PSOMAS

Balancing the Natural and Built Environment

August 10, 2023

Jessica Haughton Synergy Consulting 22 St Clair Ave E Toronto, ON M4T2S3 VIA EMAIL jhaughton@synergyconsultingca.com

Subject: Results of a Biological Resources Constraints Analysis for the 8th Street Project, City of

Lancaster, Los Angeles County, California

Dear Ms. Haughton:

This Letter Report presents the findings of a biological resources constraints analysis for the 8th Street Project site (hereinafter referred to as the "Project site") located in the City of Lancaster, California (Exhibit 1). The Proposed Project is construction and operation of a warehouse. The purpose of the survey was to evaluate potential biological constraints on the Project site.

PROJECT LOCATION

The Project site is located southeast of the intersection of State Route 14 and West Avenue L in the City of Lancaster, Los Angeles County (Exhibit 1). The Project site is located east of West 8th Street, north of West Avenue L-6, and west of the terminus of 7th Street West. The Project site is approximately five acres and encompasses Los Angeles County Assessor's Parcel Numbers 3128-009-104 and 3128-009-089. Land uses in the surrounding vicinity include industrial development and open space.

The Project site is shown on the U.S. Geological Survey's (USGS') Lancaster West 7.5-minute topographic quadrangles of the San Bernardino Meridian in Township 7 North, Range 12 West, Section 34 (Exhibit 2). Elevations on the Project site are approximately 2,475 to 2,480 feet above mean sea level. There are no blueline streams on or immediately adjacent to the Project site; however, Amargosa Creek is located approximately 920 feet to the east of the Project site. The site has been previously disturbed; vegetation on the Project site is sparse and primarily consists of non-native weedy species with a few native shrubs. The Project site is fenced on the southern and northern perimeters and is bordered on the west by a two-lane paved road.

SURVEY METHODS

Prior to the survey, a literature review was conducted to identify special status plants, wildlife, and habitats that have been reported to occur in the vicinity of the Project site. Resources reviewed included the California Native Plant Society's Inventory of Rare and Endangered Plants (CNPS 2023) and the California Department of Fish and Wildlife's (CDFW's) California Natural Diversity

Database (CDFW 2023a). Database searches included the USGS' Lancaster East, Lancaster

West, Rosamond, Rosamond Lake, Little Buttes, Del Sur, and Palmdale 7.5-minute

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Psomas Biologist Sarah Thomas conducted a walk-over survey of the Project site, as well as an approximately 25-foot buffer, on June 29, 2023, to conduct a general plant and wildlife survey, to map existing vegetation communities, and to assess the habitat for special status plant and wildlife species. Representative site photographs are included in Attachment A. Vegetation was mapped on a 1 inch equals 200 feet (1"=200') scale color aerial photograph. Nomenclature for vegetation types generally follows that of the *A Manual of California Vegetation association name* (Sawyer et al. 2009). All plant species observed were recorded in field notes. Plant species were identified in the field or collected for subsequent identification using keys in Baldwin et al. (2012). Taxonomy follows the *Special Vascular Plants, Bryophytes, and Lichens List* (CDFW 2023c) for special status species, and Baldwin et al. (2012) and current scientific data (e.g., scientific journals) for scientific and common names (Jepson Flora Project 2023). A list of plant species observed during the survey is included in Attachment B.

All wildlife species detected during the course of the surveys were documented in field notes. Birds were identified by visual and auditory recognition. Surveys for mammals were conducted during the day and included searching for and identifying diagnostic sign including scat, footprints, scratch-outs, dust bowls, burrows, and trails. Taxonomy and nomenclature for wildlife generally follows the *Special Animals List* (CDFW 2023b) for special status species, Crother (2017) for amphibians and reptiles, American Ornithological Society (2022) for birds, and the Smithsonian National Museum of Natural History (2011) for mammals. A list of wildlife species observed during the survey is included in Attachment B.

EXISTING CONDITIONS

Vegetation

The Project site consists of a previously disturbed, undeveloped lot. Evidence of mechanical disturbance is present in the southern half of the Project site where a level terrace appears to have been constructed with heavy equipment. Additionally, large piles of soil are in the northeastern corner of the Project site and scattered trash occurs throughout the Project site.

The majority of the Project site is comprised of ruderal habitat (Exhibit 3). This vegetation type consists primarily of grayish shortpod mustard (*Hirschfeldia incana*) with scattered thick patches of Mediterranean grass (*Schismus* sp.), red brome (*Bromus rubens*), and scattered rubber rabbitbrush (*Ericameria nauseosus*). Other species observed include annual bursage (*Ambrosia acanthicarpa*), turkey-mullein (*Croton setiger*), redstem filaree (*Erodium cicutarium*), prickly lettuce (*Lactuca serriola*), and Russian thistle (*Salsola tragus*). Vegetation mapped as ruderal corresponds to the upland mustards or star-thistle fields in *A Manual of California Vegetation*.

The southwestern portion of the Project site and an access road that runs west-east through the northern portion of the Project site was mapped as disturbed (Exhibit 3). These areas are comprised of bare ground that is lacking vegetation (i.e., less than five percent vegetation cover). There is no corresponding vegetation type in *A Manual of California Vegetation*, as areas lacking vegetation are not described.

Wildlife Habitat

The Project site has been previously disturbed, resulting in compaction of the soils, and is generally surrounded by development to the north, west, and south; undeveloped open space occurs to the east. The Project site is located in an urban setting and is expected to support urban-tolerant wildlife species because it lacks native habitat and undisturbed soils, and is adjacent to human disturbances.

No fish or amphibian species are expected to occur on the Project site due to lack of suitable habitat (i.e., water).

Bird species observed during the survey include Anna's hummingbird (*Calypte anna*), black phoebe (*Sayornis nigricans*), common raven (*Corvus corax*), and horned lark (*Eremophila alpestris*). Other bird species expected to occur include, but are not limited to, mourning dove (*Zenaida macroura*), killdeer (*Charadrius vociferus*), rock pigeon (*Columba livia*), Say's phoebe (*Sayornis saya*), house sparrow (*Passer domesticus*), house finch (*Haemorhous mexicanus*), lesser goldfinch (*Spinus psaltria*), white-crowned sparrow (*Zonotrichia leucophrys*), and California towhee (*Melozone crissalis*). Cooper's hawk (*Accipiter cooperii*) and red-tailed hawk (*Buteo jamaicensis*) may occur for foraging.

One reptile, the Great Basin whiptail (*Aspidoscelis tigris tigris*), was observed during the survey. Common reptiles that may occur include but are not limited to gopher snake (*Pituophis catenifer*), southern Pacific rattlesnake (*Crotalus oreganus helleri*), and common side-blotched lizard (*Uta stansburiana*).

One mammal, the California ground squirrel (*Otospermophilus beecheyi*), was observed on the Project site during the survey. Other common mammal species that may occur on the Project site include but are not limited to the desert cottontail (*Sylvilagus audubonii*), black-tailed jackrabbit (*Lepus californicus*), coyote (*Canis latrans*), and Merriam's kangaroo rat (*Dipodomys merriami*). California ground squirrel burrows were observed in the northern and central portions of the Project site.

Special Status Resources

Special Status Vegetation Types

The CDFW provides a list of vegetation alliances, associations, and special stands that are considered "Sensitive Natural Communities" based on their rarity and threat. None of the vegetation types that occur on the Project site would be considered Sensitive Natural Communities.

Jurisdictional Areas

No potentially jurisdictional drainage features that may be regulated by the U.S. Army Corps of Engineers, the CDFW, or the Regional Water Quality Control Board occur on the Project site. An ephemeral drainage running southwest-northeast occurs approximately 20 feet to the east of the Project site. This area occurs entirely outside the Project impact boundary and it is assumed that it would not be impacted by the Project; if this area would be directly impacted, additional evaluation of this drainage feature would be needed.

Special Status Plant and Wildlife Species

Plant or wildlife species may be considered to have "special status" due to declining populations, vulnerability to habitat change, or restricted distributions. Certain special status species have been listed as Threatened or Endangered under State and/or Federal Endangered Species Acts.

Special Status Plants

One federally and/or State listed (or Candidate) Endangered, Threatened, or Rare plant species, the western Joshua tree (*Yucca brevifolia*), was reported from the Project region. No western Joshua tree occur on the Project site.

Several California Rare Plant Rank (CRPR) of 1B¹ or 2B² have been reported from the Project region: Horn's milk-vetch (*Astragalus hornii* var. *hornii*), Lancaster milk-vetch (*Astragalus preussii* var. *laxiflorus*), alkali mariposa-lily (*Calochortus striatus*), Parry's spineflower (*Chorizanthe parryi* var. *parryi*), Clokey's cryptantha (*Cryptantha clokeyi*), desert cymopterus (*Cymopterus deserticola*), Rosamond eriastrum (*Eriastrum rosamondense*), Barstow woolly sunflower (*Eriophyllum mohavense*), sagebrush loeflingia (*Loeflingia squarrosa* var. *artemisiarum*), short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), and California alkali grass (*Puccinellia simplex*). These species are not expected to occur on the Project site due to lack of suitable soils and/or habitat.

Special Status Wildlife

Seven federally and/or State listed Endangered or Threatened species were reported from the Project region: tricolored blackbird (*Agelaius tricolor*), vernal pool fairy shrimp (*Branchinecta lynchi*), Swainson's hawk (*Buteo swainsoni*), western snowy plover (*Charadrius nivosus nivosus*), desert tortoise (*Gopherus agassizii*), least Bell's vireo (*Vireo bellii pusillus*), and Mohave ground squirrel (*Xerospermophilus mohavensis*). Four of these species are not expected to occur on the Project site due to lack of suitable riparian, marsh, or pool habitat: tricolored blackbird, vernal pool fairy shrimp, western snowy plover, and least Bell's vireo. Habitat on the Project site is marginally suitable foraging habitat for Swainson's hawk, but there is no suitable nesting habitat on or immediately adjacent to the Project site. Most reported location of Swainson's hawks are in the areas surrounding the city, in open desert or agricultural areas, whereas the Project site is located closer to the urbanized portion of the city. Therefore, Swainson's hawk would not be expected to occur due to the low habitat value considered with the proximity to urbanized areas. Desert tortoise and Mohave ground squirrel would not be expected to occur due to the lack of native desert vegetation types coupled with the highly compacted nature of the soil. These burrowing animals require friable (loose) soils for digging burrows.

The Crotch bumble bee (*Bombus crotchii*) is proposed as a Candidate to be State listed as Endangered. The Crotch bumble bee is a ground nester and often makes its nest in abandoned mammal burrows; it can be found in most native habitat types, although it prefers grassland and scrub habitats. It is primarily associated with plants from the following families: *Fabaceae, Apocynaceae, Asteraceae, Lamiaceae*, and *Boraginaceae* (Richardson 2017, Thorp et. al. 1983). The nearest observation of Crotch bumble bee was recorded in 1971 at approximately 3.5 miles from the Project site. The nearest recent observations (2019–2020) of Crotch bumble bee are approximately 15 to 20 miles away and located in open desert areas, whereas the Project site is located near the urbanized portion of the City. The Project site would be considered marginally suitable foraging habitat; it has been heavily disturbed (compacting soil) and is vegetated with ruderal species. A pre-construction survey would be needed to ensure that an active nest of this species is not impacted.

In addition to species formally listed by the resource agencies, several California Species of Special Concern have been reported from the Project region. The majority of these species would not be considered constraints on development; however, one species, burrowing owl (*Athene cunicularia*), would require avoidance measures if present. Burrowing owl is a grassland specialist that occupies open areas with short vegetation and bare ground within shrub, desert, and grassland environments. Burrowing owls in the western U.S. depend upon the presence of burrowing mammals whose burrows are used for roosting and nesting (Haug et al. 1993). The presence or absence of colonial mammal burrows (e.g., California ground squirrels) is often a major factor that limits the presence or absence of burrowing owls. The burrowing owl has been reported from multiple locations. The closest documented breeding observation occurred approximately 3.5 miles northwest of the Project site (CDFW 2023a). The closest

CRPR 1B: Plants Rare, Threatened, or Endangered in California and elsewhere

² CRPR 2B: Plants Rare, Threatened, or Endangered in California but more common elsewhere

observation with unknown breeding status occurred approximately 0.25 mile southeast of the Project site (ebird 2023). Burrowing owls utilize mammal burrows and may occupy California ground squirrel burrows on the Project site for wintering or for breeding. A focused survey for burrowing owl would be needed to determine the presence or absence of this species on the Project site.

Other Considerations

California Native Desert Plants Act

The California Desert Native Plants Act, codified in Sections 80001–80201 of the *California Food and Agricultural Code*, was enacted to protect California desert native plants from unlawful harvesting on both public and privately-owned lands. This act is applicable within Imperial, Inyo, Kern, Los Angeles, Mono, Riverside, San Bernardino, and San Diego counties. Within these counties, the act prohibits the harvest, transport, sale, or possession of specific native desert plants without a valid permit or wood receipt and with the required tags and seals. The appropriate permits, tags, and seals must be obtained from the sheriff or commissioner of the county where collecting will occur; and the county will charge a fee.

The following native plants, or any parts thereof, may not be harvested except for scientific or educational purposes under a permit issued by the commissioner of the county in which the native plants are growing:

- All species of *Burseraceae* family (elephant tree)
- Carnegiea gigantea (saguaro cactus)
- Ferocactus acanthodes (barrel cactus)
- Castela emoryi (crucifixion thorn)
- *Dudleya saxosa* (Panamint dudleya)
- Pinus longaeva (bristlecone pine)
- *Washingtonia filifera* (fan palm)

The following native plants, or any part thereof, may not be harvested except under a permit issued by the commissioner or the sheriff of the county in which the native plants are growing:

- All species of the family *Agavaceae* (century plant, nolina, yucca)
- All species of the family *Cactaceae* (cacti), except for the plants listed in subdivisions (b) and (c) of Section 80072, which may be harvested under a permit obtained pursuant to that section
- All species of the family *Fouquieriaceae* (ocotillo, candlewood)
- All species of the genus *Prosopis* (mesquite)
- All species of the genus *Parkinsonia* (palo verde)
- Acacia greggii (catclaw)
- *Atriplex hymenelytra* (desert-holly)
- *Dalea spinosa* (smoke tree)
- Olneya tesota (desert ironwood), including both dead and live desert ironwood

One Mexican palo verde (*Parkinsonia aculeata*) tree occurs on the Project site at the northern edge. This species is an escaped cultivar and is not native to the Project region. Additionally, a permit is not required for the removal of five or less individuals (California Desert Native Plants Act, Section 80118). No other regulated species occurs on the Project site.

Wildlife Movement

Landscape features or travel routes that connect the larger open space areas would be considered "wildlife corridors" if they provide adequate space, cover, food, and water and do not contain obstacles or distractions (e.g., man-made noise, lighting) that would generally hinder wildlife movement.

The Project site is located at the southeastern portion of the City of Lancaster. There is a small pocket of open space that occurs from West Avenue K south to West Avenue M that is about one mile from north to south and varies from 0.3 to one mile wide from east to west. Amargosa Creek is located within this open space fragment and could be considered an area of local wildlife movement. The Project site is located along the edge of existing development on the western side of this open space and is approximately 0.2 mile west of Amargosa Creek; however, the Project site is surrounded by development to the south, west, and north, and is only open to the east. While wildlife could enter the Project site from the east, the Project site is a dead-end as it does not connect to other open space areas.

Nesting Birds/Raptors

The Migratory Bird Treaty Act (MBTA) protects the taking of migratory birds and their nests and eggs. Bird species protected under the provisions of the MBTA are identified by the List of Migratory Birds (Code of Federal Regulations, Title 50, §10.13). Section 3503 of the California Fish and Game Code makes it unlawful to take, possess, or destroy any bird's nest or any bird's eggs. Section 3513 of the California Fish and Game Code prohibits the take and possession of any migratory nongame bird, as designated in the MBTA. Birds have potential to nest throughout the Project site in vegetation, on bare ground, and on adjacent structures. If construction would be initiated during the nesting season (generally between February 1 and August 31), a pre-construction survey would be required to ensure that no nests are impacted. If an active nest is present, construction may be restricted in the immediate vicinity of the nest until nesting is complete.

Ornamental trees and structures adjacent to the Project site have limited potential to be used for nesting by raptors. Regulations prohibit activities that "take, possess, or destroy" any raptor nest or egg (California Fish and Game Code §3503, 3503.5, and 3513). Additionally, the noise and disturbance associated with construction may disturb a nesting raptor adjacent to the Proposed Project. If construction would be initiated during the raptor nesting season (generally between February 1 and August 31), a preconstruction survey would be required to ensure that no raptor nests are impacted. If an active nest is present, construction may be temporarily restricted in the immediate vicinity of the nest until nesting is complete.

RECOMMENDATIONS

The following is a list of recommendations to avoid and minimize impacts on biological resources:

1. A pre-construction survey for active Crotch's bumble bee nests will be required during the Crotch's bumble bee active period (i.e., March to August) prior to the initiation of construction activities. The survey must be conducted in the same season that vegetation disturbance will occur. The visual survey will be conducted by a qualified Biologist (i.e., one with experience in the identification of bee species). Surveys shall be conducted at least two hours after sunrise and

three hours before sunset during suitable weather conditions. Sunny days with temperatures greater than 60 degrees Fahrenheit and wind speeds less than eight mph are optimal, but partially cloudy days or overcast conditions are permissible if a person's shadow is visible. Surveys should not be conducted during wet, foggy, or rainy conditions. Meandering transects will be walked slowly over the project site to obtain a 100% survey cover. The Biologist will search for Crotch's bumble bee activity and the presence of ground nests. Cavities such as mammal burrows shall be inspected with binoculars for evidence of bumble bee use. If multiple exiting/entering bumble bees are observed at a cavity, further observation shall occur until nesting is confirmed (e.g., multiple individuals entering the cavity). If a ground nest is observed, it will be protected in place from vegetation removal until it is no longer active as determined by a Biologist. A Letter Report will be prepared to document the results of the pre-construction survey and provided to CDFW.

2. Prior to construction, a focused survey for burrowing owl will be required to determine the presence or absence of this species on or adjacent to the Project site. Surveys should follow the CDFW (2012) Burrowing Owl Survey Protocol and Mitigation Guidelines.

If construction is initiated during the breeding season (i.e., March 1 to August 31) and burrowing owl is present, restrictions may be placed on construction activities in the vicinity of the active burrow until it is no longer active, as determined by a qualified Biologist. If construction is initiated during the wintering season and burrowing owl is present, an active burrow may be closed following CDFW-approved procedures.

3. If construction activities are initiated during the nesting season for birds/raptors (i.e., February 1 to August 31), a pre-construction survey for active bird/raptor nests will be required within three days prior to the initiation of construction activities. Restrictions may be placed on construction activities in the vicinity of any active nest until the nest is no longer active, as determined by a qualified Biologist.

Thank you for the opportunity to prepare this letter report. If you have any questions or comments, please contact Amber Heredia at Amber.Heredia@psomas.com or 714.481.8049.

Sincerely,

PSOMAS

Amber O. Heredia

Senior Project Manager, Resource Management

Sarah Thomas

Biologist

Enclosures: Exhibit 1 – Project Location

Exhibit 2 – U.S. Geological Survey 7.5-Minute Quadrangle

Exhibit 3 – Vegetation Types and Other Areas

Attachment A – Representative Site Photos Attachment B – Plant and Wildlife Compendia

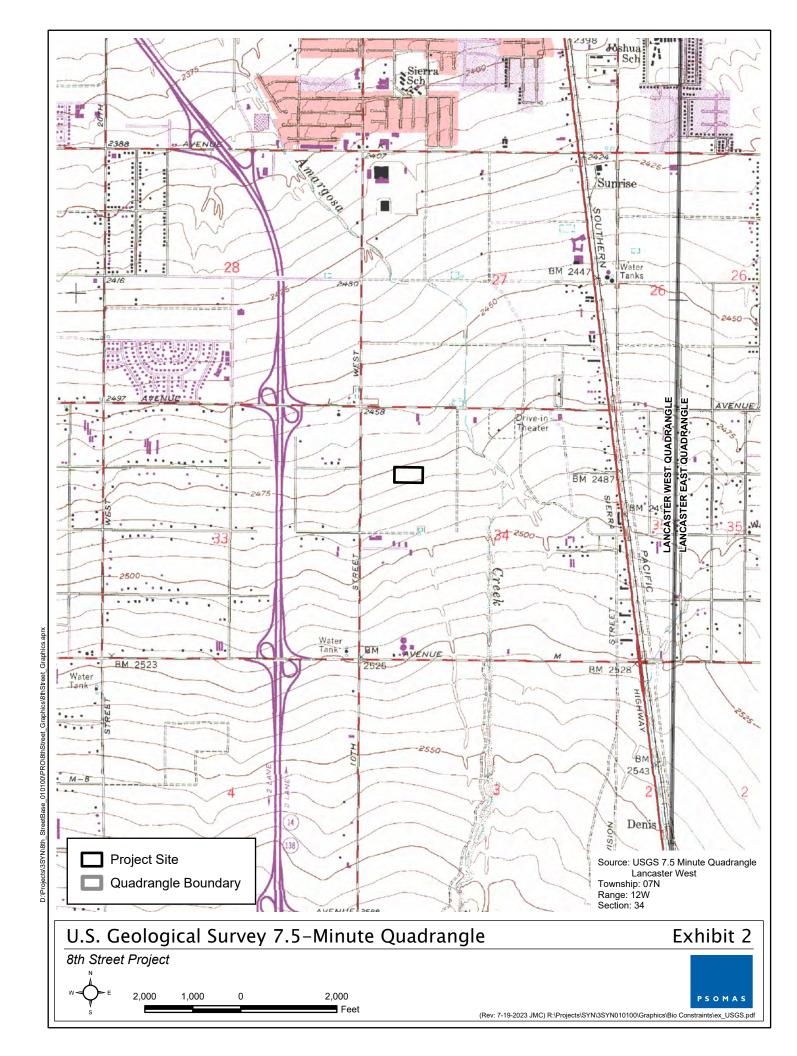
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Vegetation Types and Other Areas 8th Street Project Which is a superior of the image of the im

APPENDIX A REPRESENTATIVE SITE PHOTOS



Photo 1. Overview of project site from southeast corner facing northwest.



Photo 2. View of center of project site facing southwest.

Representative Site Photos

Attachment A-1

8th Street Project





Photo 3. View of piled dirt near the northeastern boundary of the site.



Photo 4. View of access road running east-west through the northern portion of the site, facing east.

Representative Site Photos

Attachment A-2

8th Street Project





Photo 5. Representative example of ground squirrel burrows on the project site.

Representative Site Photos

Attachment A-3

8th Street Project



APPENDIX B PLANT AND WILDLIFE COMPENDIA

Table B-1 Plant Species Observed on the Project Site

Species Common Name

EUDICOTS

ASTERACEAE - SUNFLOWER FAMILY

Ambrosia acanthicarpa annual bur-sage

Ericameria nauseosa rubber rabbitbrush

Lactuca serriola* prickly lettuce

BIGNONIACEAE - BIGNONIA FAMILY

Chilopsis linearis ssp. arcuata linear arched desert-willow

BRASSICACEAE - MUSTARD FAMILY

Hirschfeldia incana* grayish shortpod mustard

Sisymbrium sp. sisymbrium

EUPHORBIACEAE - SPURGE FAMILY

Euphorbia sp. spurge

FABACEAE - LEGUME FAMILY

Parkinsonia aculeata* Mexican palo verde

MONOCOTS

POACEAE - GRASS FAMILY

Bromus rubens* red brome

Schismus sp.* Mediterranean grass

LEGEND

^{*} Non-native or invasive species

Table B-2 Wildlife Species Observed on the Project Site

Scientific Name Common Name LIZARDS TEIIDAE - WHIPTAIL LIZARD FAMILY Aspidoscelis tigris tigris Great Basin whiptail **BIRDS** TROCHILIDAE - HUMMINGBIRD FAMILY Anna's hummingbird Calypte anna **TYRANNIDAE - TYRANT FLYCATCHER FAMILY** Sayornis nigricans black phoebe **CORVIDAE - JAY AND CROW FAMILY** Corvus corax common raven ALAUDIDAE – LARK FAMILY Eremophila alpestris horned lark **MAMMALS SCIURIDAE - SQUIRREL FAMILY**

California ground squirrel

Otospermophilus beecheyi