resources Map**  
*General MSHCP Habitat Assessment*  
*Decker Parcels I*





PHOTOGRAPH 1 - Southwestern view from northeastern region of APN 314-040-003; disturbed habitats are prevalent throughout the Project Site.



PHOTOGRAPH 2 - Northeastern view from southern region of APN 314-040-001; a gravel splay is located in the northeastern portion of the Project Site. Gravel roads are present in the southwestern portions of the Project Site.

*Refer to Attachment E-8 for Photographic Key Map*



PHOTOGRAPH 3 - Eastern view from western region of APN 314-040-002; several structures are found throughout throughout this APN. Peruvian pepper trees can be seen in the background.



PHOTOGRAPH 4 - Northeastern view from northeastern region of APN 314-040-001; a large water conveyance structure is located onsite. No apparent surface drainages flow to this structure.

*Refer to Attachment E-8 for Photographic Key Map*



PHOTOGRAPH 5 - Southwestern view from southwestern region of APN 314-040-001; olive trees are found onsite in two locations.



PHOTOGRAPH 6 - Southeastern view from southeastern region of APN 314-040-003; Mexican palo verde trees are found in the extreme southeastern portion of the Project Site.

*Refer to Attachment E-8 for Photographic Key Map*



PHOTOGRAPH 7 - Northwestern view from eastern region of APN 314-040-003; rock outcrops and burrows are common throughout the Project Site and provide suitable habitat for the burrowing owl.



PHOTOGRAPH 8 - Western view from western region of APN 314-040-001; an MSHCP riverine resource may be present onsite. This potential MSHCP riverine resource (D1) is a losing stream that dissipates within the Project Site.

*Refer to Attachment E-8 for Photographic Key Map*




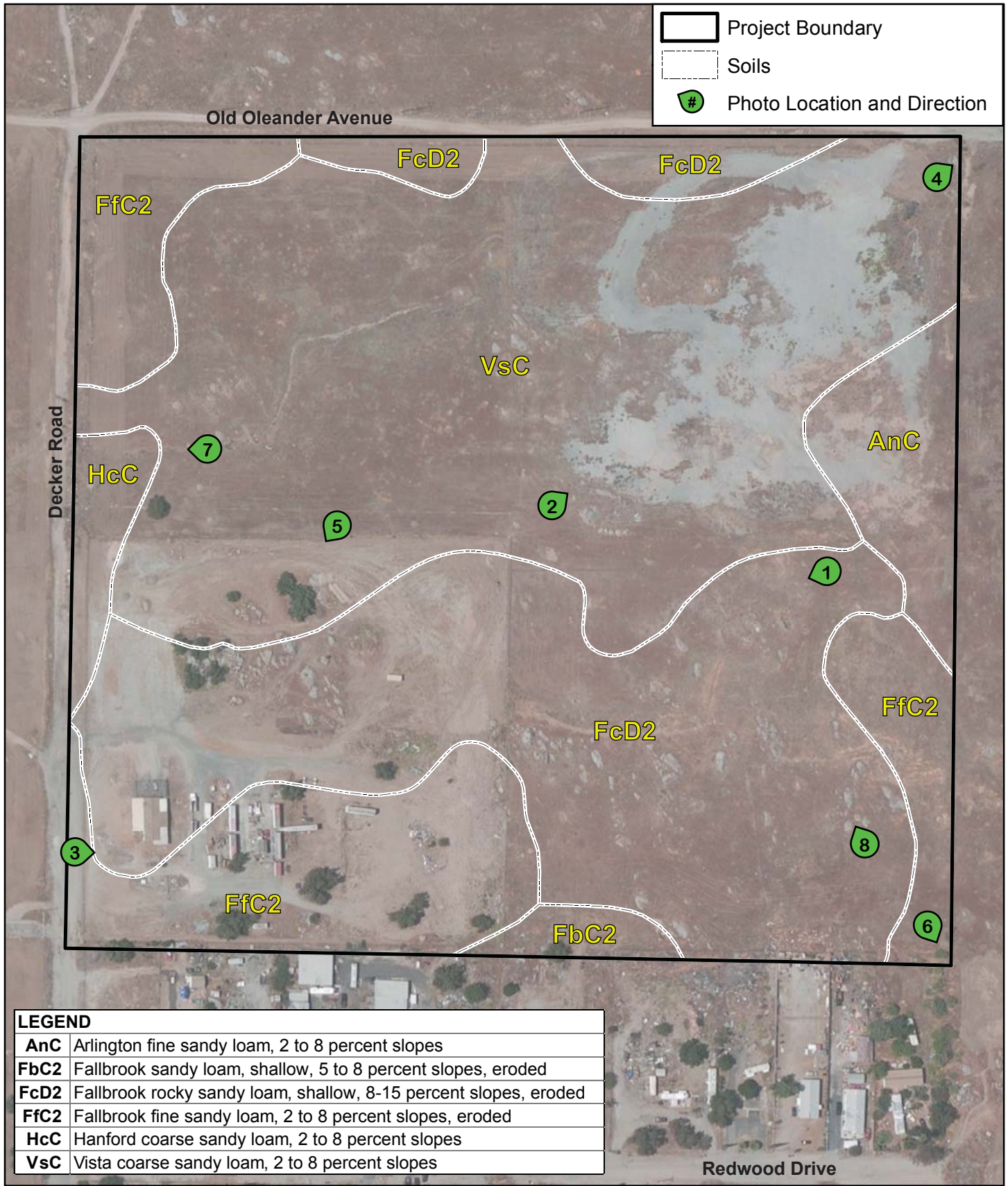
Project Boundary  
 APN Boundary  
 MSHCP Riverine Resources

APNs: 314-040-001, 314-040-002, 314-040-003, and 314-040-008

**Attachment E-7**    **MSHCP Riverine Resource Map**  
*General MSHCP Habitat Assessment*  
*Decker Parcels I*



  
 1 inch = 200 feet



**Attachment E-8**    **Soils and Photograph Key Map**  
*General MSHCP Habitat Assessment  
 Decker Parcels I*

